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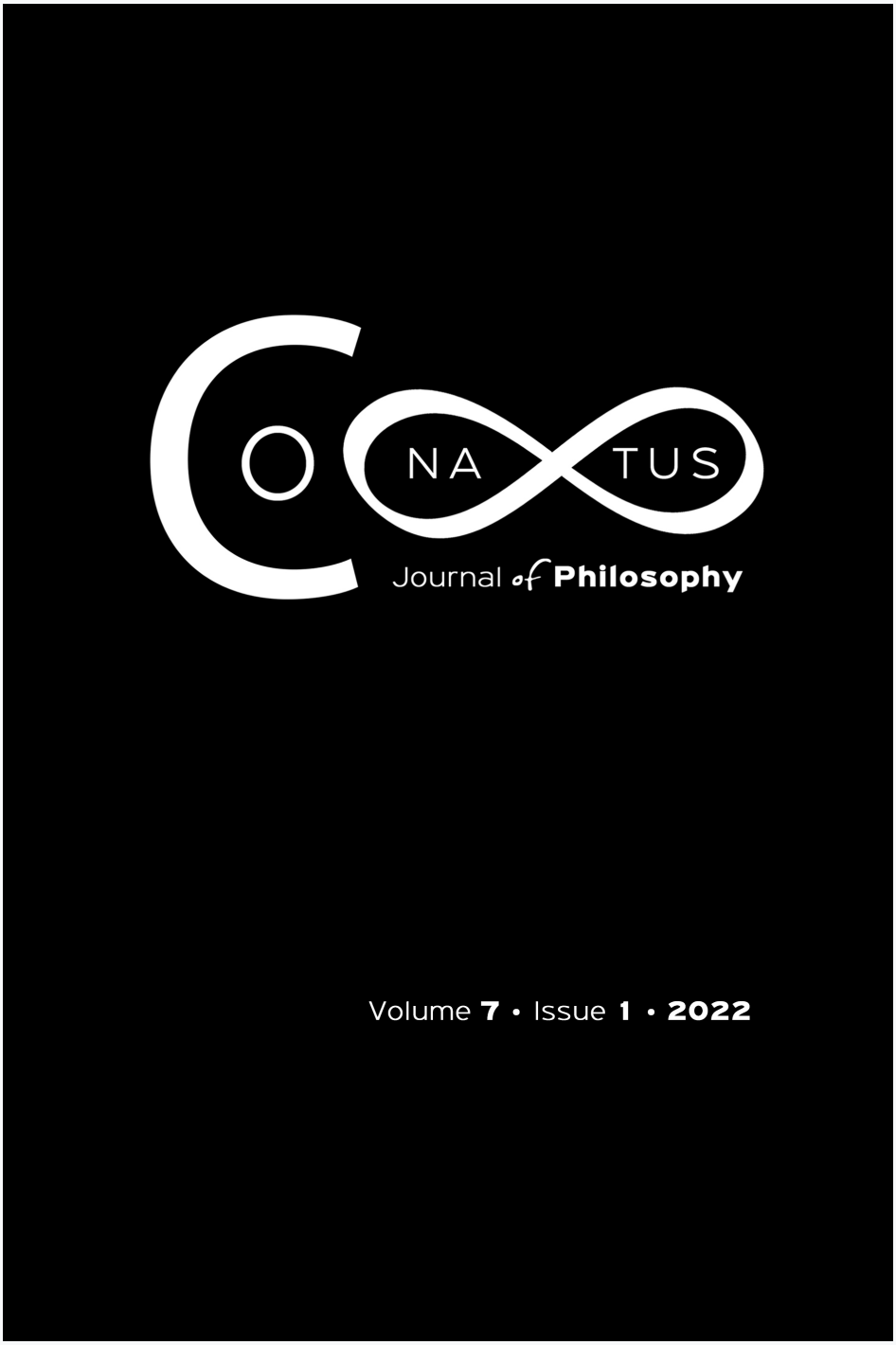

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contents

Articles

Discussion

articles

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The Persisting Problem of Persistence: A Call for an Alternative Theory

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Abstract

The question of how to characterise the diachronic identity of a concrete particular within a metaphysical framework is the problem of persistence. There are two major theories, Endurantism and Perdurantism affirming a problem of persistence for concrete particulars. While Endurantism, on the one hand, argues that concrete particulars persist wholly, Perdurantism, on the other hand, argues that they persist as temporal slices. This paper argues that neither Endurantism nor Perdurantism adequately characterise the persistence of concrete particulars. This is because there is an impasse between these two major theories of persistence. The article concludes that hence, there is a need for another hypothesis or theory of persistence to address the problem of persistence in metaphysics. This paper broadens the discourse on persistence of concrete objects beyond a debate between Endurantism and Perdurantism. The paper uses the methods of conceptual analysis and philosophical argumentation.

Keywords: *persistence; endurantism; perdurantism; concrete particulars; metaphysics*

I. Introduction

In metaphysics, the issue of persistence arises for concrete particulars such as persons, animals, plants, and other inanimate objects. Concrete particulars are objects, both animate and inanimate, that can come into existence and go out of existence. Hence, it excludes objects such as leptons, protons, and neutrons. They are objects that are temporally bounded and occupy space; they can come into existence at a particular time location and can go out of existence at another time location. During the period of their existence, they can go through changes and gain or loss properties without changing identity. They do not exist necessarily, because their non-

existence is possible.[1] The question then is "how can we characterise, within a metaphysical framework, the persistence of an object from one time location to another, without losing its identity?" If a concrete particularly persists in time and retains its identity, despite all changes, how do we characterise this ability to retain identity over time within a metaphysical framework? This paper argues that the major attempts towards addressing this within a metaphysical framework, so far leaves more questions than answers.

The contemporary discourse in the attempt to resolve or address the problem of persistence has been centred on two major theories: Perdurantism and Endurantism, with one competing for plausibility over the other. However, there are devastating defects of these theories, which suggest that none could offer an acceptable solution to the problem of persistence. This paper argues to establish these defects and asserts that rather than solve the problem, the existing theories of persistence are the reasons why the problem persists. To achieve this, the paper is divided into four parts. The first characterises the problem of persistence of concrete particulars within a metaphysical framework. The second outlines and critically examines the two major theories of persistence. The third defends the ontological status of the problem of persistence. While the fourth identifies the persistent problems with the two major theories of persistence, and argues that these theories, rather than solve the problem, had made the problem persistent. The concluding part of the paper calls for a search for an alternative theory of persistence that responds better to the question problem of persistence.

II. Problem of persistence in metaphysics

Thomas Reydon characterised the problem of persistence thus,

> How does a given object remain in existence as numerically the same object for an extended period of time, even though its material composition and its observable properties may be different at different times? I am the same entity that I was a year ago, notwithstanding that in the meantime most of the cells in my body have been replaced by new ones and there have been some changes in the way I look, in my body mass, in what I believe to be true, in what I prefer and dislike, etc. But exactly how am I still the same?[2]

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[1] Michael Loux, "Persistence through Time," in *Metaphysics: A Contemporary Introduction*, eds. Michael Loux, and Dean Zimmerman (New York: Routledge, 2016), 85.

[2] Thomas Reydon, "Species in Three and Four Dimensions," *Synthese* 164, no. 2 (2008): 161-162.

According to Sally Haslanger, the problem of persistence is "... whether (or how) something can gain or lose a property and persist through that gain or loss."[3]

Consider this example: I put a bunch of bananas on a table at time location T_1; at that time location T_1, the bunch of bananas is green. At time location T_2, I observe that the bunch of bananas that was green at T_1 is now yellow. I acknowledge the change in colour of the bunch of bananas between time location T_1 and time location T_2, but I have no doubt that it is the same bunch of bananas. At time location T_3, I notice that the bunch of yellow bananas is now black in colour.[4] I acknowledge this difference between the bunch of bananas at time location T_2 and the bunch of bananas at time location T_3, but I still agree that it is the same bunch of bananas. Simply put, the bunch of bananas persists through time locations T_1 to T_3, experiences various degrees of changes in the course of persistence through these time locations, yet its identity is preserved.

The problem of persistence, given the example of the bunch of bananas, is how to justify the acknowledged sameness of the bunch of bananas at time location T_1, time location T_2, and time location T_3, within a metaphysical framework. The bunch of bananas at different time locations has incompatible properties; at T_1 it is green, at T_2 it is yellow, and at T_3 it is black, yet it is assumed it is still the same bunch of bananas that persists from time location T_1 to time location T_3. The problem of persistence is how it can be explained, within a metaphysical framework, that the bunch of bananas persists through time T_1 to time T_3.

There are two major theories that respond to the problem of persistence within a metaphysical framework. These, according to Loux, are

> endurantism and perdurantism. The endurantist claims that for a concrete particular to persist through time is for it to exist wholly and completely at different times. The perdurantist, by contrast, denies that it is possible for numerically one and the same concrete particular to exist at different times. On this view, a concrete particular is an aggregate or whole made up of different temporal parts, each existing at its own time; and for a particular to persist from one time to another is for it to have different temporal parts existing at those different times.[5]

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[3] Sally Haslanger, "Persistence, Change and Explanation," *An International Journal for Philosophy in the Analytic Tradition* 56, no. 1 (1989): 1.

[4] Note that the notion of time in this study is the simple notion of time, except otherwise stated.

[5] Loux, "The Nature of Time," 230.

The problem of persistence makes a distinction between two identities of an object numerical identity and diachronic identity. The identity of an object at a particular time location is the numerical identity of that object. While the identity of the object with itself at another time location is the diachronic identity.[6] The diachronic identity of an object is the identity holding between an object at a particular time location and that same object at another time location. The problem of persistence in metaphysics is concerned with how to explain the diachronic identity of an object, and the relationship it has with its numerical identity. The problem of persistence presupposes that the numerical identity of an object is simple and unproblematic. However, the attempt to explain the diachronic identity of objects creates or raises problems.

III. Overview of Endurantism and Perdurantism

Endurantism is one of the major theories of persistence. It is also called 'Endurantism,' 'Endurance theory' or 'three-dimensional theory.' Endurantism has its ontological background in Eternalism. Eternalism states that time has three spatial dimensions: the past, the present, and the future. These three dimensions of time are real and objective, and none is more important than the other is.[7] Hence, Endurantism's response to the question of persistence is that objects endure wholly from one time location to another. In other words, objects extend in space, but not in time. For example, the bunch of bananas at different time locations that has incompatible properties persists wholly through time locations T_1 to T_3. There is no point in time that the bunch of bananas is less than whole because of the obvious changes.

According to Endurantism, at each time location, objects are wholly present, not as slices, but the whole object. Hence, the diachronic identity of objects is the same as their numerical identities. According to Peter Simons, "At any time at which it exists, a continuant is wholly present,"[8] and for Jiri Benovsky, Endurantism simply states that "...objects and people ... persist through time by being wholly present at all times at which they exist – they are thus multiply located at various times."[9]

Perdurantism, also known as perdurance theory or four-dimensionalist theory, is the second theory of persistence. Perdurantism has its ontological background in Presentism. Presentism states that the past is gone, and the future is unknown, hence the only real and objective time is the present.

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[6] David Lewis, *On the Plurality of Worlds* (Oxford: Basil Blackwell, 1986), 204.

[7] Harold Noonan, "Presentism and Eternalism," *Erkenntnis* 78, no. 1 (2013). 219.

[8] Peter Simon, *Parts: A Study in Ontology* (Oxford: Clarendon Press, 1987), 32.

[9] Jiri Benovsky, "Endurance, Perdurance and Metaontology," *SATS* 12, no. 2 (2011): 162.

The past may affect the present, and the future may shape the present, but both the past and the present dimensions of time are not objective.[10] Hence, Unlike Endurantism that argues that objects persist through time as a whole, Perdurantism argues that objects persist through time by having different temporal parts at each time location. Perdurantism argues that objects persist as temporal time slices from one time location to another. Theodore Sider explains Perdurantism thus:

> Persistence through time is like extension through space. A road has spatial parts in the sub regions of the region of space it occupies; likewise, an object that exists in time has temporal parts in the various sub regions of the total region of time it occupies. This view – known variously as four dimensionalism, the doctrine of temporal doctrine of temporal parts, and the theory that objects "perdure" – is opposed to "three dimensionalism", the doctrine that things "endure", or are "wholly present."[11]

To explain Perdurantism's point, consider this example: If there is a bunch of bananas that is green at time location T_1, the property 'green,' according to Perdurantism, is a temporal part. If at time location T_2, the same bunch of bananas is yellow, according to Perdurantism, it is with a new temporal part, 'property yellow.' If at time location T_3, the bunch of bananas is black, and then it has a new temporal part 'black.' In all of these, the bunch of bananas retains its identity despite changing its temporal parts as it persists through time. The temporal part of objects, according to Perdurantism, is the fourth dimension of objects. Hence, Perdurantism is also known as four-dimensional theory. This fourth dimension of an object, also known as the temporal part, extends in time and space.

In other words, the fourth dimension of an object has a strict trans-temporal identity. Hence, the diachronic identity of an object cannot be identical with the numerical identity of that object. Hence, the numerical identity of an object is identical with itself, but the diachronic identity is as numerous as the time slices the object has. The implication of this is that the bunch of bananas is identical to itself – numerical identity. However, the bunch of bananas at time location T_1 is different from the bunch of bananas at time location T_2 and different from the bunch of bananas at time location T_3 – diachronic identity.

Given the differences between these two major theories of persistence, the next task is to determine which of the two offers the response to the

[10] Ned Markosian, "A Defence of Presentism," in *Oxford Studies in Metaphysics: Volume 1,* ed. Dean Zimmerman (Oxford: Oxford University Press. 2004), 47.

[11] Ted Sider, "Four Dimensionalism," *Philosophical Review* 106, no. 2 (1997): 197.

question of persistence. What are the strengths of Endurantism as a theory of persistence? First is that Endurantism appeals to the common sense or non-philosophical approach to the problem of persistence.[12] Simply put, Endurantism is an appealing theory of persistence because it conforms to common sense. A nonprofessional can easily understand and align with Endurantism. When I observe the bunch of bananas at time location T_1, without any prior knowledge of philosophy, I believe I observe the whole bunch of bananas at time locations T_1, T_2 and T_3. Even though there may be some differences in the bunch of bananas at each time location, I still believe I observed the whole bunch of bananas.

The common-sense intuition is that the bunch of bananas exists wholly at every point or at different moments, with or without differences. This makes Endurantism simple to grasp. Moreover, the endurance thesis that objects exist wholly from one time location to another, employs restricted ontology as against loose ontology.[13] The Endurantists thesis avoids creating entities unnecessarily by not introducing any new ontological entity into their thesis. Thus, avoiding the need of explaining the ontological status of another entity, asides the problem of persistence it already grapples with.

However, Endurantism is associated with a series of criticisms. One major objection to Endurantism is that it fails to explain how the numerical identity of an object is identical with its diachronic identity despite incompatible properties. If an object persists wholly from one time location to another, then it is right to say that its numerical identity is identical with its diachronic identity. This is the position of Endurantism. However, if the numerical identity of an object is identical with its diachronic identity, then the object at T_1 cannot have properties that are not there at T_2 or at T_3... Once there are different properties between an object at time location T_1, and the object at T_2 and T_3, then its numerical identity cannot be identical with its diachronic identity.

