

# The Importance of Philosophical Arguments for the Reality of the Spiritual Soul in Pro-life Work

*Peter J. Colosi\**

ABSTRACT: In *Embryo: A Defense of Life*, Robert P. George and Christopher Tollefsen have provided a defense of the life of early embryos against those who claim that such beings are not human beings. They masterfully summarize the findings of the most recent embryological research, referring to the studies and textbooks utilized by the highest level universities. These sciences have made it no longer possible to claim that an embryo is not a new distinct living human being. George and Tollefsen offer a concise and easily comprehensible presentation of these established scientific facts. But their view of human personhood is difficult to distinguish from epiphenomenalism and leaves the impression that the immaterial dimension of human persons has as its exclusive source the material body. They assert that the concept of “soul” will not make an appearance in their book, because that would be unnecessary and unhelpful. For this reason they tend to identify the “soul” with consciousness, reflection, choice, and the capacities that make those abilities possible. But these

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\* *Peter J. Colosi* is associate professor of philosophy at Salve Regina University in Newport, Rhode Island. From 2009-2015 he was assistant/associate professor of moral theology at St. Charles Borromeo Seminary in Philadelphia. From 1999-2007 he was instructor/assistant professor of philosophy for Franciscan University of Steubenville in Gaming, Austria. He earned his BS in mathematics from Franciscan University, an MA in Franciscan Studies from St. Bonaventure University, and his MPhil and PhD from the International Academy of Philosophy in the Principality of Liechtenstein. Dr. Colosi has published in the areas of medical ethics, Franciscan studies, and philosophical personalism in: *Logos: A Journal of Catholic Thought and Culture*, *The National Catholic Bioethics Quarterly*, *The Catholic Social Science Review*, *Franciscan Studies*, among others. He also published “A Catholic Anthropology and Medical Ethics” in *Catholic Witness in Health Care* (CUA Press, 2017) and “The United States Bishops vs. the HHS Contraception Mandate: A Question of Religious Freedom, Moral Truth or Both?” in *Why Humanae Vitae is Still Right?* (Ignatius Press, 2018). He maintains two websites: [www.tobinternationalsymposia.com](http://www.tobinternationalsymposia.com), containing the talks of the five Theology of the Body International Symposia he organized with friends in Europe (Austria, Ireland, England, Portugal, Holland) and [www.peterjcolosi.com](http://www.peterjcolosi.com).

things need a foundational level of being in which to inhere. For George and Tollefsen this foundation is the body, which they refer to as the animal organism: this is the stance of epiphenomenalism. After giving a thorough expression of their position, I will offer a different explanation for explaining the unity of body and soul in persons, while avoiding the tendency towards epiphenomenalism. I call this view Realist Phenomenology/Christian Personalism<sup>1</sup> and will contrast it with the New Natural Law approach represented in *Embryo: A Defense of Life*.

## 1. Introduction

Realist phenomenology/Christian personalists and New Natural Law thinkers are “on the same team” in their common goal to restore genuine morality to the public sphere. Their specific moral conclusions are for the most part in agreement. Even in the specific areas where they disagree (for example, neurological criteria for determining death<sup>2</sup>), they agree on the dignity of human persons and the inviolability of human life.

Many formidable thinkers in the prolife movement have for various reasons decided to depend heavily, and in some cases exclusively, on the argument from biological continuity to support their moral conclusions. The

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<sup>1</sup> By the phrase “realist phenomenologists/Christian personalists” I mean to point to both the early phenomenologists who developed a version of personalism out of that school of phenomenology (for example, Max Scheler, Edith Stein and Dietrich von Hildebrand) and also to the blending and interactions that gradually developed between the school mentioned, including its later generations, with what is sometimes called Polish personalism because of the research and writings of Karol Wojtyła/John Paul II and his students. Another point to make about Christian personalism as a philosophical school is that the word “Christian” here refers to the environment in which and because of which this philosophical school emerged, not that its arguments are theological or based on divine revelation, even though without the knowledge that came from divine revelation, its arguments would not have been made or made as richly. If a Christian personalist philosopher uses a properly theological argument, then this should be clearly stated.