This is where the contradiction in the endurance thesis lies. Except the endurance thesis is amended to argue that although an object persists wholly from one time location to another, its numerical identity is not identical to its diachronic identity, the contradiction will subsist. Even If the endurance thesis is amended to argue that the numerical identity of an object is not identical with its diachronic identity, how can it be reconciled with the position of Endurantism that an object persists wholly from one time location to another

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[12] Tomasz Bigaj, "Time and Temporal Objects," in *A Guided Tour for Beginners,* ed. Tomasz Bigaj (Chodakwosa: University of Warsaw Press, 2012), 60-93.

[13] When a metaphysical theory is presented with reluctance to admit new entities into our ontology, the ontology is restricted. When a metaphysical theory is presented without inhibition in admitting new entities, the ontology is loose.

time location? If it persists wholly, then the object at each time location cannot have conflicting properties.

I will use an illustration from Jiri Benovsky to highlight and further explain this seeming contradiction.[14] Cyrano has a big nose at time T_1, but he craves a small nose. At time T_4, Cyrano eventually summoned up courage to undergo cosmetic surgery to reduce the size of his nose. When Cyrano emerged with his desired small nose at time T_4, he looked at himself in the mirror and saw how good his small nose looked; he really wished he had done it when he was younger. Cyrano then got a time machine that will enable him travel back in time. Cyrano travelled 10 years back to time T_1 and performed a surgery on Cyrano's nose at time T_1. Let us assume that Cyrano at time T_1 exists in year 1990 and he had the surgery in year 2000. Cyrano before the time travel at time T_1 in year 1990 had a big nose, Cyrano at time T_1 after the cosmetic surgery under time travel had a small nose in the same year 1990.

According to Endurantism, Cyrano exists wholly, with or without changes, at each point of his existence. Hence, according to Endurantism, the diachronic identity of Cyrano at time T_1 in year 1990 before the cosmetic surgery is identical with his numerical identity at time T_1 in year 1990 after the cosmetic surgery. The consequence of this is that Cyrano at time T_1 in 1990 before the surgery is numerically identical with Cyrano at time T_1 after the surgery, both in 1990, but with contradicting properties. It follows that Endurantism aligns with the basic intuition on numerical sameness but fails to explain the metaphysical implication of diachronic identity of objects. Hence, although Cyrano is identical with himself, the numerical identity of Cyrano cannot be logically identical with his diachronic identity.

Endurantism can appeal to Derek Parfit's psychological criterion for identity to argue that what accounts for sameness in Cyrano is not the big nose or the small nose, but the direct psychological connections in Cyrano. According to Parfit, survival is not what accounts for identity but psychological continuity. In Parfit's school of thought, the justification for identity is psychological. In other words, consciousness or memory is necessary and sufficient for identity:

(1) If there will be a single future person who will have enough of my brain to be psychologically continuous with me, that person will be me.
(2) some future persons will neither be psychologically continuous with me, nor have enough of my brain, that person will not be me.[15]

[14] Jiri Benovsky, "On (Not) Being in Two Places at the Same Time," *American Philosophical Quarterly* 46, no. 3 (2009): 239-248.

[15] Derek Parfit, "People and Their Bodies," in *Contemporary Debates in Metaphysics*, eds. Theodore

Hence, once it can be determined that there is psychological connection and continuity between Cyrano at T_1 and Cyrano at T_2, Cyrano at T_1 and Cyrano at T_2 are identical. The problem with Parfit's position is that persistence of objects is not restricted to animate concrete particulars but also inanimate concrete particulars; hence, psychological continuity cannot account for identity in animate objects. Even if we want to assume, for the purpose of argument, that Parfit's claim that survival cannot account for identity is correct, his position cannot account for persistence of inanimate objects.

Another major problem with Endurantism is, although it ought to be an account of change, it seems not to account for how changes occur in concrete objects during their persistence. This argument is from temporary intrinsics. The argument from temporary intrinsics states that Endurantism fails in giving a subsisting theory of change in objects in relation to the objects involved and nothing else.[16] Objects have properties that are intrinsic, but change emerges or evolves from time to time. Hence, intrinsic properties are called temporal intrinsics because they evolve, change, or emerge over time. Maya Eddon characterises the problem of temporal intrinsics thus, "I am bent at one time and straight at another. However, I cannot be both bent and straight, since then I would instantiate contradictory properties. So, what underwrites this change?"[17] According to Leibniz law, two objects, A and B, are identical if and only if A and B have exactly the same properties.

Back to the Benovsky's thought argument, if Cyrano before the nose surgery is identical to the Cyrano after the nose surgery, then it is the same Cyrano. Cyrano before the nose surgery has a big nose and Cyrano after the nose surgery has a small nose. According to Leibniz's law of indiscernibles, it follows that Cyrano after the nose surgery is not identical with Cyrano before the nose surgery because they do not have the same properties. How then can a theory of persistence reconcile the fact that the law of indiscernibles is true, yet objects persist through time and change properties while doing so? To avoid this problem, an account of persistence must argue and show how the change between Cyrano before the nose surgery and Cyrano after the nose surgery is both intrinsic and compatible. Hence, it will follow that Cyrano before the nose surgery and Cyrano after the nose surgery cannot be said to have different properties.

In this regard, Endurantism fails in giving a subsisting theory of change in objects in relation to the objects involved.[18] Endurantism, to support the

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Sider, John Hawthorne, and Dean Zimmerman (Malden: Blackwell Publishers, 2008), 177.

[16] Lewis, *On the Plurality of Worlds*, 202-204.

[17] Maya Eddon, "Three Arguments from Temporary Intrinsics," *Philosophy & Phenomenological Research* 81, no. 1 (2010): 605.

[18] Lewis, *On the Plurality of Worlds*, 202-204.

argument that objects change, yet persists wholly from one time location to another, argues that change is intrinsic, yet only relative to time and not the object.[19] If a man Cyrano has a small nose at T_4 and a big nose at T_1, it is obvious Cyrano has undergone some changes between these time locations. However, Endurantism insists that Cyrano persists wholly from time location T_1 to T_4, albeit with contradicting properties. To defend this, Endurantism argues that change in objects is intrinsic, and is a two-place relation between time and objects. Hence, Cyrano has a small nose in relation to T_1 and a big nose in relation to T_4. This will not in any way reduce the identity of Cyrano at any point in time but show that the change is time located. It will also not lead to any contradiction because of the time index difference. Hence, Cyrano persists wholly from T_1 to T_4. For Endurantism change is ephemeral but should not affect the position that an object persists wholly from one time location to another.

However, according to scholars like David Lewis, an object goes through changes and a theory of persistence should be able to explain how that is possible within the object itself.[20] The problem with the endurance thesis is that without appealing to time, the change in objects cannot be explained. The changes occur within the objects, and ought to be explained not only in relation to something else, but also in relation to the object undergoing the change. In other words, change should be explainable with a timeless language. No matter how fleeting the change in an object is, a theory of persistence should be able to explain it largely within the object and not only outside it.

Another challenge identified with Endurantism is that it is argued, by some Perdurantists, that it fails to align with the basic scientific understanding of the world. Prior to Albert Einstein's theory of relativity, it was believed that space (in terms of spatial dimensions, for example x, y, z) is independent of time. However, the consequence of Einstein's special relativity is that space and time are interdependent and inseparable. That is, space is actually not independent of time; thus, whatever is true of space is equally true of time. Because it is assumed, the velocity of light is constant. Thus, when light travels through the vacuum of empty space, it synchronises with time.[21] Perdurantists, then assume that because Albert Einstein demonstrates that space and time are dependent on each other and inseparable in determining the motion of

[19] Benovsky, "Endurance, Perdurance and Metaontology," 163.

[20] Lewis, *On the Plurality of Worlds*, 4.

[21] Tower Chen, and Zeon Chen, "Time Dilation and Length Contraction Shown in Three-Dimensional Space-Time Frames," *Concepts of Physics* 6, no. 2 (2009): 223; Albert Einstein, *Relativity and the Special and General Theory*, trans. Robert Lawson (New York: Henry Holt, 1920).

objects, it follows that space and time are analogous and whatever is true of space is also true of time. Hence, subsequently Endurantism does not align with the basic scientific understanding of the world.[22]

It could be argued that the above criticism arises largely from a misconception of the special theory of relativity. That space and time depend on each other does not mean that they are analogous and what is true of one is true of the other. Moreover, as regards the problem of persistence, there is no sufficient evidence that an ontological inference can be drawn from just that aspect of the special theory of relativity, as some Perdurantists assume. Hence, there is insufficient evidence that Endurantism is inconsistent with the basic scientific understanding of the world.

However, given the challenges with Endurantism as a theory of persistence, the theory grapples with the problem of how an object persists wholly through changes, yet retains its identity without any contradiction. Moreover, Endurantism needs to account for change in its theory of persistence. Although Endurantism aligns with basic intuition, is simple to understand, and avoids inflating ontology unnecessarily, it is still faced with the challenge of how to explain persistence without any absurd consequence and how to account for change with its theory of persistence. This is the failure of Endurantism, and rather than solving the problem of persistence, it creates a further problem of persistence: If objects persist wholly, then how can the changes objects go through, as they persist in time, be accounted for? Perdurantism has been offered as an alternative theory of persistence to Endurantism. How far can Perdurantism go in addressing the problem of persistence?

IV. Perdurantism

With the denial that the diachronic identity of an object is identical to its numerical identity, Perdurantism avoids some problems connected with Endurantism. For the proponents of Perdurantism, there are various reasons why Perdurantism is preferable to Endurantism. For example, a typical Perdurantist, when confronted with Cyrano at T_1 and Cyrano at $T_{4,}$ will admit that Cyrano is identical with Cyrano. However, when confronted with the question of persistence, a Perdurantist will argue that Cyrano consists of different temporal slices at T_1 and at T_4; hence, Cyrano at T_1 cannot be identical with Cyrano at T_2.[23] Any attempt to argue that Cyrano at T_1 is identical with Cyrano at T_2, may lead into a contradiction, just as the time-travel thought experiment argues.[24]

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[22] Steven Hales, and Timothy Johnson, "Endurantism, Perdurantism and Special Relativity," *The Philosophical Quarterly* 53, no. 213 (2003): 524.

[23] Bigaj, "Time and Temporal Objects," 91.

[24] Benovsky, "On (Not) Being in Two Places at the Same Time," 243-245.

Furthermore, some Perdurantists argue that their position fits into the current scientific understanding of the world. According to them, there is sufficient evidence that the physical world is governed by special relativity. Steven Hales and Timothy Johnson on the position that Perdurantism fits into the current scientific understanding of the world argue that:

> Perdurantists hold that objects are four-dimensional, have temporal parts, and exist only partly at each moment of their existence. We argue that endurantism is poorly suited to describe the persistence of objects in a world governed by special relativity, and it can accommodate a relativistic world only at a high price not worth paying. Perdurantism, on the other hand, fits beautifully with our current scientific understanding of the world.[25]

Perdurantism further argues that its thesis avoids the problem of intrinsic change that afflicts Endurantism. With the introduction of temporal parts and consequently a fourth dimension of an object, the contradiction that ensued from intrinsic change will not arise with the Perdurance theory. This is because the temporal part of an object is part of the object. Moreover, the temporal part accounts for change; hence, change occurs within the object and not in relation to anything outside the object.

At a first glance, it seems that Perdurantism avoids the major flaws of Endurantism, and answers questions Endurantism cannot answer. However, when examined critically, Perdurantism is plagued with just as many, if not more, flaws just as Endurantism. For example, Thomas Pashby argues that contrary to the claim of Perdurantism, it does not actually align with the scientific understanding of quantum mechanics.[26] This is because although Perdurantism argues that objects have temporal parts just as spatial parts, the mereological status of temporal parts is not well-defined (relationship with time). The understanding of quantum mechanics is that time and space are dependent, not analogous. Hence, what is true of temporal parts is not necessarily true of spatial parts.[27]

The implication is that Perdurantism does not reflect that time and space are interdependent, but analogous, which is not the position of the theory of special relativity. Hence, the claim that Perdurantism aligns with the basic

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[25] Hales, and Johnson, "Endurantism, Perdurantism and Special Relativity," 524.

[26] Thomas Pashby, "Do Quantum Objects Have Temporal Parts?" *Philosophy of Science* 80, no. 5 (2013): 1139.

[27] Josh Parsons, "Must a Four-Dimensionalist Believe in Temporal Parts?" *Monist* 83, no. 1 (2000): 399-418.

scientific understanding of the universe is not a well-grounded inference. Hence, as noted by Michael Loux, contemporary Perdurantists, as much as possible, should avoid drawing any inference from the theory of special relativity.[28] Moreover, there is evidence that a three-dimensional space-time frame can be used to provide insights into our understanding of space and time, and even enhance our understanding of the theory of special relativity.[29] Hence, given the assumption that because Perdurantism is a four-dimensional theory of persistence, it follows that its alignment with the scientific understanding of space and time fails.

The question "Why should an ontological theory be compatible with a scientific theory, which is primarily of epistemic nature?" may arise. Simply put, why does it matter that a theory of persistence does not align with the scientific understanding of space and time? The problem of persistence is of an epistemic nature and does not necessarily need validation from or compatibility with a scientific theory. Yuri Balashov argues that, "Relativistic considerations seem highly relevant to this debate. But they have played little role in it so far."[30] However, it is important to confirm if there is already a solution to the problem of persistence in science. If this is the case, the debate will become unnecessary. Furthermore, since both theories of persistence make claims that borders on scientific facts, it is relevant to fact check the claims. Thus, the debate on the epistemic nature of persistence of objects requires a minimum understanding on the basic intuition and scientific claims on space and time.

Another major objection to the Perdurance theory is that going by its position it is difficult to explain what exactly temporal parts are as used by Perdurantists, and the role they play in persistence. Hence, Perdurantists have been accused of unnecessarily inflating ontology. In other words, why introduce an entity that causes more problems for persistence rather than solve the problem of persistence? It is argued that temporal parts are vague, and the role they play in explaining and justifying the changes objects go through as they persist is not well defined within a metaphysical framework.

According to Theodore Sider, a temporal part can be defined thus:

> x is an instantaneous part of y at instant t = if (i) x exists at, but only at t (ii) x is part of y at t (iii) x overlaps at t everything that is part of y at t.[31]

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[28] Loux, "The Nature of Time," 243.

[29] Chen, and Chen, "Time Dilation and Length Contraction Shown in Three-Dimensional Space-Time Frames," 224.

[30] Yuri Balashov, "Relativity and Persistence," *Philosophy of Science* 67, no. 1 (2000): 549.

[31] Sider, "Four Dimensionalism," 204.

In other words, a part is a temporal part of an object if it exists at a particular time location and exists as a part of the object at the particular time location. The implication of this definition is that a property is a temporal part of an object at a particular time location, if it fulfils the following conditions:

1. The temporal part is part of that object throughout that time location. (There is no part of that time location that temporal part does not exist).
2. The temporal part exists only at that particular time location. (The temporal part ceases to exist after that time location).
3. For any sub-time, location of that particular time location, the property overlaps every part of that object.

Katherine Hawley argues that:

> Temporal parts are analogous to spatial parts: just as the conference has one spatial part which occupies the seminar room, and another which occupies the lecture hall, it has one temporal part which 'occupies' Friday and another which 'occupies' Saturday. These temporal parts of the conference have half-hour coffee-breaks as temporal parts of their own; these coffee-breaks are also temporal parts of the whole conference.[32]

In other words, according to Hawley, temporal parts are necessary parts of objects (or necessarily parts of objects?). For example, the temporal part of being green in a bunch of bananas at time location T_1 remains green throughout time location T_1, and not beyond time location T_1. At time location T_2, the temporal part of being yellow comes into play; so is the temporal part of being black at T_3.

As simple as the definition of temporal parts appears to be, Endurantism still insist that it is difficult to understand and counterintuitive.[33] When the temporal part thesis is examined in conjunction with the role it ought to play, one cannot but realise that a proper understanding of temporal parts is lacking. If it is a part of an object, albeit temporal, can it be observed in the same way we observe the other parts of the object? How does a temporal part go out of existence? How is a new temporal part acquired at another

[32] Katherine Hawley, *Temporal Parts* (University of St. Andrews, 2011), http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.422.9389&rep=rep1&type=pdf.

[33] Nick Effingham, "Endurantism and Perdurantism," in *Continuum Companion to Metaphysics*, eds. Robert Barnard, and Neil Manson (New York: Continuum, 2012), 171-172.

time location? When a temporal part ceases to exist in an object, does it go out of existence? If yes, how? If no, where does it then stay? Is it that when an object comes into existence, the temporal parts are already in existence somewhere, waiting to emerge appropriately at each time slice? If this is not the case, then probably the object has the power to create and destroy a temporal part as need to be. Many questions arise from the ontology of temporal parts. Perdurantists have not succeeded in properly analysing the concept of 'temporal part' to its simplest form.

Arising from the problem of temporal parts is the consequence of temporal parts on ontology. A question then arises on the consequence of this on ontology: "How many objects exist?" It seems as if there exists a bunch of bananas multiplied by the bunch of bananas at each different time slices in existence. Invariably, Perdurantism is accused of unnecessarily over-populating ontology. This is because the temporal part thesis of Perdurantism introduces a new entity into ontology that it cannot properly define. This will create more problems for persistence, rather than address the problem. Endurantism is eager to apply Occam's razor on Perdurantism here and take its seat as the more reasonable theory of persistence. However, Endurantists should note, as Nikk Effingham points out, that problems with a theory do not automatically indicate the alternative theory is more appropriate.[34]

The response of Perdurantism to the problem of temporal intrinsics is temporal parts. For Perdurantism, objects have temporal parts; hence, are four-dimensional and their diachronic identity differs from their numerical identity. Perdurantism seems to have an edge over Endurantism; however, is this really the case? Perdurantism explained change as a one-way relation between an object and its temporal part. The edge Perdurantism seems to have over Endurantism is that Perdurantism argues that all properties are had *simpliciter*. However, do objects own properties simpliciter? To say that objects have properties simpliciter is to argue that properties are gained or lost in relation to the object and nothing else. Nevertheless, this assertion seems to be too broad, as objects do have some properties in relation to other external factors such as time, space, motion, and reference frame.

There is at least some scientific evidence that persisting objects may gain or lose intrinsic properties in relation to other factors, for example, reference frame. In physics, motion is measured with reference to a frame.[35] Consider Mr A and Mr B facing each other across a road, Mr C drives past them at T in a car, according to Mr A the car is driving towards the right, while according to Mr B the car is driving towards the left, according to Mr C, however, his car is driving straight down. None of the three observers is wrong; this is because their

[34] Ibid., 173.

[35] Mark Srednicki, *Quantum Field Theory* (Cambridge: Cambridge University Press, 2007), 98.

explanations depend on their individual frame of reference. Each person defines the motion of the car using his point of observation as the starting point. This is why in Physics speed is not measured in isolation, but according to a reference point.[36] Motion takes place regardless of a reference frame; nevertheless, its speed cannot be measured without a reference frame. This is because a starting point must be considered in measuring speed, and this cannot be independent of the location of the observer, which is the reference frame.

How is this applicable to the problem of temporal intrinsics? Consider three bunches of bananas – bunch A, bunch B and bunch C. At time location $T_{1,}$ bunch A is left on a table in a well-ventilated room; bunch B is kept in a refrigerator; and bunch C is kept in a deep freezer. At time location $T_{2,}$ bunch A has acquired the property 'yellowness,' bunch B retains its property 'greenness,' while bunch C has acquired the property 'blackness.' While these properties are intrinsic to each bunch of bananas, which of these properties are had in relation to nothing else but the property? In other words, there are other factors to be considered in the gaining and losing of properties in objects apart from the object and time. Hence, in persistence of objects, it is necessary to determine the reference frame responsible for intrinsic properties in objects. While Endurantism over-concentrated on time as the factor responsible for change, Perdurantism over-concentrated on an object itself as the factor responsible for change. Neither of both theories asked the question, "In reference to what?"

Time can also play an active role in temporary intrinsics. For example, let us assume that year 2015 is time location T_1 and 2017 is time location T_4 in the life of a baby. The properties lost and gained between time locations T_1 and T_4 are intrinsic to the baby but are not properties simpliciter. Many other factors, apart from the baby itself, are responsible for the lost and gained properties, especially time. It will be absurd for the baby to look the same in 2015 in 2017. There are milestones a baby is expected to meet over a period. Hence, with nutrition, nurturing and environment, the weight, height and speech of a baby in 2017 ought to be different from what obtained in 2015. Hence, it will be medically alarming for a baby to appear the same in 2017 as it was in 2015.

It is expected that given some factors, the baby will gain and lose some properties between time locations T_1 and T_4. This does not imply that the properties are not intrinsic, but it challenges the assumption that intrinsic properties are had simpliciter as Perdurantism argues. Hence, that a property is intrinsic does not imply that it cannot be had in relation to something else as Perdurantism assumes. Simply put, both Endurantism and Perdurantism do not address the problem of persistence from the angle of temporal intrinsics.

[36] Srednicki, *Quantum Field Theory*, 98.

Another major objection to Perdurantism is that, just as much as Endurantism, fails to explain without absurdities and within a metaphysical framework how change takes place in objects. In other words, between one time location and the other, how does change occur given temporal parts? Cyrano at T_1 has a big nose and Cyrano at time location T_4 has a small nose. Between T_1 and T_4, Perdurantism has no clear explanation for how the change from the big nose to the small one occurs. According to Peter Simons, temporal parts only tell us what happens in objects at time location and nothing more.[37] Temporal parts do not explain change but explains what happens in objects at each time location. Simons argue that Perdurantism only tells us stories about temporal parts at each time location, not how it transmits into change. Hence, it seems Cyrano exists wholly from time location T_1 to time location T_4 just as Endurantism will argue. How the thesis of temporal parts translates into change is not well elucidated.

Perdurantism, contrary to its assumption, has a lot of work to do in explicating the ontological status of temporal parts. Moreover, the argument of Perdurantism that it aligns with the scientific understanding of the world largely relies on its misconception and overstretching of the theory of special relativity. In addition, Perdurantism, even with temporal parts, fails to properly address the problem of temporal intrinsic. It follows then that Perdurantism as much as Endurantism is yet to answer the question of persistence.

V. Superficialism and the problem of persistence

There is however a school of thought which argue that the impasse on the problem of persistence is because the problem of persistence is a superficial ontological dispute. In other words, what some ontologists call the problem of persistence is a mere verbal dispute that can be resolved by appealing to semantics and common sense. According to Hirsch,

> The composite objects we ordinarily talk about really exist; they typically persist through changes in their parts; they typically do not have sums; and they typically do not have temporal parts. According to my first claim the dispute between these various positions is purely verbal, and this implies, according to my second claim, that the position of common sense ontology must be correct.[38]

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[37] Simons, *Parts: A Study in Ontology*, 64.

[38] Eli Hirsch, "Physical-Objet Ontology, Verbal Disputes and Common Sense," *Philosophy and Phenomenological Research* 70, no. 1 (2005): 67.

Hence, for scholars like Hirsch, the whiff of a verbal disagreement is easily detected in the problem of persistence. The dispute between Endurantism and Perdurantism is reducible to whether objects have temporal parts or not; Endurantists deny this, while Perdurantism affirms it. While Endurantism argues that persistence is three-dimensional, Perdurantism argues that persistence is four-dimensional.[39]

However, according to superficialism, the disputants use different language to make the same claim and they are ignorant of this. Hirsch characterised it thus:

> In my view, an issue in ontology (or elsewhere) is "merely verbal" in the sense of reducing to a linguistic choice only if the following condition is satisfied: Each side can plausibly interpret the other side as speaking a language in which the latter's asserted sentences are true.[40]

Hence, in the language of Perdurantism the claim that temporal parts exist is true, while in the language of Endurantism the claim that temporal parts exist is false. Hence, it is not the case that temporal parts exist in objective reality, but it is a case of linguistic choice. The striking feature in this verbal dispute is that both disputants make right assertions in their respective languages. Hence, in this ontological dispute on the problem of persistence, the dispute is verbal and the arguments for each side of the dispute are reducible to linguistic choice. Hirsch thus argues that:

> We can, if we wish, think of X as forming its own linguistic community. If side X is perdurantism then X's language is the language that would belong to an imagined linguistic community typical members of which talk like perdurantists, i.e., they assert the sentences that perdurantists assert and endurantists reject.[41]

In other words, the preferred language of Perdurantism favours the term temporal parts in characterising persistence, while that of Endurantism rejects it.

One challenge with the claim of superficialism is that it did not consider the possibility that an argument can be substantial even in the midst of a seeming verbal dispute. Consider this illustration, in America a football is

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[39] Eli Hirsch, "Ontology and Alternative Languages," in *Metametaphysics: New Essays on the Foundations of Ontology,* eds. David Chalmers, and Ryan Wasserman (Oxford: Clarendon Press, 2009), 233.

[40] Ibid., 231.

[41] Ibid., 239.

spherical, has two pointed edges and is brown. However, in Britain, a football is round, has no edge and is black and white. If an American and a Briton are not aware, that football in America is different from football in Britain, it is possible they disagree over the appropriate description for a ball.[42] A dispute of this sort is verbal, and to resolve it the disputants can be educated on the differences in what is called football in both countries. Awareness that a football can be round and black and white in some climes, and spherical and brown in some climes can resolve the dispute.

However, the American may insist that it is more appropriate to call the American ball football, than the British ball. The Briton may also insist that the British football is the type of ball that should be called football. If this occurs, the disagreement will no longer be a mere verbal dispute, but a substantive dispute. In the first case nevertheless, there is no substantive disagreement. The implication of this second case is that it is possible to have a substantive disagreement and assume it is verbal. Hence, the debate between Endurantism and Perdurantism is on the appropriate way to characterise persistence in ontology.

Moreover, the fact that metaphysics seeks to answer questions on objective reality, does not imply that its arguments must always focus on fundamental facts about the world. It is possible for a theory to reflect fundamental facts about the world through the pragmatic value of that theory. For example, one of the strengths of the temporal part thesis is that it has some pragmatic value that Endurantism does not have. Hence, answering questions on objective reality can take different dimensions.

Furthermore, ontological disputes normally agree on some basic fundamental facts and there is no problem with that. It does not follow that because they agree on the obvious and less problematic fundamental facts, then they agree on all fundamental facts. Usually there are other fundamental facts and the implications of some fundamental facts that are responsible for the dispute. For example, in the case of Endurantism and Perdurantism, one of the reasons for the lingering disagreement is that there is a dispute on why and how objects persist without changing identity. Although, both theories agree that objects persist without losing identity, it disagrees on how and why.

VI. Nature of time and the problem of persistence

Another school of thought argue that time is unreal; hence, a debate on persistence through time is a pseudo problem. According to John McTaggart,

[42] David Manley, "Introduction: A Guided Tour of Metametaphysics," in *Metametaphysics: New Essays on the Foundations of Ontology,* eds. David Chalmers, and Ryan Wasserman (Oxford: Clarendon Press, 2009), 8.

contrary to the nonprofessional or pre-philosophical assumption that time is real, time is unreal. McTaggart characterised positions in time as a combination of events and each time these events occur. McTaggart identified two frameworks/theories of time, B-series and A-series. The B-series characterises time in terms of relational concepts, that is earlier than and later than. In other words, for two events E1 and E2, E1 can be earlier than E2, later than E2 or simultaneous with E2. While A-series characterises time in terms of tenses such as past, present, and future. The B-series uses relational concepts to characterise time, while A-series uses tenses. Time positions and events are fixed for B-series, such that if it is true that "E1 occurred earlier than E2," no matter what it will remain true. Time positions and events are dynamic and changes constantly for A-series, such that if it is true that "It is raining now," at another time position it will no longer be true. This is because the concepts A-series employ to characterise time are tenses and tenses change depending on the position of time.[43]

Based on these, McTaggart argue that first, the A and B-series exhaust the characterisation of time. In other words, there is no other way time can be characterised except for these two frameworks.[44] Second, McTaggart argues that the validity of the B-series framework depends on the A-series framework. Such that if the A-series is valid/invalid. The B-series will also be. Third, McTaggart argues that properties of the tense's past, present and future are contradictory and therefore cannot be used to characterise time in the same framework. Hence the A-series is contradictory, consequently the B-series and therefore, time is unreal.[45]

McTaggart's justification for argument that the A-series is contradictory is that A-series position implies that an event that is in the future at T1, becomes present at T2 and past at T3. To account for change an event moves from T1 to T2 to T3 to T4... The implication of this is that an event has the properties past, present and future together. For McTaggart, the property of the tense 'past' is different from that of 'present' and the properties of both different from that of 'future.' It is therefore contradictory for one event to have the three properties together. However, according to McTaggart, the A-series implies that one event has the properties together and this is contradictory.

McTaggart's justification for his argument that the B-series is dependent on the A-series is that the B-series acknowledges that time presupposes change; thus, though it uses fixed concepts to characterise time, it is not a fixed framework of time, but a temporal framework of time. That is time

[43] John McTaggart, "The Relation of Time and Eternity," *Mind* 18, no. 71 (1909): 343-362.

[44] Ibid., 343-362.

[45] Ibid.

at T1 will be different from time at T2 and different form time at T3 and so on... T1 cannot occur twice, neither can T2 nor T3 ... Hence, time is temporal and not permanent. If time is temporal but B-series uses fix concepts to characterise time, there must be a way that the temporal framework that B-series acknowledges will be justified. Hence, the B-series must rely on the permanent concepts of A-series to justify its temporal framework of time.

The first problem with McTaggart's position is the assumption that the A-series implies that an event has the three positions, past, present, and future simultaneously. There is no evidence that this implication is true, rather a more plausible interpretation is that an event can have the three positions successively. That is, an event can be in the future at T1, at that moment it has only the property of the verb 'future' and no other property. It is at another time location that it can then have the property of the verb 'present' and subsequently that of the verb 'past.' There is no point in time that it has the three positions simultaneously. Hence, there is no contradiction as argued by McTaggart.

Another challenge with McTaggart's position is the claim that only events necessarily account for change. For McTaggart, the only evidence that time changes is the change in events. For example, it rained at T1, but it is sunny at T2. The evidence that time changed from T1 to T2 is the change of event. The best way to explain change in time is to refer to change in events. This conception of change is curious. The assumption that a fixed framework of time cannot account for change except it employs a tensed language arises from a misconception that events account for change. Objects account for change and not events as assumed by McTaggart. Events do not change; hence, the fixed framework of time. Objects change; hence, the temporal aspect of the framework. In other words, McTaggart equivocated on events and order, and assumed that events play the role that objects actually play and this is a category mistake.