<sup>2</sup> There is a plethora of articles on this topic ranging across numerous sciences and viewpoints. In this note I will list one representative example each from the two schools mentioned. From New Natural Law and the view that brain death is actual death, Patrick Lee and Germain Grisez, “Total Brain Death: A Reply to Alan Shewmon,” *Bioethics* 26/5 (2012): 275-84. From realist phenomenology/Christian personalism and the view that patients with a brain death diagnosis are still alive, Josef Seifert, “On ‘Brain Death’ in Brief: Philosophical Arguments against Equating It with Actual Death and Responses to ‘Arguments’ in favor of Such an Equation” in *Finis Vitae: Is “Brain Death” True Death?*, ed. Roberto de Marrei and Paul A. Byrne MD (Oregon OH: Life Gaurdian Foundation, 2009), pp. 205-26.

argument from biology is a good argument, as its conclusions come down clearly in favor of the prolife side, proving definitively that from fertilization on we have a living, growing, distinct member of the species *Homo sapiens*. From this fact, prolife thinkers rightly draw the conclusion that abortion is immoral because deliberately to kill an innocent human being is immoral.

Many thinkers in favor of abortion and euthanasia grant these biological facts, but they do *not* think that a moral prohibition on killing follows from those biological facts, even though they admit that the facts are correct.<sup>3</sup> To support their views, they have constructed a definition of personhood that allows for two classes of living growing members of our species: (1) living human persons and (2) living human non-persons. The distinguishing feature of this view is that the human persons have some level of mature experienced consciousness, while the living (healthy or not healthy) human non-persons do not have mature experienced consciousness. These thinkers draw the conclusion that deliberately to kill innocent human *persons* is morally wrong but that to kill living human non-persons is not morally wrong.<sup>4</sup> They make this distinction precisely because the biological and genetic evidence came down squarely in favor of the prolife side, definitively proving that the tiniest human embryos are distinct human beings and not, as was once commonly said, mere “blobs of tissue.” They needed to come up with an argument to present in public debate for killing what is now undeniably known to be biologically a

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<sup>3</sup> For example, Peter Singer asserts: “Whether a being is a member of a given species is something that can be determined scientifically, by an examination of the nature of the chromosomes in the cells of the living organisms. In this sense there is no doubt that from the first moments of its existence an embryo conceived from human sperm and eggs is a human being; and the same is true of the most profoundly and irreparably intellectually disabled human being, even of an infant who is born anencephalic—literally, without a brain.” Peter Singer, *Practical Ethics* (Cambridge UK: Cambridge Univ. Press, 1993), pp. 85-86.

<sup>4</sup> Thus Singer: “The embryo, the later fetus, the profoundly intellectually disabled child, even the newborn infant – all are indisputably members of the species *Homo sapiens* but none are self-aware, have a sense of the future, or the capacity to relate to others.” Singer, *Practical Ethics*, p. 86. For one of Singer’s many assertions that killing humans with minimal consciousness is morally unobjectionable, see *Practical Ethics*, pp. 89-95. It should be added (even though I will not deal with it in this paper) that Singer holds that it is also morally allowable to kill human persons, even fully conscious ones, if they consent to that. See Peter Singer, “Voluntary Euthanasia: A Utilitarian Perspective,” *Bioethics* 17/5-6 (2003): 526-41.

living human being.

The typical pro-life response to this distinction is to reassert the argument from biological continuity, and then to insist that human life must be accorded intrinsic value simply because it is human. They add that unless we do this, there is no foundation for universal human rights. But this pro-life approach, which is an excellent pillar in our overall approach, when focused on exclusively or too heavily, implies that it is the biological life itself that is the bearer of the all the dignity that grounds moral obligations. On the other hand, Josef Seifert, who is a representative of the Realist Phenomenology/Christian Personalist school, has argued that the presence of a biological human being (while integrally included among the sources of the dignity of persons) serves more as the sure sign of a deeper, immaterial dimension of that being that is the real foundational source of the dignity that grounds the absolute moral norm never to violate innocent human beings.<sup>5</sup>

In this paper I argue that by not attending to the *immaterial* dimension of human beings, the pro-life runs the risk of constructing arguments that, if thought through to their logical conclusions, cause errors in trying to support the pro-life position one hopes to defend. I plan to argue for this point philosophically in a way that can be engaging in public debate.

My paper will contrast the difference between a realist phenomenological/Christian personalist approach<sup>6</sup> and a New Natural Law approach to the

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<sup>5</sup> See Josef Seifert, "The Right to Life and the Fourfold Root of Human Dignity" in *The Nature and Dignity of the Human Person as the Foundation of the Right to Life: Proceedings of the Eighth Assembly of the Pontifical Academy for Life* (Città del Vaticano: Libreria Editrice Vaticana, 2003), pp. 199, 200 n12. See also n28 and n29 below.