VII. Persisting problem of persistence

As observed from the foregoing, there is no sufficient evidence that the problem of persistence is not a substantive ontological dispute, yet both theories of persistence pose challenges that make the problem of persistence a lingering problem. On the one hand, Endurantism offers a simple theory of persistence, which is argued to align with basic intuition. Moreover, Endurantism is careful not to appeal to new entities that will create the problem of reconciling them with our hitherto accepted ontology. However, it did not address some issues on persistence. First, the theory fails to give a proper account of change. Second, it has the problem of how to reconcile identicals with contradicting properties.

For example, how can Endurantism claim that Cyrano exists wholly and is identical at each time location, and account for the contradicting properties between Cyrano at time location T_1 and time location T_4? If Cyrano at T_1 is identical to Cyrano at T_4 exists wholly at each time location, then he cannot have contradicting properties. Third, Endurantism makes it difficult to explain how change at least to an extent within objects itself, even though the change is said to be intrinsic. Endurantism appeals to time to explain change in objects. However, persistence seeks to explain change in relation to objects largely and not only in relation to other things.

Perdurantism on the other hand, avoids the problem of explaining change in relation to things outside objects by introducing the thesis of temporal parts and reconciling incompatible properties. However, it is not the case that Perdurantism has actually fared better than Endurantism. First, Perdurantism has the challenge of how to reconcile temporal parts with existing entities. Second, Perdurantism struggles with properly stating the ontological status of temporal parts.[46] Third, without properly stating the ontological status of temporal parts, Perdurantism cannot claim its thesis properly accounts for change, especially because the entity that ought to account for change-temporal parts is not well defined.

Though Endurantism and Perdurantism have different metaphysical explanations to account for change in objects, both explanations have gaps to fill on persistence. The primary purpose of a theory of persistence is to explain how objects persist through changes, without contradictions and absurdities. However, both Endurantism and Perdurantism encounter more challenges on how to explain changes in objects, without absurdities, conflicts, and contradictions than answers. Simply put, the debate between Endurantism and Perdurantism is presently inconclusive. There is an impasse on the problem of persistence between Endurantism and Perdurantism, and both theories do not adequately address the problem of persistence. Both theories create more questions for the problem of persistence than answers. Hence, there is a need for scholars to beam their searchlights beyond Endurantism and Perdurantism and seek an alternative theory of persistence in metaphysics.

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[46] Sally Haslanger, "Persistence through Time," in *The Oxford Handbook of Metaphysics*, eds. Michael Loux, and Dean Zimmerman (Oxford: Oxford University Press, 2005), 323.

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Corporate Ethics: Philosophical Concepts Guiding Business Practices

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Abstract

In the highly competitive global market, characterized by rapid political, economic, environmental and technological changes, there has been an increased interest in the role of ethics for shaping corporate actions and highlighting the essential tasks and measures to fulfill two generic missions: support enterprises to make distinctive, lasting and substantial improvements in their performance and build a great firm that attracts, develops, excites and retains exceptional people. This paper addresses the issues arising from opposing forces, namely on the one hand the extremely challenging external environment and on the other hand the increasing demand for responsible business behavior and ethical decision-making focused on the shared and sustained value creation to serve the interests of all stakeholders, society and the environment. Primary objective is to provide coherent and compact definitions for the key values dealing with professionalism, equality and sustainability that should be clearly defined, thus providing the key drivers for creating a working environment that inspires and motivates employees on one hand; and promote each enterprise socioeconomic footprint in the regional and global business ecosystem. When handling the concepts of responsibility, ethical codes, integrity or trust, philosophy provides an invaluable framework and a foundational basis on which to create and maintain sustainable structures and processes for the business of the new era.

Keywords: *corporate responsibility; virtue; code of ethics; integrity; leadership; trust; continuous learning; ancient Greek philosophy*

I. Introduction

Finding balance between the pursuit of commercial opportunities and the preservation of accountability calls for effort as business decisions and actions have wider impacts on external stakeholders, on the society and the environment. This has been a challenge for all types of companies but

it is especially relevant for joint-stock companies, where shareholders pay a special attention to enterprise value but executive managers are more inclined towards the short-term benefits. While financial results and, ultimately, generation of profits for shareholders has been the sole objective for decades, recent years have marked the shift to a new reality wherein corporations are receiving an ever-increasing amount of pressure by employees, customers, governments and social groups to take a responsible stance towards social and environmental purposes.[1]

Undoubtedly, the current business climate is experiencing rapid changes due to the external political, economic, environmental and technological factors. A central feature has been the rampant penetration of Fourth Industrial Revolution technologies in many aspects of our social and working lives. At the same time, the health, economic and social crisis caused by the pandemic have raised the discussion for a new deal on corporate financial targets, business practices, risk mitigation measures and stakeholder expectations. Levels of trust have plummeted. At the same time, the challenges of unprecedented magnitude imposed by the tipping point of the climate-related issues have intensified the pressure for responsible business behavior and ethical decision-making.[2]

Ethics has originated as a branch of ancient philosophy with ancient scholars such as Plato, Aristotle or the Stoics and Epicureans focusing on "living a good and virtuous life according to ethical virtues."[3] Human excellence has a central role focusing on practical intelligence encompassing a systematic and coherent grasp of all the goods in a life. Following Aristotle, virtuous behavior can be achieved through a life committed to the exercise of good habits.[4] The term 'business ethics' (also referred to as corporate ethics), comprising of both the words business and ethics, encompasses the ethical principles which arise within a business environment. Business ethics aim to analyze the causes and effects of ethical behavior from an economic aspect as well as to inform on policies to be

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[1] Dimitrios J. Dimitriou, and Maria F. Sartzetaki, "Social Dimension of Air Transport Sustainable Development," *International Journal of Business, Human and Social Sciences* 11, no. 4 (2018): 568-569; also Dimitrios J. Dimitriou, "Evaluation of Corporate Social Responsibility Performance in Air Transport Enterprise," *Journal of Public Administration and Governance* 10, no. 2 (2020): 264-265.

[2] Dimitriou, and Sartzetaki, "Social Dimension of Air Transport Sustainable Development," 569; also, Dimitrios J. Dimitriou, "Climate Change Implications in Aviation and Tourism Market Equilibrium," in *Climate Change Adaptation, Resilience and Hazards. Climate Change Management*, eds. Walter Leal Filho, Haruna Musa, Gina Cavan, Paul O'Hare, and Julia Seixas, 409-424 (Cham: Springer, 2016).

[3] John-Stewart Gordon, "Modern Morality and Ancient Ethics," *Internet Encyclopedia of Philosophy*, accessed March 6, 2022, https://iep.utm.edu/modern-morality-ancient-ethics/.

[4] Clerk Shaw, "Ancient Ethics," *Internet Encyclopedia of Philosophy*, accessed March 5, 2022, https://iep.utm.edu/a-ethics/.

implemented and actions to be taken.[5] The field of business ethics has maintained the interest of academic research in order to mainly explore decision-making processes, organizational behavior, human resource practices or marketing approaches.

The consecutive cycles of growing economies followed by recessions expose the dangers of corporations lacking ethical criteria into their corporate governance mechanisms. Business scandals revealed to the public have caused criticism of business schools in that education has not met the standards of the modern needs and graduates have been oriented exclusively towards profit maximization.[6] Especially following the global financial crisis of 2007/08, there has been a call for increased transparency and responsibility, under the umbrella of the integration of corporate governance, social responsibility and sustainability with the aim to build a new framework for ethical business.[7] The law is not sufficient in addressing this demand as social responsibility is not always captured by the letter of the law. Business ethics is closer to what the spirit of the law would convey.[8] Today, unethical behavior has significant implications on organizations, among which negative brand publicity, employee morale, collapse of trust relationship and even increased costs, either because of regulatory fines or because of poor productivity and performance.[9] A corporations' ethical behavior is essentially a result of minor, daily decisions within the complex structure of executives, managers and employees. When ethics underlie business practices because they are embedded in the organization's culture and encouraged by the ethical workplace conduct, then businesses can better manage conflict situations, either internally or towards external stakeholders.

Business management as an activity cannot be merely viewed as a set of mechanical tasks but rather as a complex moral undertaking because

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[5] Christian A. Conrad, "Basic of Ethics," in *Business Ethics – A Philosophical and Behavioral Approach* (Cham: Springer, 2018), 5.

[6] Jerry J. Gosenpud, and Jon M. Werner, "Growing up Morally: An Experiential Classroom Unit on Moral Development," *Electronic Journal of Business Ethics and Organization Studies* 20, no. 1 (2015): 22-23.

[7] Dimitriou, "Evaluation of Corporate Social Responsibility Performance in Air Transport Enterprise," 263.

[8] Archie B. Carroll, "Carroll's Pyramid of CSR: Taking Another Look," *International Journal of Corporate Social Responsibility* 1, no. 3 (2016): 3; also, Dimitriou, "Evaluation of Corporate Social Responsibility Performance in Air Transport Enterprise," 264.

[9] Peter J. Henning, "When Money Gets in the Way of Corporate Ethics," *New York Times*, April 17, 2017, https://www.nytimes.com/2017/04/17/business/dealbook/when-money-gets-in-the-way-of-corporate-ethics.html; also, Yuval Feldman, "Companies Need to Pay More Attention to Everyday Unethical Behavior," *Harvard Business Review*, March 01, 2019, https://hbr.org/2019/03/companies-need-to-pay-more-attention-to-everyday-unethical-behavior, and Nicholas Epley, and Amit Kumar, "How to Design an Ethical Organization," *Harvard Business Review*, April 16, 2019, https://hbr.org/2019/05/how-to-design-an-ethical-organization.

it deals with human, namely of each stakeholder, problems. The ethics of business management is a derivative of the human activity of exchange encompassing all aspects of production, distribution, marketing, sales and even consumption.[10] In this context, management gives its role to the broader concept of leadership. In today's business environment, leadership is crucial in addressing the complex issues arising from the global challenges cutting across multiple arenas. Leaders can invest in educational and developmental training initiatives to build a value-based organization and shape an environment for improved decision making.[11]

II. Corporate ethics and the philosophical concept of agency

It has been a matter of debate among scholars whether the concept of agency can be applied to business corporations. In fact, it is a subject that has attracted the attention of moral philosophers alongside business ethicists.[12]

The issue is an extension of the corporate personhood argument according to which a corporation has a legal identity separated from the one of its shareholders. The basic purpose is "to create a distinct legal entity with legal rights, obligations, powers and privileges different from those of the natural individuals who created it."[13] Corporate personhood provides the limited liability status for the shareholders and thus motivates investments; in addition, it sets out a mechanism through which financial compensation can be made possible even in cases of too high bills incurred by lawsuits, thus enabling accountability.[14] Accountability however should not be confused with responsibility. Responsibility precedes accountability in the sense that it is a duty one is supposed to fulfill, based on the "nature of the person's

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[10] Jeffrey Moriarty, "Business Ethics," *Stanford Encyclopedia of Philosophy* (Fall 2021 Edition), ed. Edward N. Zalta, https://plato.stanford.edu/archives/fall2021/entries/ethics-business.

[11] World Economic Forum, "WEF Leading through the Fourth Industrial Revolution: Putting People at the Centre," January 11, 2019, https://www.weforum.org/whitepapers/leading-through-the-fourth-industrial-revolution-putting-people-at-the-centre; also, Max H. Bazerman, "A New Model for Ethical Leadership," *Harvard Business Review*, August 18, 2020, https://hbr.org/2020/09/a-new-model-for-ethical-leadership.

[12] Samuel Mansell, et al., "Rethinking Corporate Agency in Business, Philosophy, and Law," *Journal of Business Ethics* 154, no. 4 (2018): 894.

[13] Kent Greenfield, and Daniel Rubens, "Corporate Personhood and the Putative First Amendment Right to Discriminate," in *Research Handbook on Corporate Purpose and Personhood*, eds. Elizabeth Pollman, and Robert B. Thompson, 283-299 (Cheltenham: Edward Elgar Publishing, 2021), 287.

[14] Kent Greenfield, "If Corporations Are People, They Should Act like It," *The Atlantic*, February 2, 2015, https://www.theatlantic.com/politics/archive/2015/02/if-corporations-are-people-they-should-act-like-it/385034/.

position, function or work."[15] It extends to behavior and practices beyond what is required by law.[16] Moral could be defined as a "human behaviour that does not harm other people objectively, and that their welfare is not diminished."[17] In this respect, responsible behavior cannot be left to voluntary judgement of management but should be monitored through legally framed accountability.[18]

There is a basic difference between individuals and corporations in the sense that corporations cannot perform any action on their own, independently of its people, meaning its board of directors, its shareholders or its managers. This is why it has been suggested that a corporation cannot be viewed as a moral agent because any agency that can be conceptualised cannot be separated from the agency of the individuals that comprise the organization.[19] Although different from human moral agents, another opinion is that they can be considered eligible for secondary moral agency as they are "collective bodies created, operated and perpetuated" by moral persons.[20] A group agency drawn on Kant's theory, and particularly the philosophy of collective intentionality, has recently been proposed mainly to attribute moral responsibility to structured groups with clearly formulated decision-making processes.[21]

Although the corporation cannot be considered a physical entity, as a human being is, it is indeed an organisation embodying a culture and having a "controlling mind" developed by its people. Organizational mission and vision statements, goals and objectives as well as structured processes define the actions taken by the corporation.[22] Even as distinct entities, corporations cannot however act independently of their individual parts, thus the term "eliminable" has been used of the description of a corporate moral agent.[23]

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[15] Thomas Bivins, "Responsibility and Accountability," in *Ethics in Public Relations: Responsible Advocacy,* eds. Kathy Fitzpatrick, and Carolyn Bronstein, 19-195 (London: SAGE Publications, 2006), 20.

[16] Dimitriou, "Evaluation of Corporate Social Responsibility Performance in Air Transport Enterprise," 264.

[17] Conrad, "Basics of Ethics," 2.

[18] Mallika Tamvada, "Corporate Social Responsibility and Accountability: A New Theoretical Foundation for Regulating CSR," *International Journal of Corporate Social Responsibility* 5, no. 2 (2020): 5.

[19] David Rönnegard, *The Fallacy of Corporate Moral Agency* (Dordrecht: Springer, 2015), 2.

[20] Patricia H. Werhane, "Corporate Moral Agency and the Responsibility to Respect Human Rights in the UN Guiding Principles: Do Corporations Have Moral Rights?" *Business and Human Rights Journal* 1, no. 1 (2016): 6.

[21] Samuel Mansell, et al., "Rethinking Corporate Agency in Business, Philosophy, and Law," 895.

[22] Nicholas Lord, "Regulating Transnational Corporate Bribery: Anti-Bribery and Corruption in the UK and Germany," *Crime, Law and Social Change* 60, no. 1 (2013): 132.

[23] Werhane, "Corporate Moral Agency and the Responsibility to Respect Human Rights in the

No matter the exact characterization and the validity or not to ascribe moral agency depending on the origins of classification, it seems to be the case that the attribution of responsibility may be an objective that needs to be reached at, despite any theoretical debates primarily because of the great significance on the business practices. At the same time, new types of responsibilities arising from complex supply chain networks or new technologies (e.g., AI systems) have intensified the interest on the matter. We may have reached an era wherein new distinct schemes of responsibility should be considered to account for the modern needs of what constitutes a legal personality. Different types of corporate agents may have to be distinguished and allocation of responsibility may be appropriate among a network of agents.[24]

III. Responsibility when outsourcing

The question on moral responsibility becomes even more complex when considering outsourcing and offshoring practices. Increasing vertical disintegration of corporate structures, whereby brands are separated from manufacturing activities, has transformed organizational structures towards focusing on core processes and profit maximization. This is facilitated through outsourcing, i.e., the transfer of part of activities, usually peripheral, to outside third-parties.[25] In the case that the outsourcing company is based overseas, then outsourcing is combined with offshoring. This transition has been described as *Nikefication*, citing the practices of the American sportswear company of outsourcing nearly all tasks except for design and marketing.[26] Further to the outsourcing dynamics of the global supply chains, *Uberization*[27] has been used to describe the shift from traditional organizational structures to forms of more flexible employer-worker relationships which can allow networked ways of working.[28]

UN Guiding Principles: Do Corporations Have Moral Rights?" 15.

[24] Luciano Floridi, "Faultless Responsibility: On the Nature and Allocation of Moral Responsibility for Distributed Moral Actions," *Philosophical Transactions of the Royal Society A* 374, no. 2083 (2016): 20160112.

[25] Dimitrios Dimitriou, "The Evolution in Transport Operator's Corporate Structure: Ownership and Governance," in *Outsourcing and Offshoring*, ed. Mário Franco, 252-265 (London: IntechOpen, 2021).

[26] Gerald F. Davis, "Corporate Power in The Twenty-First Century," in *Performance and Progress: Essays on Capitalism, Business, and Society*, ed. Subramanian Rangan, 395-414 (New York: Oxford University Press, 2017), 402-403.

[27] Stefan Kirchner, and Elke Schüßler, "Regulating the Sharing Economy: A Field Perspective," in *Theorizing the Sharing Economy: Variety and Trajectories of New Forms of Organizing*, eds. Indre Maurer, Johanna Mar, and Achim Oberg, 215-236 (Bingley: Emerald Publishing Limited, 2020), 216.

[28] Patricia Leighton, "Professional Self-Employment, New Power and the Sharing Economy:

As a result of globalisation, companies are no longer constrained within one national market to target customers or seek labour, thereby making outsourcing an efficient tool to increase profitability two-fold; producing in low-cost locations and marketing to high-wage locations.[29] However, this strategy places companies at vulnerable position as outsourcing transfers responsibilities that cannot be closely monitored across different organizational structures and cultures at a global level. Further than monitoring costs, outsourcing should be much more integrated to ensure that ethical standards are seamlessly applied to contractors. Within the context of outsourcing, GDPR compliance has been even more challenging as companies are responsible to ensure the protection of their customers' sensitive data. When outsourcing is accompanied by handing over personal data, it is crucial that the third-parties involved in data collection and processing should be closely monitored and their processes and security systems should be meticulously reviewed.[30] A corporation can outsource many, if not all, business processes but it cannot outsource ethical responsibilities. A common example where organizations avoid ethical responsibilities through outsourcing is when utility companies and banks outsource communication with clients on what concerns bills rather than maintain a direct contact with them.

IV. Today's opinion climate. The stance of the market

Fifty years have passed since the economist Milton Friedman published the Friedman doctrine,[31] a business ethics theory arguing that a business's only obligation to society is to generate profits without breaking the rules of the market (i.e., avoiding deception and fraud). The discussion on what a corporation is responsible to do for the society is mostly relevant today since the model of stakeholder theory increasingly gains ground. The shift towards this perspective is characterised by the increased role of shared and sustained value creation to serve the interests of all stakeholders, including employees, customers and suppliers, governments and local communities, pressure groups and society at large as well as the environment.[32]

Some Cautionary Tales from Uber," *Journal of Management & Organization* 22, no. 6 (2016): 860.

[29] Forbes Magazine, "The Good and Bad of Globalization," June 19, 2013, https://www.forbes.com/2007/05/11/globalization-outsourcing-nafta-pf-education-in_ls_0511investopedia_inl.html?sh=1f3cdeb02d08.

[30] Dimitriou, "The Evolution in Transport Operator's Corporate Structure: Ownership and Governance."

[31] Milton Friedman, "A Friedman Doctrine – The Social Responsibility of Business Is to Increase Its Profits," *The New York Times*, September 13, 1970, https://www.nytimes.com/1970/09/13/archives/a-friedman-doctrine-the-social-responsibility-of-business-is-to.html.

[32] Dimitrios Dimitriou, et al., "Management Directions towards Social Responsibility in Special

The model has been the main theme of the 2020 World Economic Forum (WEF) through the updated *Davos Manifesto*, which states that:

> companies should pay their fair share of taxes, show zero tolerance for corruption, uphold human rights throughout their global supply chains, and advocate for a competitive level playing field – particularly in the platform economy.[33]

Moreover, the report published by the WEF "Ethics by Design – An Organizational Approach to the Responsible Use of Technology," outlines recommendations that would help in forming routine ethical behaviors.[34] According to Kay Firth-Butterfield, Head of Artificial Intelligence and Machine Learning, ethics play a crucial role in the successful implementation of technological revolutions and both the public and the private sectors are involved in the integration of ethical approaches.[35]

Accordingly, the Organisation for Economic Co-operation and Development (OECD), since 1976, has been publishing guidelines for multinational enterprises in order to prompt for responsible business conduct in relations with employees and other stakeholders, towards the environment and to prevent tax avoidance, bribery or even violation of human rights.[36] Interestingly, OECD organises for 2022 the *Global Anti-Corruption & Integrity Forum* with the purpose to bring together stakeholders to discuss how revived perception of social purpose and alongside the 2030 Sustainable Development Goals, businesses should work out how to act with integrity.[37]

In the same spirit, the *Integrated Strategy on Fundamental Principles and Rights at Work (2017-2023)*, developed by the *International Labour Organization (ILO)* is focusing on three thematic priorities: ensuring

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Population Groups by Airport Enterprises: The Case of Autism," *International Journal of Business, Human and Social Sciences* 12, no. 9 (2019): 1251-1252; also, Dimitrios J. Dimitriou, and Maria F. Sartzetaki, "Social Dimension of Air Transport Sustainable Development," as well as Dimitrios J. Dimitriou, and Maria F. Sartzetaki, "Decision Framework for Cross-Border Railway Infrastructure Projects," *International Journal of Industrial and Systems Engineering* 10, no. 11 (2016): 3658-3660.

[33] Klaus Schwab, "Davos' Karl Scwab: What Kind of Capitalism Do We Want?" *Time*, December 2, 2019, https://time.com/5742066/klaus-schwab-stakeholder-capitalism-davos/.

[34] Friedman, "A Friedman Doctrine."

[35] Alem Tedeneke, "Ethics by Design: New Report Helps Companies Move beyond Compliance," *World Economic Forum*, December 10, 2020, https://www.weforum.org/whitepapers/ethics-by-design-an-organizational-approach-to-responsible-use-of-technology.

[36] "2011 Update of the OECD Guidelines for Multinational Enterprises," *OECD*, March 9, 2022, https://www.oecd.org/daf/inv/mne/oecdguidelinesformultinationalenterprises.htm.

[37] "2022 OECD Global Anti-Corruption & Integrity Forum," *2022 OECD Global Anti-Corruption & Integrity Forum*, accessed March 9, 2022, https://oecd-events.org/gacif2022.

fundamental principles and rights are followed at work in rural and informal economies, in enterprises and supply chains and in conditions of crisis and fragility.[38]

Likewise, in August 2019, the US Business Roundtable, a non-profit lobbyist association of chief executive officers, committed in delivering value to all stakeholders, investing in employees, dealing ethically with suppliers, supporting the communities and generating long-term value.[39]

Over recent years, the concept of ESG (Environmental, Social, and Governance) in investing is flourishing; ESG describes an approach towards a more meaningful business philosophy whereby several non-financial aspects defining performance are taken account of. The initial of the acronym stand for the different types of features, namely, the impact of the business on the environment, the social dimension and the governance. It goes without saying that the individual elements of the ESG are closely intertwined. The combined indicator for the environmental, social and governance criteria can assist investors in identifying companies sensitive to financial risk because of related controversial business practices. For each dimension, data on the firm's practices are being collected and analysed with the aim to be used by portfolio managers in order to form a diversified portfolio. The analysis is used by a portfolio manager to construct a diversified portfolio.[40]

ESG in investing has been named a socially responsible investing (SRI) although the term is vague enough to prevent agreement on what exactly SRI is for the investors. This has been the result of many academic studies focusing on the financial impact on performance.[41] A main feature of ESG practices is the shift from cost savings to value creation. While, traditionally, Corporate Social Responsibility arguments built on the motivation to decrease costs (e.g., through lower energy consumption), the driver in today's initiatives is the opportunity for growth and improved performance.[42]

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[38] "ILO Declaration on Fundamental Principles and Rights at Work (Declaration)," accessed March 9, 2022, https://www.ilo.org/declaration/lang--en/index.htm.

[39] "Business Roundtable Redefines the Purpose of a Corporation to Promote 'an Economy That Serves All Americans,'" accessed March 9, 2022, https://www.businessroundtable.org/business-roundtable-redefines-the-purpose-of-a-corporation-to-promote-an-economy-that-serves-all-americans.

[40] Witold Henisz, et al., "Five Ways That ESG Creates Value," *McKinsey & Company*, June 23, 2021, https://www.mckinsey.com/business-functions/strategy-and-corporate-finance/our-insights/five-ways-that-esg-creates-value.

[41] Gunther Capelle-Blancard, and Stéphanie Monjon, "Trends in the Literature on Socially Responsible Investment: Looking for the Keys under the Lamppost," *Business Ethics: A European Review* 21, no. 3 (2012): 239-250.

[42] Judy Oh, "3 Paradigm Shifts in Corporate Sustainability to New Era of ESG," *World Economic Forum*, September 30, 2021, https://www.weforum.org/agenda/2021/09/3-paradigm-shifts-in-corporate-sustainability-to-esg/; also, Dimitrios J. Dimitriou, et al., "Quantification of the

An ever-increasing number of companies have embraced the ESG approach challenging the assumption that achieving greater social and environmental benefits is related to decreased financial returns to capital.[43] According to a 2018 FTSE Russell global survey, more than half of global asset owners were implementing or assessing ESG strategies.[44] The U.S. Securities and Exchange Commission (SEC) has been calling for ESG classifications while increasing guidance on corporate carbon emissions.

V. On corporate virtue and integrity

As already explained, the concept of virtue is fundamental within the field of ethics. Virtue has been inextricably linked with Aristotle, whose work *Nicomachean Ethics* has been characterised as "the first systematic treatment of ethics in Western philosophy."[45] The term is a translation of the Greek word "arete," meaning excellence, or goodness, and characterises the state of an individual, "a settled condition when one is well off in relation to feelings and actions."[46] Virtuous actions are performed by virtuous persons. Virtue theories entail a goal for the human life, an end known as the "*telos*," which is a natural development of a human with an excellent moral character.[47]

Thus, the formation of character is the cornerstone of virtue ethics. Collectively, the community formed in a business context is an environment in which members and leaders can behave virtuously towards the good of all involved parts. Furthermore, the products offered by a group behaving virtuously can be reasonably assumed to benefit society as a whole. Business entities are thus vehicles through which people involved have the opportunity to act for the common good.[48]

Air Transport Industry Socio-Economic Impact on Regions Heavily Depended on Tourism," *Transportation Research Procedia* 25 (2017): 5242-5254; and Dimitrios J. Dimitriou, "Comparative Evaluation of Airports Productivity towards Tourism Development," *Cogent Business & Management* 5, no. 1 (2018): 1-15.

[43] Alice Martini, "Socially Responsible Investing: From the Ethical Origins to the Sustainable Development Framework of the European Union," *Environment, Development and Sustainability* 23, no. 11 (2021): 16874-16890.

[44] Robert G. Eccles, and Svetlana Klimenko, "Shareholders Are Getting Serious about Sustainability," *Harvard Business Review*, November 24, 2020, https://hbr.org/2019/05/the-investor-revolution.

[45] Aristotle, "Nichomachean Ethics," in *Ethics Contemporary Readings*, ed. James Swindal, Earl W. Spurgin, and Harry J. Gensler, 240-249 (New York: Routledge, 2004), 240.

[46] Marcia Homiak, "Moral Character," *Stanford Encyclopedia of Philosophy* (Summer 2019 Edition), ed. Edward N. Zalta, https://plato.stanford.edu/entries/moral-character/.

[47] Gary R. Weaver, "Organizations and the Development of Virtue," in *Handbook of Virtue Ethics in Business and Management*, eds. G. Sison Alejo José, Gregory R. Beabout, and Ignacio Ferrero, 1-11 (Dordrecht: Springer, 2017).

[48] Pablo Ruiz Palomino, et al., "Team- Level Servant Leadership and Team Performance: The

Following from the above, causality can be conferred in the sense that internal decision-making structures cause managers and employees to act according to the interests of the whole. Organizational virtuousness is a property of the corporation and not just the sum of the individuals acting for the corporation. This is materialized through the corporate culture; by focusing on the shared good of flourishing, by role-model virtuous leaders and by the habitual practice of wisdom, an organization can set the course for building a virtuous culture.[49]

Just like virtue, integrity is also originating from the individual but expands to the level of a group, an organization. Although having attracted considerable attention, including its importance for a business organization, it has been claimed that the term has not been adequately elaborated to capture its full meaning.[50]

Harvard Business School Professor Lynn Paine, whose research has focused on the governance of companies achieving financial results together with high ethical standards, as early as in 1994 highlighted the role of an integrity-based approach in ethics management:

> While compliance is rooted in avoiding legal sanctions, organizational integrity is based on the concept of self-governance in accordance with a set of guiding principles. From the perspective of integrity, the task of ethics management is to define and give life to an organization's guiding values, to create an environment that supports ethically sound behavior, and to instill a sense of shared accountability among employees.[51]

Etymologically, the term derives from the Latin "integritas," translated as wholeness or completeness. The term has been linked to four dimensions of meaning; self-fidelity, righteousness, integration, and wholeness. Fuerst

Mediating Roles of Organizational Citizenship Behavior and Internal Social Capital," *Business Ethics, the Environment & Responsibility* 26 (2021): 3.

[49] Thomas J. Whetstone, "Developing a Virtuous Organizational Culture," in *Handbook of Virtue Ethics in Business and Management*, eds. Alejo José G. Sison, Gregory R. Beabout, and Ignacio Ferrero, 623-634 (Dordrecht: Springer, 2017), 623-625.

[50] Damian Cox, et al., "Integrity," *Stanford Encyclopaedia of Philosophy* (Fall 2021 Edition), ed. Edward N. Zalta, https://plato.stanford.edu/archives/fall2021/entries/integrity/; also Daryl Koehn, "Integrity as a Business Asset," *Journal of Business Ethics* 58 (2005): 125, and Madeleine J. Fuerst, and Christoph Luetge, "The Conception of Organizational Integrity: A Derivation from the Individual Level Using a Virtue Based Approach," *Business Ethics, the Environment & Responsibility* (2021): 3.