<sup>6</sup> Some works in which this approach is taken are: Josef Seifert, *Leib und Seele, Ein Beitrag zur Philosophischen Anthropologie* (Salzburg: Universitätsverlag Anton Pustet, 1973) and *Das Leib Seele Problem und die gegenwärtige philosophische Diskussion* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989); Ludger Hölscher, *Die Realität des Geistes, eine Darstellung und phänomenologische Neubegründung der Argumente Augustins für die geistige Substantialität der Seele* (Heidelberg: Universitätsverlag C. Winter, 1999); this book also exists in an earlier English version as *The Reality of the Mind: Augustine's Philosophical Arguments for the Human Soul as a Spiritual Substance* (London UK: Routledge and Keegan Paul, 1986); Stephen D. Schwarz, *The Moral Question of Abortion* (Chicago IL: Loyola Press, 1990); John F. Crosby, *The Selfhood of the Human Person* (Washington, DC: The Catholic Univ. of America Press, 1996); see ch. 4 on Substance and Subjectivity; John F. Crosby, *Personalist Papers* (Washington, DC: The Catholic Univ. of America Press, 2003); see

question of the soul when making a prolife argument in the public sphere. In this short paper, I will give just one example in order make the general point.<sup>7</sup>

## 2. A New Natural Law Approach

The book by Robert P. George and Christopher Tollefsen entitled *Embryo: A Defense of Human Life* can serve as a representative of the New Natural Law position.<sup>8</sup> George and Tollefsen are well-known and highly accomplished

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ch. 6 on Person and Consciousness; and Peter J. Colosi, "Discussing the Spiritual Soul in the Classroom," *National Catholic Bioethics Quarterly* 18 (2018): 417-26; Peter J. Colosi, "The Uniqueness of Persons in the Life and Thought of Karol Wojtyła/Pope John Paul II, with Emphasis on His Indebtedness to Max Scheler," Ch. 3 in *Karol Wojtyła's Philosophical Legacy*, eds. Nancy Mardas Billias, Agnes B. Curry, and George F. McLean (Washington, D.C.: The Council for Research in Values and Philosophy, 2008), pp. 61-100.

<sup>7</sup> Another instance of the problem of an over-reliance on biological argumentation in the prolife cause was the altered nuclear transfer-oocyte assisted reprogramming (ANT-OAR) proposal, which attempted to obtain pluripotent embryonic stem cells using IVF or cloning technology by hyper-activating genes in gametes and/or somatic cells before performing IVF or cloning. In this way, it was said, one could produce a one-celled entity that exhibited the epigenetic profile of an embryonic stem cell that could reproduce itself, and from that biological-genetic state of affairs the conclusion was drawn that it was never a fertilized/conceived human being because a zygote has a different epigenetic profile than a pluripotent embryonic stem cell. Many prolife thinkers signed onto a proposal morally approving this procedure exclusively on the basis of the epigenetic profile of the cell produced by ANT-OAR, but in doing so they failed to address many important moral, metaphysical, and theological considerations. For the original proposal, see "Production of Pluripotent Stem Cells by Oocyte Assisted Reprogramming, Joint Statement with Signatories," *National Catholic Bioethics Quarterly* 5 (2005): 579–83. Available online: [http://www.austriacolab.com/AustriacoLab/Publications\\_files/ANT-OARSignatories.pdf](http://www.austriacolab.com/AustriacoLab/Publications_files/ANT-OARSignatories.pdf). For a detailed critique of that proposal from a Christian personalist perspective, see Peter J. Colosi, "Personhood, the Soul and Non-Conscious Human Beings: Some Critical Reflections on Recent Forms of Argumentation within the Pro-Life Movement," *Life and Learning* XVII (Washington, D.C.: UFL, 2007), pp. 277-304, available online, <http://www.uffl.org/vol17/COLOSI07.pdf>. See also *Communio* 2004–2005 for a thorough discussion-debate of the issue by many authors, pro and con, <https://www.communio-icr.com/collections/view/ant-oar>.

<sup>8</sup> Robert P. George and Christopher Tollefsen, *Embryo: A Defense of Human Life* (New York NY: Doubleday, 2008). I began working on the point I will raise with respect to *Embryo* in two presentations some years ago: "The Personhood of Embryos: Framing the Question" at the Eighteenth Annual University Faculty for Life Conference at Marquette University (May 30-June 1, 2008) and "Nine Critical

professors, philosophers, and defenders of life whom I respect on very many counts; nonetheless, this book contains a clear example of the specific problem I hope to bring to light. I will begin by outlining the main argument of the book. In the opening pages, George and Tollefsen state:

The main purpose of this book is to make the positive case for the moral standing of the human embryo, to argue, that is, that it is morally wrong and unjust to kill that embryo, even if the goal of the embryo killing is the advancement of science or the development of therapeutic products or treatments.<sup>9</sup>

George and Tollefsen provide a spirited defense of the life of early embryos against those who claim that such beings are not human beings. They succeed by using an argument based on the most up-to-date biology, in refuting their interlocutors “on their own turf.” In chapter two (“The Facts of Embryology”) they masterfully summarize the findings of the most recent embryological research using the studies and textbooks utilized by the highest level universities. These sciences have made it no longer possible to claim that an embryo is not a new distinct living human being, and we can be grateful to George and Tollefsen for having collected and presented a concise and easily comprehensible presentation of these established scientific facts.<sup>10</sup> It follows, they point out, that if it is wrong to kill human beings, then it is wrong to kill

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Questions Related to *Embryo: A Defense of Life* by Robert P. George and Christopher Tollefsen,” presented at the conference “The Value of Human Life” at the Institute of Bioethics at Franciscan University (October 23-25, 2010).

<sup>9</sup> *Embryo*, p. 17.

<sup>10</sup> See *Embryo*, ch. 2. It should be added, though, that while this research is technically accurate with respect to biology and genetics, as Michael Hanby has noted, there is a “manner in which the structure of scientific cognition shapes science’s preconception of its objects.” This conception is devoid of metaphysics and misses the full reality and mystery of the nature of human beings. See Michael Hanby, “Reconceiving the Organism: Why American Catholic Bioethics Needs a Better Theory of Human Life,” *Communio: An International Catholic Review* 41 (2014): 1-39. See also Michael Hanby, *No God, No Science? Theology, Cosmology, Biology* (Malden MA: Wiley Blackwell, 2017). Another point that needs to be made and seems to me to be overlooked almost entirely is that the knowledge about embryo science was most certainly in large part gained by creating and destroying human embryos. I sometimes wonder whether it would simply be better if we did not have this knowledge; if the knowledge was gained by creating and killing people, then *eo ipso* it would be better if we did not have that knowledge.

embryos.

They also assert, however, that the concept of “soul” will not make an appearance in their book,<sup>11</sup> because they find it unnecessary and unhelpful.<sup>12</sup> They seem to grant the view that it is only the fields of religion and revelation that can speak about the soul, and so they exclude these fields from consideration in their book.<sup>13</sup> They assert that it is biology that tells us what a human embryo is, and ethics that tells us what ought or ought not be done with it.<sup>14</sup> They have made room philosophically only for ethics, and they seem to have collapsed the metaphysics of the soul into religion and rejected both of those as sources of knowledge about what an embryo is. They state their conclusion in this way:

[N]one of what we have had to say has anything to do with a religious doctrine of ensoulment, or with whether an embryo who dies will have spiritual remains in the form of an immaterial soul. That is an interesting theological question, but one that is unnecessary to the moral debate.<sup>15</sup>

With this move, two implications are revealed: (1) that they hold that the question of the soul is exclusively a religious doctrine (which is not true in Western philosophy), and (2) that theology is unnecessary to the moral debate. With the first they effectively exclude metaphysics and anthropology of the soul from their book, and that is the point at which I will offer a criticism in this paper.<sup>16</sup> Now, I agree that in some public discussions relying directly on revelation in argumentation should be avoided, but with both the first and the second implications above they have reduced our access to knowledge concerning the nature of embryos exclusively to embryo science.

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<sup>11</sup> *Embryo*, p. 21: “[T]he concept of ‘soul’ will not make an appearance through the rest of this book.”

<sup>12</sup> *Embryo*, p. 142: “We have shown, we believe, that all attempts to claim that an embryonic human being is not worthy of moral respect are fatally flawed. But it is worth noting that through all the argumentation of this book we have not found it necessary or even helpful to make claims about the human soul.”

<sup>13</sup> See *Embryo*, pp. 20–21.

<sup>14</sup> See *Embryo*, pp. 7-8 and 21. I will present their argument in greater detail as I proceed.

<sup>15</sup> *Embryo*, p. 142.

<sup>16</sup> Hanby expresses this very concern about George and Tollefsen’s book, see “Reconceiving the Organism,” p. 2 n4.