[51] Lynn S. Paine, "Managing for Organizational Integrity," *Harvard Business Review*, August 1, 2014, https://hbr.org/1994/03/managing-for-organizational-integrity.

and Luetge suggested that integrity is "an essential component of good character, completing it without being a virtue itself in the Aristotelian sense."[52]

When based on integrity, organizations work on more robust standards. They go beyond the mere compliance to legal obligations towards defining and giving life to an organization's guiding values, shaping an environment that supports ethical behavior and instilling a sense of shared accountability among employees.[53] Building a culture of integrity is thus a task that expands both in breadth and depth of organizational conduct. Especially in management, integrity encompasses a series of traits, including being responsible, communicating clearly and consistently, being honest, keeping promises, knowing oneself. Above all, it is a continuous exercise in learning, education, and persuasion. Great leaders go beyond management and achieve to make other people understand and want to do what is best. This is achieved through empowerment, courage, tenacity and considerable teaching skills.[54]

VI. Ethical leadership

Special mention has to be made to leadership, and in particular ethical leadership. A worldwide survey identified desirable leaders as not only those who are able to motivate others but also those who are trustworthy, just, and honest.[55] Thus, to be a leader is to be held to high expectations in regard to both performance and ethical behavior. As a result, leaders must give attention to ethical development as well as performance development.

Ethical leaders have a protagonistic role in building a corporate culture of shared assumptions, beliefs and values that directly guide the behaviors of the employees in a way that enhances effectiveness. When, for example, ethical leaders go beyond narrow interests and pay attention to the interest of stakeholders, the organization as a whole is more likely to be aware of stakeholders' concerns and to be more directed towards meeting customers' needs.[56]

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[52] Fuerst, and Luetge, "The Conception of Organizational Integrity," 3.

[53] Dimitriou, "Evaluation of Corporate Social Responsibility Performance in Air Transport Enterprise," 267-268; also, Paine, "Managing for Organizational Integrity."

[54] Thomas Teal, "The Human Side of Management," *Harvard Business Review*, August 1, 2014, https://hbr.org/1996/11/the-human-side-of-management.

[55] Joanne B. Ciulla, and Donelson R. Forsyth, "Leadership Ethics," in *The SAGE Handbook of Leadership*, eds. Alan Bryman, David Collinson, Keith Grint, Brad Jackson, and Mary Uhl-Bien, 229-241 (London: SAGE Publications, 2011), 230.

[56] Dina Metwally, et al., "How Ethical Leadership Shapes Employees' Readiness to Change: The Mediating Role of an Organizational Culture of Effectiveness," *Frontiers in Psychology* 10 (2019): 8.

Numerous recent studies[57] have highlighted the linkage of ethical leadership and behavior with the level of trust displayed towards leaders. In today's climate of polarization and division,[58] trust has been suggested to be linked to competence.[59] Contemporary organizations face a series of challenges due to external events causing disruption or demanding change, e.g., economical and job instability, disrupted working environments and remote working, technological developments and environmental concerns impacting the economy.[60] Leaders are required to demonstrate a good knowledge of theory, to grasp the practical implications on the real aspects of the work and, at the same time, manage to handle issues and apply strategies within the specific context of each organization. When competence has been proven, people within an organization acknowledge and positively evaluate the collective ability to address challenges, reinforcing a culture of trust.[61] In addition, ethics-rooted leadership has been associated with positive employee outcomes, among which employee engagement and job satisfaction.[62]

In "How to Be a Good Leader," the ancient biographer Plutarch explains that successful leaders should be guided by reason and exercise self-control. Indicatively:

> Politics is not a public service with a functional objective. Rather, it is a way of life for a tamed, political, and social animal, one that by its nature must live its whole life interacting with its fellow citizens, pursuing what is good and caring for humankind.[63]

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[57] Michael E. Brown, et al., "Ethical Leadership: A Social Learning Perspective for Construct Development and Testing," *Organizational Behavior and Human Decision Processes* 97, no. 2 (2005): 117-134; Jeroen Stouten, et al., "Ethical Leadership," *Journal of Personnel Psychology* 11, no. 1 (2012): 1-6; Thomas W. Ng, and Daniel C. Feldman, "Ethical Leadership: Meta-Analytic Evidence of Criterion-Related and Incremental Validity," *Journal of Applied Psychology* 100, no. 3 (2015): 948-965.

[58] Stefanie Gustafsson, et al., "Preserving Organizational Trust during Disruption," *Organization Studies* 42, no. 9 (2020): 1420.

[59] Mark Mortensen, and Heidi K. Gardner, "WFH Is Corroding Our Trust in Each Other," *Harvard Business Review*, August 31, 2021, https://hbr.org/2021/02/wfh-is-corroding-our-trust-in-each-other.

[60] Dimitrios J. Dimitriou, and Maria F. Sartzetaki, "Sustainable Development Variables to Assess Transport Infrastructure in Remote Destinations," *International Journal of Urban and Civil Engineering* 10, no. 10 (2016): 1350.

[61] Linda Hill, and Kent Lineback, "To Build Trust, Competence is Key," *Harvard Business Review,* March 22, 2012, https://hbr.org/2012/03/to-build-trust-competence-is-k.

[62] Julia E. Hoch, et al., "Do Ethical, Authentic, and Servant Leadership Explain Variance above and beyond Transformational Leadership? A Meta-Analysis," *Journal of Management* 44, no. 2 (2016): 512-515.

[63] Alan Dent, "How to Be a Leader," *The Penniless Press on-line*, accessed March 9, 2022,

VII. The corporate code of ethics

In practice, Corporate Code of Ethics has been conceived as a tool to establish rules for ethical behavior and to further promote their applications. It is reasonable to say and it has been accepted at some degree that it is not possible to create a code of ethics encompassing whatever is required to behave ethically. This however should not be viewed as a demotivator for ignoring such practice but on the contrary, the code of ethics should be integrated into the organizational culture. "If ethical values are the compass which guides how you do business, then a Code of Ethics is like a map, offering guidance on what route to take when there is a choice to make."[64]

Again, at this point the distinction between law and ethics arises. An established code of ethics that is active only to be used as a document typically proving that employees have been trained and are aligned to organizational values is only part of the legal requirements of a company. But if not more than that, then they make no difference in the long-term ethical performance.

The essential meaning of having a set of ethical rules that give practical guidance in day-to-day actions can be eloquently seen when considering the "*kathekonta*" in Stoic philosophy. The Stoics set the bar to be a sage so high that only few in humanity ever achieve virtue. So, for the non-sages, a set of ethical rules, the "kathekonta," gives practical guidance on what is the correct action to perform under the circumstances. The performance of kathekonta lies within the capabilities of the non-sage, even if the non-sage does not have a complete understanding of why the certain actions would be considered correct.[65] Kathekonta may be considered the extensions of the virtuous acts performed by the sage. In this frame the Stoics demand is a constantly vigilant self-awareness, a kind of mental readiness that permits the apprentices to apply principles of philosophy[66] to events that occur in real life and demand our decision-making. The uninterrupted attention of individuals creates the conditions that philosophical principles are "ready to use" (*procheiron*, according to Stoic terminology).

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http://www.pennilesspress.co.uk/NRB/plutarch.htm.

[64] Insitute of Business Ethics, "Code of Ethics," accessed March 9, 2022, https://www.ibe.org.uk/knowledge-hub/ibe-business-ethics-framework/code-of-ethics.html.

[65] Richard Bett, "Stoic Ethics," in *A Companion to Ancient Philosophy*, eds. Mary Louise Gill, and Pierre Pellegrin, 530-548 (Oxford: Wiley-Blackwell, 2009).

[66] Pierre Hadot, *Philosophy as a Way of Life: Spiritual Exercises from Socrates to Foucault*, transl. Michael Chase (Oxford: Blackwell, 1995), 84.

VIII. Corporate ethics: New issues, new perspectives?

Industry 4.0, the term used to denote the 4th Industrial Revolution, provokes rapid technological changes which not only apply on industrial production but are also evident within our everyday lives, as individuals and workers. Like all other previous industrial revolutions, it is manifested through the convergence of a series of different disruptive technologies. In a few words, Industry 4.0 is characterized by the development and exploitation of holistic smart systems which can bring together the digital, the physical and the biological worlds; the main dimensions on which such systems are built are big data, artificial intelligence, virtual reality, robotics, and augmented reality.[67]

The pace of technological progress is also accompanied by the expectation that business delivering innovation are also responsible of demonstrating critical competence and apply limitations with regard to the way these innovations are implemented. However, this kind of control can be ensured at early stages of the development process, and in most of the times may be needed to be embedded in the design steps. If corporations have not established a framework and ignore ethical values at this early stage, then it may be the case that engineers apply their own ethical rules, outside of any formalised process, thus removing accountability out of the equation.[68]

Industry 4.0 poses further challenges on employment as a considerable number of jobs is expected to be eliminated or substituted with technological devices (from computers to smart-factories). As the cost of automation falls, human workers will be reallocated to positions of labour supply in which tasks are not – by nature – in the risk of automation. However, eventually there will be a considerable number of human workers not able to find an alternative.[69] This external environment poses a serious challenge to businesses, mainly through the creation of job insecurity which in turn negatively impacts motivation and, thus, performance.[70] Unemployment due to automation, when considered at a global scale, can be viewed as

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[67] Klaus Schwab, "The Fourth Industrial Revolution: What it Means, How to Respond," *World Economic Forum*, January 14, 2016, https://www.weforum.org/agenda/2016/01/the-fourth-industrial-revolution-what-it-means-and-how-to-respond/.

[68] Kirsten Martin, "Ethical Implications and Accountability of Algorithms," *Journal of Business Ethics* 160 (2019): 842-843.

[69] Tae Wan Kim, and Alan Scheller-Wolf, "Technological Unemployment, Meaning in Life, Purpose of Business, and the Future of Stakeholders," *Journal of Business Ethics* 160, no. 2 (2019): 328.

[70] Dimitrios J. Dimitriou, and Maria F. Sartzetaki, "Social Dimensions of Aviation on Sustainable Development," in *Sustainable Aviation*, eds. Thomas Walker, Angela Stefania Bergantino, Northrop Sprung-Much, and Luisa Loiacono, 173-191 (Cham: Palgrave Macmillan, 2020).

an externality that responsible companies have a duty to minimise and to mitigate its negative implications for the society. It has been suggested that this challenge is teleological, pointing to the "*telos*," the final cause, the ultimate good in Aristotelian ethics. Following the Aristotelian approach that every pursuit aims at a purpose, a goal, a final function, it is under question if advanced technology and automation is in alignment with what is fundamentally corporate purpose. Beyond the for-profit orientation, and within the frame of stakeholder theory, it has been commonly understood that the concept of purpose is linked to higher order goals closely connected to the value it seeks to create for its stakeholders.[71] Furthermore, the idea that corporations may "have the natural duty to hire human workers" has been proposed as worth investigating. In this respect, businesses, as part of society, serve as a platform to pursue and develop virtue, to offer the options for a flourishing life, which is part of the telos in the Aristotelian sense.[72]

Covid-19 pandemic has had a multifold impact on organizations. Most importantly, the dominance of new communication technologies and remote working have blurred the lines between work and private life. At the same time, distancing of employees, either from each other or from the management has amplified insecurities and has put workers in a state of isolation. Spatiotemporal compression as a result of increased connectivity, has disrupted the synchronization of a worker's labour time in relation his/her biological rhythms and local time zone, resulting in mental health issues in the long term. Apart from health at the workplace, working conditions also include the employer's monitoring of employees. Advanced technological solutions have given the opportunity to managers to increase surveillance over employees, sometimes by abusing private lives and by illegally, let alone unethically, using measurements from tracking devices and applications.[73]

IX. Ethical learning

The development of an ethical working environment should be viewed as a continuous process and not a one-off event. For ethics to diffuse within the organization, ethical values have to be embedded within the process

[71] Gerard George, et al., "Purpose in the For-Profit Firm: A Review and Framework for Management Research," *Journal of Management* 20, no. 10 (2021): 2.

[72] John Hooker, and Tae Wan Kim, "Ethical Implications of the 4th Industrial Revolution for Business and Society," in *Business Ethics*, eds. David M. Wasieleski, and James Weber, 35-63 (Bingley: Emerald, 2019).

[73] Domènec Melé, "Ethics at the Workplace in the Fourth Industrial Revolution: A Catholic Social Teaching Perspective," *Business Ethics, the Environment & Responsibility* 30, no. 4 (2021): 774.

of culture management.[74] Only through an organizational context which allows ethical reflection, incentives and leadership based on ethical standards can a corporation achieve long-term integrity.[75]

Recent evidence has shown that companies successfully affirming ethics have used training programs to achieve the transmission of ethical standards or have connected human resource training with an environment of respect for moral autonomy.[76] Such strategies have laid the ground for ethical principles to be rooted in the organizational culture.[77]

It is true that morality cannot be learned just by following a course of ethical theory or by completing a reading material on virtue ethics. However, even if it is accepted that ethics cannot be taught to adults within the workplace environment, it is probable that relevant training can set the lines within which an organization desires its workers to be. Moreover, it has been suggested that performance appraisal based on behavior would serve well as a criterion to financially reward employees for ethical conduct,[78] which may provide extrinsic motivation factors for the rest of the workforce. An organization can initiate ethical practices even from the recruitment process, by hiring job seekers after thorough study of their character and of soft skills that match well with the organization's values.

Any such internal management practices have to be genuinely embodied in the practices of the organization.[79] Attribution theory has suggested that individuals do not respond to the external event per se, but they respond depending on how they believe this event occurred anyway. In this respect, the effectiveness of managerial strategies is dependent on the beliefs that

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[74] Gina Grandy, and Martyna Sliwa, "Contemplative Leadership: The Possibilities for the Ethics of Leadership Theory and Practice," *Journal of Business Ethics* 143, no. 3 (2015): 427.

[75] Thomas Hajduk, and Christoph Schank, "The Model of the Honorable Merchant: Bridging Compliance and Integrity?" in *Handbook of Virtue Ethics in Business and Management*, eds. G. Sison Alejo José, Gregory R. Beabout, and Ignacio Ferrero, 987-994 (Dordrecht: Springer, 2017), 993.

[76] Affirmative action could also be justified as the manifestation of long-term integrity pursuit; see Sooraj Kumar Maurya, "A Reply to Louis P. Pojman's Article 'The Case Against Affirmative Action,'" *Conatus – Journal of Philosophy* 5, no. 2 (2020): 87-113; on the significance of autonomy as compared to well-being see Julian Savulescu, and Evangelos D. Protopapadakis, "'Ethical Minefields' and the Voice of Common Sense: A Discussion with Julian Savulescu," *Conatus – Journal of Philosophy* 4, no. 1 (2019): 125-133.

[77] Cecilia Martínez, et al., "Managing Organizational Ethics: How Ethics Becomes Pervasive within Organizations," *Business Horizons* 64, no. 1 (2021): 86-89.

[78] Silu Chen, et al., "Ethical Human Resource Management Mitigates the Positive Association between Illegitimate Tasks and Employee Unethical Behaviour," *Business Ethics, the Environment & Responsibility* 31, no. 2 (2021): 529.