In order to draw out their broader ethical argument, George and Tollefsen distinguish the following *three* sources of knowledge from which they will draw in their book: embryo science, embryo technology, and embryo ethics.<sup>17</sup> Embryo science tells us what embryos are (human beings) and when they begin.<sup>18</sup> Embryo ethics, which they assert “cannot say what the embryo *is*,” tells us what is morally acceptable or not<sup>19</sup> with respect to embryo technology, which tells how we are able to manipulate embryos.<sup>20</sup> But by drawing from philosophy solely in regard to ethics, they leave the impression that embryo science is the source of knowledge that reveals the full nature of the embryo.<sup>21</sup> This light treatment (i.e., leaving the question of the nature and being of embryos to biology) leads to flaws in the book and deeply weakens its overall argument. For example, they assert: “[S]cience itself does not provide us with guidance in making moral decisions about the treatment of those embryos or of human beings at any developmental stage,”<sup>22</sup> and also that

Like embryo science, embryo technology is incapable of providing moral guidance regarding the question of how we ought to treat those embryos. We know from science that those embryos are nascent human beings; and we know from technological research that we can manipulate those embryos in a variety of destructive ways. But is such manipulation morally right? Is it just? It is the business of moral philosophy – embryo ethics, as we call it here – to answer this question.<sup>23</sup>

But a few pages later in their critique of the arguments of Lee Silver they say that his language serves only “to detract from the real issue at hand, namely, the scientific question of when the life of a particular human being begins, and the moral import of the scientifically established answer to this question.”<sup>24</sup> In this passage, George and Tollefsen maintain that it *is* the answer to the scientific question that provides the foundation for answering the ethical question, which contradicts their assertions that science provides no moral

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<sup>17</sup> *Embryo*, pp. 7-8.

<sup>18</sup> *Embryo*, p. 7.

<sup>19</sup> *Embryo*, p. 8 (emphasis in original).

<sup>20</sup> *Embryo*, pp. 7-8.

<sup>21</sup> Later in the text George and Tollefsen argue that a rational nature is present in the embryo. I will discuss that argument also.

<sup>22</sup> *Embryo*, p. 7.

<sup>23</sup> *Embryo*, p. 8.

<sup>24</sup> *Embryo*, p. 20.



knowledge. Another way to put the point is that they both reject biology as the foundation of ethics and also draw exclusively on biology (to the exclusion of metaphysics and anthropology) as the foundation of their ethical conclusions.<sup>25</sup>

After excluding discussion of the soul from their book, they offer a definition of *personhood* in the following way: “human persons are...animal organisms bearing a rational nature.”<sup>26</sup> The soul is thus not under consideration, but the authors firmly reject the possibility of non-personal living humans on the following basis: “If we are persons now, we were persons right from our beginning; we were never human non-persons,”<sup>27</sup> and they claim that this conclusion follows from their having shown that all living humans have a rational nature.<sup>28</sup> This means that human *personhood* is equal to biological

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<sup>25</sup> I have outlined another instance of prolife thinkers both holding and rejecting “in the same breath” that biology is the foundation of ethics, here: Peter J. Colosi, “Personhood, the Soul and Non-Conscious Human Beings: Some Critical Reflections on Recent Forms of Argumentation within the Pro-Life Movement,” *Life and Learning* XVII (2007): 295-96 and the footnotes to those pages.

<sup>26</sup> *Embryo*, p. 23.

<sup>27</sup> *Embryo*, p. 182.

<sup>28</sup> *Embryo*, p. 146: “[I]f these embryos are human beings, they are also persons” and *Embryo*, p. 112: “Human beings *are* animals. We are members of a certain animal species -- Homo sapiens. Any whole living member of that species is a human being. His or her nature is a *human* nature. Such a nature is a *rational* nature. Human beings are *rational animals*. Now, a human (rational) nature is not something a human being *acquires* at some point after he or she comes into existence, or can lose prior to ceasing to exist. Of course, embryonic, fetal, and infant human beings must develop themselves to the point at which the basic natural capacity for characteristically human (rational) mental activity is fully actualized in the form of immediately (albeit intermittently) exercisable capacities for conceptual thinking and practical deliberation and choosing. But the basic natural capacity is inherent in human nature. So we have it from the point at which we come into existence.” While Seifert would agree that human beings have their nature, including their rational nature, from the moment they come into existence, he develops throughout his work the idea of the “lived body,” which was richly written about by many realist phenomenologists. The “lived body” constitutes a contrast with the view of George and Tollefsen, whose mode of expression in this quotation gives the idea of an animal body somehow bearing two rational capacities, but no other links between them. The “lived body” expresses an integrated union in myriads of ways of the material and immaterial dimensions of human beings. For an excellent explication of St. Augustine’s philosophical argument that the human lived body is part of the one nature of man, see Ludger Hölscher, *The Reality of the Mind: Augustine’s Philosophical Arguments for the Human Soul as a Spiritual Substance* (London UK: Routledge and Keegan Paul, 1986), pp. 26-35.

membership in the species *Homo sapiens* plus a rational nature.<sup>29</sup> The rational nature consists of the two radical capacities: the capacity for reason and the capacity for free choice. They claim that this can be known without any discussion of a soul and that this exhausts the meaning of personhood.<sup>30</sup> With this sort of anthropology, they believe they can win the moral argument and defend the unborn from within a framework that secular scientists will accept.

But how do they argue to a rational nature without mention of a soul? They argue that human personhood is a biological human with two capacities, or faculties, and that this is self-evident based on the *kind* of beings in question:

[A] human (rational) nature is not something a human being *acquires* at some point after he or she comes into existence, or can lose prior to ceasing to exist. Of course, embryonic, fetal, and infant human beings must develop themselves to the point at which the basic natural capacity for characteristically human (rational) mental activity is fully actualized in the form of immediately (albeit intermittently) exercisable capacities for conceptual thinking and practical deliberation and choosing. But the basic natural capacity is inherent in human nature. So we have it from the point at which we come into existence.<sup>31</sup>

The authors then conclude that this is sufficient to convince a secular scientist of good will to conclude that it is immoral to kill human embryos.

### 3. A Christian Personalist/Realist Phenomenological Approach

Joseph Koterski, S.J.<sup>32</sup> has pointed out that the reason for which the New

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<sup>29</sup> *Embryo*, p. 23: “[H]uman persons are human organisms of a certain type, namely animal organisms bearing a rational nature.” This idea of referring to human persons as animal organisms seems to conflict with the approach taken in magisterial documents dealing with bioethics, for example, from Congregation for the Doctrine of the Faith, *Donum Vitae* (1987), introduction, no. 3: “By virtue of its substantial union with a spiritual soul, the human body cannot be considered as a mere complex of tissues, organs, and functions, nor can it be evaluated in the same way as the body of animals; rather it is a constitutive part of the person who manifests and expresses himself through it.”

<sup>30</sup> *Embryo*, p. 181: “To be a person is to be an individual who has the basic natural capacity to shape his or her life, by reason and free choice, even though that natural capacity may not be immediately exercisable.” And “Being a person...is a matter of being a certain type of individual, an individual with a rational nature.”

<sup>31</sup> *Embryo*, p. 112.

<sup>32</sup> Although Fr. Koterski would not count himself in the camp of realist phenomenology, I use his article only as a jumping off point, as in it he concisely expresses

Natural Law thinkers have rejected a robust view of metaphysics is because they “have tended to grant that [traditional] natural law theory would commit the naturalistic fallacy if it depended on grounding moral obligation in any kind of theoretical knowledge about human nature.”<sup>33</sup> Since biology is an empirical science, George and Tollefsen accept that, but not metaphysics, as a foundation of ethics.<sup>34</sup> The work of Josef Seifert and other realist phenomenologists, however, have shown that strong philosophical arguments exist that are accessible to people of good will that show the reality of the spiritual soul. Seifert’s work, in fact, has in common with George and Tollefsen, a deep, thorough, and extremely helpful presentation of the results of empirical science – in Seifert’s case, with respect to studies on the human brain. The difference is that Seifert shows in numerous ways that the results of those studies *confirm* the reality of the spiritual soul,<sup>35</sup> whereas George and Tollefsen exclude discussion of the soul from their book. Christian personalists and realist phenomenologists have a unique contribution to make in these debates along with our colleagues in the prolife movement.<sup>36</sup>

In his work on the body/soul question Seifert has developed numerous

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the core problematic areas in New Natural Law thinking.

<sup>33</sup> Joseph W. Koterski, S.J. “On The New Natural Law Theory,” *Modern Age* 42/4 (2000): 416. Available online: [https://isistatic.org/journal-archive/ma/42\\_04/koterski.pdf](https://isistatic.org/journal-archive/ma/42_04/koterski.pdf)

<sup>34</sup> See *Embryo*, p. 84.

<sup>35</sup> This is a prominent theme running throughout Josef Seifert, *Das Leib Seele Problem und die gegenwärtige philosophische Diskussion* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989).