[79] Dimitrios Dimitriou, and Stylianos Zantanidis, "Key Aspects of Occupational Health and Safety towards Efficiency and Performance in Air Traffic Management," in *Air Traffic Management and Control*, ed. Longbiao Li, 126-131 (London: IntechOpen, 2021).

employees hold regarding the reasons underlying the implementation of the relevant practices. The employees respond not to the individual practice itself but in accordance with why they believe the management has implemented it. For example, perceptions of cost reduction may increase burden and emotional exhaustion.[80] On the other hand, when cost reductions are not "an end in itself," but are part of an overarching cost-conscious strategy, e.g., reducing carbon emissions in connection with sustainability targets, employees are more likely to find purpose, in fact a kind of purpose linked to moral and ethical principles.[81] As very recently argued, corporate purpose and sustainability are intertwined and essentially ethical.[82]

Evidence from neuroscientific studies have revealed that ethical dilemmas put individuals in situations whereby they try to match the current circumstances with other events of the past in order to seek guidance. In this case, we make intuitive judgments. On the other hand, when no similar pattern can be detected, we employ our reasoning abilities to make a decision.[83] On what concerns teaching approaches, neuroscience findings have revealed the significant role that emotion plays in ethical decision making. Hence, teaching material and process should be based on both cognitive and emotive learning.[84] Business ethics courses should be structured on case studies with the purpose to develop moral intuitions and to nurture the ability to identify the risks of poor corporate conduct. Critical to the process of teaching ethics is to incorporate personal values into the learning paradigms. In this way, individuals can investigate their own ethical foundation, work through rising conflicts and establish a connection between concepts and their own self. It has been suggested that values exploration is a type of experiential learning,[85] originating from the theory of Kolb who introduced a theoretical model of adult experiential learning based upon the psychological and philosophical

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[80] Amanda Shantz, et al., "The Effect of HRM Attributions on Emotional Exhaustion and the Mediating Roles of Job Involvement and Work Overload," *Human Resource Management Journal* 26, no. 2 (2016): 172-191; on exploitation, exhaustion, and justice-related concerns see also Fausto Corvino, "Sweatshops, Harm and Exploitation: A Proposal to Operationalise the Model of Structural Injustice," *Conatus – Journal of Philosophy* 5, no. 2 (2020): 9-23.

[81] Effective altruism can be such an ethically justifiable purpose; see Iraklis Ioannidis, "Shackling the Poor, or Effective Altruism: A Critique of the Philosophical Foundation of Effective Altruism," *Conatus – Journal of Philosophy* 5, no. 2 (2020): 25-46.

[82] C. B. Bhattacharya, Sankar Sen, Laura Marie Edinger-Schons, and Michael Neureiter, "Corporate Purpose and Employee Sustainability Behaviors," *Journal of Business Ethics* (2022): 16.

[83] Bazerman, "A New Model for Ethical Leadership."

[84] Diana C. Robertson, et al., "Business Ethics: The Promise of Neuroscience," *Journal of Business Ethics* 144, no. 4 (2016): 679-697.

[85] Gosenpud, and Werner, "Growing up Morally: An Experiential Classroom Unit on Moral Development," 23.

foundations of J. Dewey, J. Piaget, and K. Lewin.[86] Throughout the holistic approach of values exploration, participants take an active role in their learning, advancing their moral development, thereby being less tolerant with unethical decision making in the work environment.

In parallel with any ethical training programme, communication from leadership and established evaluation mechanisms should be directed at reinforcing the nature of ethical performance. The ultimate target is that corporate ethics education can help the workforce to experience ethics as a core constituent of success.[87]

X. Concluding remarks

Corporate practices have always raised issues of controversy with regard to ethical implications viewed by the philosophical perspective. The contemporary global environment poses numerous challenges as corporations have to constantly adapt to a rapidly changing environment with multiple externalities. The fact that some corporations have grown too big in terms of financial power and international presence is an additional factor for their enlarged and enriched role they have in maintaining and promoting sustainable practices across the triple bottom line (economic, social, environmental).

Ethical behavior is a matter of urgency as shown by the institutional request for organizational trust, integrity, workplace ethics and sustainable operations. On top of that, recent global issues incurred by technological revolution and the global pandemic have intensified the need for addressing reality more responsibly. Despite the dynamic global business environment pressing for enhanced worker performance and hard skills, the need for soft skills is probably more imperative than ever.

Leaders have the power and the authority to cultivate ethical conduct in an organization. They can establish norms and also empower employees to apply them. Ethical leaders are the ones who carry the burden of difficult decisions but they can also be ethical role models for employees and build trust while being truthful. Integrity should be traced in their actions as their behaviors should be aligned with the values of the organization.

Ethical behavior in the business context should not be a matter of unilateral approach. Customers play an active role in the formation and the development of an ethical business environment. Recognizing an ethos behind business practices encourages customers to build a relationship of trust and enhances the perception

[86] Reijo Miettinen, "The Concept of Experiential Learning and John Dewey's Theory of Reflective Thought and Action," *International Journal of Lifelong Education* 19, no. 1 (2000): 54.

[87] Leslie E. Sekerka, "Organizational Ethics Education and Training: A Review of Best Practices and Their Application," *International Journal of Training and Development* 13, no. 2 (2009): 95.

of value in the interaction. Further to generating sales through repeated purchases, a loyal customer base can significantly contribute to reduced marketing costs and a more sustainable business growth. The active role of the customer as a stakeholder in the ethical business conduct underscores the importance of raising awareness in the general public and of systematically developing an educational strategy not only for tertiary-level degrees but also for secondary education.

At a universal level, United Nations and ILO have been providing ethical guidelines, building – among others – on principles of integrity and accountability, setting standards of conduct for institutions, governing bodies, leaders and practitioners. However, the role of regional actors and institutions play a critical role in the mechanism of implementation and integration in the local conditions. The evaluation of what has to be regulated, how it should be monitored and what would be the repercussions in case of misconduct should be well-established. The situation becomes complicated in the ever-increasing multi-ethnic workplace environments where coherence is further constrained by cultural diversity. In this respect, further research is needed to deal with issues of morality beyond a certain a geographical normative framework.

The role of philosophy is more crucial than ever before as it helps in unfolding the complexities imposed by the existing climate and beliefs, setting new perspectives to address contemporary issues and developing new ways of educating people while building networks permeated by strong ethical culture. Maybe it is only through such an approach that businesses can cope with increasing pressures while maintaining brand image, efficiency and productivity without sacrificing costs.

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'Enthusiasm' in Burke's and Kant's Response to the French Revolution

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Abstract

The article sets the most eminent defender of the French Revolution, Immanuel Kant, against its most eminent critic, Edmund Burke, articulating their radically different stance toward the French Revolution. Specifically, this juxtaposition is attempted through the concept of enthusiasm; a psychological state of intense excitement, which can refer to both actors and spectators, to both the motivation of someone, acquiring thus a practical significance, or to their distanced contemplation, thereby acquiring the character of aesthetic appreciation. Using the concept of enthusiasm, I aspire to bring out Kant's and Burke's radically different approaches to society as well as its history and prospects of progress, ultimately suggesting that enthusiasm can provide a vantage point for the dialogue between the enlightenment and counter-enlightenment theses.

Keywords: *Edmund Burke; Immanuel Kant; enthusiasm; sublime; French Revolution*

I. Introduction

The purpose of this article is to pose the most eminent defender of the French Revolution against its most eminent critic; to set Immanuel Kant against Edmund Burke and follow their radically different stance toward the French Revolution. Specifically, this juxtaposition is carried out through the concept of enthusiasm, which, I contend, can provide us with a vantage point for the dialogue between the enlightenment and counter-enlightenment theses on political society, its history, and prospects of progress and prosperity.

Enthusiasm is a concept that was born in ancient Greece to describe a psychological state of intense excitement accompanied by reduced awareness; a state caused by a sort of divine possession. It was applied par excellence to priests and oracles, who thus acquired a prophetic ability, or, alternatively, to the initiates of religious rites, who were carried to a state of ecstatic trance.[1] Needless to say, the concept of enthusiasm was also applied to artistic creation, referring to what we today call inspiration. Plato's *Ion* is the first extended and systematic treatment of this subject. In this article, however, I am interested in the use of the concept in a political context, in which, it is important to note, enthusiasm is applicable to both the actors and spectators of the political events, hence, to both the motivation of someone, acquiring thus a practical significance, or to a distanced contemplation, acquiring the character of aesthetic judgement.

Odd as it may seem for the father of critical philosophy, Kant's appropriation of the concept is positive and used to vindicate the French Revolution and articulate his optimism about the future of humankind. Burke's appropriation of the concept is negative and used to condemn it and express his pessimism about the prospects of the western civilization cut off (owing to enthusiasm) from its tradition. Kant's relevant references are found in *The Conflict of the Faculties* and, more specifically, in *The Conflict of the Philosophy Faculty with the Faculty of Law*, while Burke's references are found in the *Reflections on the Revolution in France* and the *Letters on a Regicide Peace*.

II. Burke's confrontation with the revolutionary enthusiasm

Let us start then from Burke's major work, the manifesto of counter-revolution and, in effect, of counter-enlightenment, the *Reflections on the Revolution in France*. Of course, enthusiasm is not characteristic of Burke's sentiments toward the Revolution, although, until then, he had made a political career as a reformer on the side of the Whigs and was distinguished as a defender of the oppressed (Americans, Indians, and Irish); however, in his early works, he uses enthusiasm in a positive sense.[2] Enthusiasm in the *Reflections* refers to both the spectators and the actors of the French Revolution and is used negatively, as a form of fanaticism. It is thus addressed as a censure and, initially, finds its target in the person of Dr. Price, a nonconformist preacher and political pamphleteer, active in radical, republican, and liberal causes. Price belonged to English radical dissenters, who also came to be known

[1] Aristotle, *Politics* (Harvard: Harvard University Press, 1932), 1341b32-1342a15.

[2] Ross Carrol, "Revisiting Burke's Critique of Enthusiasm," *History of Political Thought* 35, no. 2 (2014): 317-344.

as rational dissenters.[3] As to the actors, Burke does not refer to the sans-culottes but to the men of letters, the philosophers.

A great part then of the *Reflections on the Revolution in France* takes place during the sermon entitled *On the Love of our Country* that Price delivered to the Revolution Society in celebration of the 101st anniversary of William of Orange coming to the English throne. The sermon's subject was apparently patriotism, the love of one's country, but Price managed to turn it into a lecture against nationalism and war and a vindication of the French Revolution. In essence, with this sermon Price attempted a decisive stroke at regal authority and revitalized a radical interpretation of the Glorious Revolution[4] based on three fundamental rights that he placed at its foundations.

> First; The right to liberty of conscience in religious matters. Secondly; the right to resist power when abused. Thirdly; The right to choose our own governors; to cashier them for misconduct; and to frame a government for ourselves.[5]

In this context, the sermon was obviously planned to push English society to radical reformations on both the civic and the ecclesiastical level (in England there was a church establishment, thus the two levels were de facto closely associated) and according to the paradigm of the French. For Price, the French Revolution was the fulfilment of a millennialist belief that a great change was going to transform humanity[6] and seemed to complete the unfinished work of the Glorious one.[7]

One of Burke's major concerns in responding to Price's sermon was to refute his interpretation of the Glorious Revolution. The idea, that is, that it

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[3] Knud Haakonssen, E*nlightenment and Religion: Rational Dissent in Eighteenth-Century Britain* (Cambridge: Cambridge University Press, 2006).

[4] Pocock maintains that Price's interpretation was not the predominant during the Revolution and thereafter, although the minority included an authority such as that of John Locke. See J. G. A. Pocock, "Edmund Burke and the Redefinition of Enthusiasm," in *The French Revolution and the Creation of Modern Political Culture: vol. 3,* eds. François Furet, and Mona Ozouf (Oxford: Pergamon, 1989), 23. Regarding Locke's position, see Richard Ashcraft, *Revolutionary Politics and Locke's Two Treatises of Government* (Princeton, NJ: Princeton University Press, 1986). For a different approach, suggesting that "it was not Price's interpretation of 1688 that was really innovative, but Burke's," see F. P. Lock, *Burke's Reflections on the Revolution in France*, (Boston: George Allen and Unwin, 1985), 70.

[5] Richard Price, *A Discourse on the Love of Our Country* (London: T. Cadell, 1789), 34.

[6] See the way Price's *Discourse* culminates with the enthusiastic representation of the October March, the storming of the Versailles, and the leading of the royal family to Paris in a state of substantial captivity. Ibid., 49.

[7] The *Toleration Act* of 1689 excluded Dissenters from crown service and membership in corporations. See Price's relevant reference. Ibid., 35-39.

was based on – and in fact legitimized – a social contract between the people and its government founded on the above-mentioned rights; a principle of popular sovereignty, in effect, that made the king and the entire constitution dependent upon the will of the people. Burke's argumentation is based on extended quotations from the documents of the period of the Revolution; documents written by eminent jurists and Whig politicians of that era, such as Lord Selborn. If Price's language then is that of modern political philosophy, based on modern natural law, Burke's is that of the English common law, it is the language of the "ancient constitution"[8] and, in fact, of the traditional natural law.[9] It is in this context that Burke unfolds his famous traditionalism, putting in the place of natural rights, inherited ones (in effect, inherited privileges) and transforming political society into an organism, which is not and cannot be made at (human) will. It evolves instead gradually through the centuries, accumulating, in fact crystalizing in its institutions, experience and wisdom that no individual alone or a single generation could possibly possess. According to Burke then, during the Glorious Revolution there was no dissolution of Government and the power never reversed to the people to build at will a new government, as Price claimed.[10] All was cautiously done with reference to the past and to precedent, the constitution remained intact, maintaining its old orders and their privileges. Piecemeal and careful reformation was preferred to radical revolution as the sure means to progress and a safeguard against revolutionary chaos.

Having dissociated the Glorious Revolution from the French one, Burke proceeds to connect the latter to a different revolution in English history, in fact to a radical rift in this history, the Puritan Revolution. In this era, Burke discovers a predecessor of Dr. Price in the person of Hugh Peters, a preacher, political advisor, and soldier, who supported the Parliamentary cause during the English Civil War. There are indeed some striking similarities in the two cases and a notable prophetic dimension in the parallel drawn by Burke. Peters had ridden at the head of the force bringing Charles I to London as prisoner

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[8] The concept of the "ancient constitution" emerges in the context of a 17th political theory developed by jurists and, more particularly, by the barrister, judge, and politician Sir Edward Coke. It is a political theory related to the character of English Common Law. It was used at the time to oppose the royal prerogative. See J. G. A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (2nd ed.) (Cambridge: Cambridge University Press, 1987), and J. G. A. Pocock, "Burke and the Ancient Constitution: A Problem in the History of Ideas," *The Historical Journal* 3, no. 2 (1960): 125-143.

[9] See Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1965), and Panagiōtēs Kondylēs, *Konservativismus: Geschichtlicher Gehalt und Untergang* (Stuttgart: Klett-Cotta, 1986), II, 63-181.

[10] Pocock, "Edmund Burke and the Redefinition of Enthusiasm," 23.

and was one of the protagonists in his execution. Price's sermon, on the other hand, culminates with a reference to the October events and with an enthusiastic welcome of the leading of Louis XVI from Versailles to Paris in virtual captivity. This gives Burke the occasion for a quite lengthy reference to these events, which culminates with the famous encomium of Marie Antoinette and the lament for the decay of western civilization, founded, as Burke sees it, in the ethos of chivalry and religion. In this passage, Burke ironically notices that the only thing missing to Price's full satisfaction was the actual murder of the king.[11] His execution, as is well known, was indeed quick to follow.