<sup>36</sup> I have begun some of this work; see Peter J. Colosi, “Personhood, the Soul and Non-Conscious Human Beings: Some Critical Reflections on Recent Forms of Argumentation within the Pro-Life Movement,” *Life and Learning* XVII (2007): 277-304, available online, <http://www.ufl.org/vol17/COLOSI07.pdf>; “Nine Critical Questions Related to *Embryo: A Defense of Life* by Robert P. George and Christopher Tollefsen,” presented at the conference “The Value of Human Life” at the Institute of Bioethics at Franciscan University, October 23-25, 2010, and Peter J. Colosi, “Discussing the Spiritual Soul in the Classroom,” *National Catholic Bioethics Quarterly* 18 (2018): 417-26, in which I discuss recent findings of neuroscience and philosophical arguments for the spiritual soul. See also Peter J. Colosi, “A Catholic Anthropology and Medical Ethics,” Ch. 2 in *Catholic Witness in Health Care: Practicing Medicine in Truth and Love*, eds. John Travaline and Louise Mitchell (Washington, D.C.: The Catholic Univ. of America Press, 2017), pp. 31-69.

powerful refutations of epiphenomenalism.<sup>37</sup> He argues against those epiphenomenalists who hold that the view is true. George and Tollefsen reject the moral conclusions that result from the view, but have unwittingly worked themselves into holding metaphysical epiphenomenalism themselves. And so, the arguments of Seifert against card-carrying epiphenomenalists can be leveled against George and Tollefsen with effect.

As Seifert has shown, it is (strictly speaking) not the will that decides and not the intellect that understands, as if each of these were its own person; but rather these are faculties of the one person who employs them in various acts of self-transcendence:

[N]o human conscious experiences and acts can exist in themselves. They require necessarily a subject. This subject must stand in itself in being. Never can functions, qualities of things, etc., be persons. It is evident that a property of something else, a function of the brain or of society cannot be the subject of conscious experiences and thus cannot be a person. Human experiences and acts always are of a subject that is not only more than these experiences and irreducible to them but performs them, lives them, does them or originates them in other ways. Moreover, this ultimate subject that stands in itself and is subject of rational acts cannot be just any subject such as a brain composed of millions of cells but must be a simple, spiritual subject. And this subject is a person only if it possesses a rational nature.<sup>38</sup>

This point applies equally to the *faculties* that enable persons to have those experiences; they inhere in the person who exercises them.<sup>39</sup> Epiphenomenalism holds that there is no such spiritual person underlying conscious experiences or faculties, and that the faculties and experiences are rooted in and caused by the body – or more specifically in our times, by the brain. George and Tollefsen claim to have expressed human personhood with the definition: a human body plus two radical capacities (and no reference to a soul). But the radical capacities need a foundational level in which to inhere, as they are not substances themselves, and all that is left to George and

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<sup>37</sup> Epiphenomenalism is the view that any and all immaterial dimensions of human beings are by-products of the material dimension. The simplest formulation would be: the brain is the cause of our conscious life.

<sup>38</sup> See Josef Seifert, “The Right to Life and the Fourfold Root of Human Dignity” in *The Nature and Dignity of the Human Person As The Foundation of the Right to Life: Proceedings of the Eighth Assembly of the Pontifical Academy for Life* (Città del Vaticano: Libreria Editrice Vaticana, 2003), p. 127.

<sup>39</sup> See Josef Seifert, *What is Life?* (Amsterdam: Rodopi, 1997), p. 101.

Tollefsen is the body, but this is epiphenomenalism.

One could criticize them in two ways at this point. First, one could develop the view that the ethical conclusions that they want to draw cannot be drawn from epiphenomenalism and therefore cannot be drawn from their view. Secondly, one could show that the view of the person that they develop, albeit for the sake of convincing scientists who reject the existence of a soul, is a metaphysical impossibility.

George and Tollefsen hold that secular scientists will accept that the two radical capacities exist whenever a living biological human exists, and from this fact such scientists should draw the conclusion that they may not condone abortion. But Seifert has shown that freedom is not even possible if the position expressed by George and Tollefsen obtains. Nor is knowledge. Neither freedom nor knowledge are possible without a soul. If the metaphysics of George and Tollefsen obtained, then the natural potencies for free choice and rational thought would not exist, and only determinism could result. Thus Seifert argues:

[I]f freedom can be shown to exist [something that he shows in other works<sup>40</sup>] from its essence, a proof for the spiritual substantiality of the soul can be developed. This proof builds upon the fact that the essence of freedom, as spontaneous self-positing and self-determination, or as a response or decision brought forth by nothing other than the person-center itself, is totally incompatible with its being causally dependent on brain-processes.<sup>41</sup>

On the view of George and Tollefsen, the intellect itself would be the subject of acts of knowing and the will itself would be the subject of free choices, but not one person at the basis of all such acts. This is a metaphysical impossibility, and Seifert's work demonstrates that their view would resolve into metaphysical determinism, making freedom and knowledge impossible. What could a "decision" of a capacity be without a person to perform it? With respect to knowing Seifert notes: "[I]f knowing were a mere epiphenomenon of material processes or even identical with them, it would depend for its content

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<sup>40</sup> Josef Seifert, "In Defense of Free Will," *Review of Metaphysics* 65/2 (2011): 377-407.

<sup>41</sup> Josef Seifert, *Das Leib Seele Problem und die gegenwärtige philosophische Diskussion* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989), p. 127. Wood translation, p. 124. There is an unpublished English translation by Robert Wood of most of this book which I am using for the English.

upon material processes which, for their part, are subject to natural causality.”<sup>42</sup>

This view effectively denies knowledge. Now, since George and Tollefsen accept the reality of freedom and knowledge, they obviously reject the determinism that follows from epiphenomenalism. However, strictly speaking, their view is fundamentally the same as epiphenomenalism. In other words, Seifert has shown that if there is no spiritual soul at the basis of knowledge and free choice, then knowledge and free choice are not possible, because there would be no unified person who accomplishes the knowing and choosing. In order to remain on the same scientific foundation as secular scientists, George and Tollefsen have reduced human persons to human bodies and two radical capacities. By rooting the capacities in the human body as their foundational support, which follows from their rejection of the soul, they have effectively deleted the possibility of the existence of those very capacities for rational thought and free choice. But those capacities were the basis of their argument against the secular scientists.

#### 4. Conclusion

In *Fides et Ratio*, Pope St. John Paul II said, “Christian philosophers can develop a reflection which will be both comprehensive and appealing to those who do not yet grasp the full truth which divine Revelation declares.”<sup>43</sup>

In our arguments and discussions with secular scientists we do not have to reduce our argumentation exclusively to arguments from biology or genetic science. Pope Benedict XVI once made this point indirectly. He was arguing against the dangers in secular scientific approaches to the human being, but his point could perhaps also give pause to those who rely too exclusively on the argument from biology in the prolife cause:

Whereas the exact, natural and human sciences have progressed prodigiously in the knowledge of man and his universe, there is a strong temptation to seek to isolate the identity of the human being and to enclose this identity in the knowledge that can derive from it.<sup>44</sup>

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<sup>42</sup> Josef Seifert, *Das Leib Seele Problem und die gegenwärtige philosophische Diskussion* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989), p. 124. Wood translation, p. 120.

<sup>43</sup> John Paul II, *Fides et Ratio* §104.

<sup>44</sup> From an address of Pope Benedict XVI to participants in an interacademic conference on “The Changing Identity of the Individual” organized by the Académie

In order to avoid moving in this direction it is important to support anthropological, philosophical and theological research which allows the appearance and preservation in man of his own mystery,<sup>45</sup> for no science can say who man is, where he comes from or where he is going. Anthropology thus becomes the most vital science of all.<sup>46</sup>

The point is not that we should rely directly on revelation or authority, but that Catholic philosophers should with confidence also use philosophical arguments for the spiritual soul in our participation in public discussions. One of the main challenges is to express to people of good will well-grounded philosophical explanations of the anthropological foundations of the prolife position. Christian personalists and realist phenomenologists have such arguments. Arguments for the spiritual soul have been made by Augustine against the same philosophical materialism that we face today, and those arguments and new ones have been advanced by Seifert as well as by other realist phenomenologists.<sup>47</sup> My paper had the goal of showing that without those arguments, we run into problems. My suggestion is that we return to these works of the realist phenomenologists on the soul, and with those philosophical arguments enter these discussions at a much deeper level and perhaps even convince those on our side to defend the reality of the spiritual soul in public discussion.

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des Sciences of Paris and by the Pontifical Academy of Sciences, given Monday, January 28, 2008. The text of the address can be found here: [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2008/january/documents/hf\\_ben-xvi\\_spe\\_20080128\\_convegno-individuo\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2008/january/documents/hf_ben-xvi_spe_20080128_convegno-individuo_en.html) (Accessed Jan. 5, 2016). Hereafter “Sciences Address.”

<sup>45</sup> It is very important to note this emphasis on mysteriousness as a key dimension of personal being. This occurs again and again in philosophical, pastoral and theological texts of John Paul II and Benedict XVI. I think that the definition of person given by George and Tollefsen makes no room for this mysterious dimension, and that this has implications for the moral argument as well. I will not be able to develop this point in this paper.

<sup>46</sup> Benedict XVI, “Sciences Address.”

<sup>47</sup> See n6 above.