What virtually unites the two preachers in Burke's eyes is the fervent rhetoric in favor of radical political action, dressed in the garment of pious devotion; religious enthusiasm, that is, applied to radical politics. The parallelism between the two preachers allows Burke to treat enthusiasm as a socially disruptive fanaticism and, in fact, to suggest a close relation between religious fanaticism and political radicalism. Our preachers are presented talking as under the spell of a divine revelation, but their talk is for political emancipation: "What an eventful period is this!" Price declares in his enthusiastic encomium of the October events, "I am thankful that I have lived to it; and I could almost say, Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation."[12] Therefore, by connecting political radicalism to religious fanaticism and the blot of the Puritan Revolution, Burke deals a major blow to the former in the eyes of his readers.

Burke's "play" with the odious religious fanaticism, however, takes a quite intriguing turn thanks to Price's special religious beliefs. Price was not a dogmatic puritan, as Hugh Peters; his religious credo was rather at the other end of the line. He endorsed a Unitarian theology, a non-incarnationist, dissenting theology, which placed its emphasis on the ultimate role of reason in interpreting scriptures. For the Unitarians, Pocock writes, "religion came to be identified with enquiry and with reason search after beliefs in which it could be satisfied."[13] Freedom of conscience and freedom of the pulpit were core values to this religious creed. This did not prevent the Unitarians from exhibiting enthusiastic behavior, thinking that the spirit of god was present and active in the congregations of the dissenting groups of this profession.

Burke was well aware of this rationalist character of the Unitarian faith and a great part of his attack on Price regards this aspect of his sermon. Referring to a novelty in Price's rhetoric, in comparison with that of his

[11] Edmund Burke, *Select Works of Edmund Burke* (Indianapolis: Liberty Fund, 1999), 2:98.

[12] Price, *Discourse,* 49.

[13] Pocock, "Edmund Burke and the Redefinition of Enthusiasm," 24.

predecessor, Burke recasts Price's encouragement to dissent in the following way:

> If the noble seekers should find nothing to satisfy their pious fancies in the old staple of the national church, or in all the rich variety to be found in the well assorted warehouses of the dissenting congregations, Dr. Price advises them to improve upon non conformity; and to set up, each of them, a separate meeting house upon his particular principles. It is somehow remarkable that this reverend divine should be so earnest for setting up new churches and so perfectly indifferent concerning their content.[14]

This indifference for the content of religious beliefs led Pocock[15] to parallel the Unitarian faith with Rousseauist "transparence." Pocock, more particularly, argued that during the English interregnum it was this attitude that was characterized by the established church as enthusiasm.[16] The supremacy of reason in religion, of course, as we already show, was readily applicable to politics and resulted in a radical critique of the civil arrangements, as the dissenting congregation aspired to a separation of church and state that would give them full civil rights.

In this context, Burke reinterprets Price's call to dissent as indifference to religion, connecting it thus to the events in France and what he took to be a prevailing current of atheism (to which he included deism).[17] The shift is quite noteworthy; what in fact seems to bother Burke in Price's sermon is not religious enthusiasm, but religious indifference. This attitude goes by the name of enthusiasm and acquires an essentially political character. Allying itself with the atheists across the channel, religious indifference cooperates in the persecution of religion itself.[18] Burke writes:

> For my part, I looked on that sermon as the public declaration of a man much connected with literary caballers and intriguing philosophers; with political theologians and theological

[14] Ibid.

[15] Unitarians, Pocock writes, "cared nothing for doctrine and everything for sincerity, everything for openness of belief and nothing for its content." Ibid., 25.

[16] Ibid.

[17] Burke refers to the so-called "free thinkers" of England, Colins, Toland, Tindal, and Chubb, as to the English atheists; see Burke, *Select Works,* 2: 184-185.

[18] Carrol has argued that Burke linked religious indifference with prosecution not only in the case of French Revolution, but with regard to the protestant ascendancy in Ireland too and the prosecution of the catholic natives. See Carrol, "Revisiting Burke's Critique of Enthusiasm," 317-344.

> politicians, both at home and abroad. I know they set him up as a sort of oracle; because, with the best intention in the world, he naturally philippizes, and chaunts his prophetic song in exact unison with their designs.[19]

In this way, Burke has prepared the ground for leaving the debate on the character of the Glorious Revolutions that occupies the first part of the *Reflections*, and passing to the criticism of the proceedings in France and the steps taken by the National Assembly. The concept of enthusiasm gets in this context completely disentangled from the religious and political conflicts of England's past and present and comes to be applied to the actors behind the French Revolution. We leave the enthusiastic dissenting preachers and pass to the atheists of France who represent a new type of enthusiast as the concept gets totally secularized (although we have already observed that what Burke castigated in Price and led to the comparison with Peters was already political and not religious fanaticism). The atheists of France are the literary men in the quotation cited above, the men with whom Price was presented conspiring, the "philosophes." Burke thinks that these people, related to the two academies of France or active in the vast project of the encyclopedia, "had some years ago formed something like a regular plan for the destruction of the Christian religion."[20] It is in them that he sees the main actuating spirit behind the proceedings in France.[21]

We have then what Horace Walpole called the first instance of "enthusiasm without religion."[22] An enthusiasm, that is, that does not describe any more the fantasy "of an illumination from the spirit of God,"[23] of a special communion with God, but a state of an absolute self-assertion of reason; of abstract reason, the theoretical constructions of which warm human imagination and take possession of a person. In his second *Letter on a Regicide Peace*, Burke would state directly that religious opinions are not the exclusive object of enthusiasm. He writes:

> There is no doctrine whatever, on which men can warm, that is not capable of the very same effect. The social nature of

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[19] Burke, *Select Works*, 2: 97.

[20] Ibid., 209.

[21] Burke identified two groups of men who cooperated to bring about the French Revolution and considered them responsible for the special course it took. These groups are the moneyed interests created by the national debt of France, a group that envied the nobility and hit at them, and the literary men, to which we refer.

[22] Cited in Jon Mee, *Romanticism, Enthusiasm, and Regulation: Poetics and the Policing of Culture in the Romantic Period* (Oxford: Oxford University Press, 2003), 84.

[23] John Locke, *An Essay Concerning Human Understanding* (Penguin Books, 1997), 616.

> man impels him to propagate his principles, as much as physical impulses urge him to propagate his kind. The passion gives zeal and vehemence, the understanding bestows design and system. The whole man moves under the discipline of his opinions.[24]

What remains from religious enthusiasm is its fanaticism and dogmatism. "These atheistical fathers," Burke notes, "have a bigotry of their own; and they have learnt to talk against monks with the spirit of a monk."[25] It is, however, remarkable that this is not only an enthusiasm without religion, but also an enthusiasm that is turning against religion, and does it with a persecutory spirit far more systematic and violent than the one that characterized religious enthusiasm. The philosophers, he argues, pursued their plan of destroying religion with

> a degree of zeal, which hitherto had only been discovered only in the propagators of some system of piety. They were possessed with a spirit of proselytism in the most fanatical degree.[26]

In the case of the revolutionaries, then, we have in fact a pathological psychological state where the intellect takes absolute ascendance and ends up repressing human nature and hardening man's sensitivities, moral instincts, and sentiments. This is no more a temporal pathological condition that will quickly exhaust itself, "like the thunder and tempest,"[27] as it was the case with religious fanaticism. Burke writes:

> This sort of people, are so taken up with their theories about the rights of man, that they have totally forgotten his nature. Without opening one new avenue to understanding, they have succeeded in stopping up those that lead to the heart. They have perverted in themselves and in those that attend them, all the well-placed sympathies of the human breast.[28]

Then, commenting on the attack on religion, he writes that "man is by constitution a religious animal; that atheism is against not only our reason

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[24] Burke, *Select Works*, 3: 170.

[25] Ibid., 209-210.

[26] Ibid., 209.

[27] David Hume, *Essays Moral, Political, and Literary* (Carmel, Liberty Fund: 1985), 76-77.

[28] Burke, *Select Works*, 2:157.

but our instincts."[29] The result of the corruption of the human constitution is violence and crime.

III. Kant's interest in the enthusiasm concerning the French Revolution

Passing to Kant, we come across a completely different assessment of the French Revolution and its heritage as well as a positive assessment of enthusiasm, far from its entanglement with fanaticism and religion as found in Burke.

The subtitle of the text we are interested in, which was in fact the main title in Kant's first attempt to publish the text,[30] is more eloquent than the main title. The well-known subtitle is: "An old question raised again: Is the human race constantly progressing?" The question is an "old" one since Kant had discussed relevant issues in his essay "On the Common Saying: That may be Correct in Theory, but it is of no Use in Practice" (1793), where he had treated the subject of a rational and enlightened polity and the course of international law. As to the progress referred to, Kant is interested in moral progress, and this again as it is applied to the human race as a whole, to the human race in its social capacity, organized in societies.

The question of progress is reducible to the question whether there is a way to foretell the future; whether "a history a priori is possible."[31] Thus, we come in a way to the discourse of enthusiasm, although for Kant the supernatural intervention forms no more a choice for predicting the future. Besides, according to him, a combination of circumstances makes such a divinatory historical narrative impossible. The first is that human actions are essentially free and the second that man forms an indefinite amalgam of evil and good, which does not allow us to predict which disposition will prevail at every historical junction. Thus, while man ought to strive to accomplish the kingdom of ends, the moral society, it is very questionable whether he will choose to move to that direction. In fact, only god – someone, that is, for whom future and present are the same – knows if he will.

However, although no reasonable prediction can be given, and no supernatural aid can be expected, Kant attempts a "philosophic prophecy" based on a certain occurrence that, according to him, provides a hint for the future progress of humankind. An occurrence that allows him in fact to be optimistic about it, because it testifies a disposition in human nature that, given

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[29] Ibid., 186.

[30] The text was initially meant for publication in the journal *Berliner Blatter*, but it went through censorship and was rejected for publication.

[31] Immanuel Kant, "The Conflict of the Faculties," in *Religion and Rational Theology*, eds. Allen W. Wood, and George di Giovanni (Cambridge: Cambridge University Press, 2012), 4:80.

the right circumstances, could drive man to furnish himself a more rational society and a more representative constitution. That the right circumstances will be eventually realized is a thing that can be predicted, although we cannot tell when this will happen and when progress will actually be obtained, as a result. In fact, if this occurrence is indeed found, it may work as a hint for the past too, for a progress already accomplished and can work as an "historical sign" for the general progressive tendency of the human race.

The occurrence to which Kant refers is of course actually there, and it is no other than the French Revolution. In it Kant sees a potential progress toward a republican constitution, an evolution that is of the constitution "in accordance with natural right."[32] Kant's praise of the French Revolution, however, is not unqualified; indeed, many scholars charge him with inconsistency.[33] Revolution, Kant argues, "is always unjust,"[34] because it makes use of immoral means. Regarding the French Revolution, in particular, he noted that it was filled with

> misery and atrocities to a point that a right thinking being, were he boldly to hope to execute it successfully the second time, would never resolve to make the experiment at such cost.[35]

Being an avowed opponent of the use of violence to bring political change and insisting that no violence should be used, or even threatened, against anyone and especially against the person of the king,[36] Kant indeed must have found the October events as repugnant as they were to Burke. Besides, although he acknowledged that people had inalienable rights, which the king should respect, it is certain that he would condemn Price's list of fundamental rights. For Kant, the protection of these rights lied in the power of publicity and speech and not in any procedure of cashiering the governors for misconduct. This would drive to war, the source of every evil for him, and to anarchy. Although a stout defender of republicanism, he was ready to

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[32] Ibid., 7:88.

[33] See H. S. Reiss, "Kant and the Right of Rebellion," *Journal of the History of Ideas* 17, no. 2 (1956): 179-192, and Susan Neiman, *The Unity of Reason: Rereading Kant* (Oxford: Oxford University Press, 1994), 5.

[34] Kant, "The Conflict," 7:87. See also the *Metaphysics of Morals*: "...there is no right of sedition, much less a right of revolution..." Immanuel Kant, *The Metaphysics of Morals,* trans. John Ladd (Indianapolis: Bobbs- Merrill, 1965), 49:320.

[35] Kant, "The Conflict," 7:85.

[36] "... and least of all a right to lay hands on or take the life of the chief of state when he is an individual person ..." Kant, *The Metaphysics,* 49:320. For an analytic presentation of the evils of a Revolution, see Sidney Axinn, "Kant, Authority, and the French Revolution," *Journal of the History of Ideas* 32, no. 3 (1971): 423-432.

accept a republican constitution "only in its manner of governing" and not necessarily "in its political form."[37] In fact, he distinguished the republican form of government, respecting the laws of the realm and the liberty of the people, from the democratic one, which would presuppose the actual consent of the people in the process of decision-making. In this context, Kant would also reject Price's claim that governments that are not elective are not legitimate and that the people have a right to replace them. To sum up, although Kant approved the end of the Revolution, he rejected the means chosen for it, because they were immoral and subversive of peace.

It is obvious then that Kant's optimism regarding the future progress of humankind did not lie on the actual incidents of the revolution and the actions of its agents; however, neither did it lie on its ends taken abstractly. His optimism was based on the reaction of its spectators, their avowed sympathy for the Revolution, and their siding with one of the two contestants. Kant writes:

> It is simply, the mode of thinking of the spectators, which reveals itself publicly in this game of great revolutions, and manifests such a universal yet disinterested sympathy for the players on the one side against those on the other.[38]

The concept of enthusiasm comes to enhance this sympathy with a strong passion and is found after a few lines. Indeed, it is introduced in a rather hesitant way. Kant writes:

> This Revolution, finds in the hearts of the spectators (who are not engaged in the game themselves) a wishful participation that borders closely on enthusiasm, the very expression of which is fraught with danger; this sympathy therefore can have no other cause than a moral predisposition in the human race.[39]

Thus, the occurrence to which Kant is referring from the start is not the Revolution itself, but rather its welcome by its uninvolved spectators. The two characteristics that Kant attributes to the judgement of the spectators concerning the Revolution, universality and disinterestedness (two of the basic characteristics of the aesthetic judgements in their contrast to the practical

[37] Kant, "The Conflict," 7:88.

[38] Ibid., 7:85.

[39] Ibid.

and cognitive ones),[40] are those that make it the proper historical sign for man's tendency to progress. The first, Kant argues, allows us to think that the mode of thinking exhibited is not accidental but demonstrates a character of the human race; the second, its disinterestedness, shows this character to be a moral one, at least in its predisposition, as Kant adds.

As to the content of the approbation, Kant's answer is twofold, referring, on the one hand, to a right asserted and, on the other, to an end approximated. Both of them form, for Kant, a moral cause. He writes:

> This moral cause, exerting itself is twofold: first, that of the right, that a nation must not be hindered in providing itself with a civil constitution, which appears good to the people themselves; and second that of the end ... that the same national constitution alone be just and morally good in itself, created in such a way as to avoid ... principles permitting offensive war.[41]

Furthermore, specifying the object of enthusiasm, which however he qualifies as a "genuine" one, Kant notes that it "always moves only to what is ideal and, indeed, to what is purely moral such as the concept of right"[42] and is considered completely distinct from self-interest. The reference to a "genuine enthusiasm" disentangles the concept from fanaticism with which it was commonly connected – as in Burke's *Reflections* – and, in fact, brings Kant in a line of thought inaugurated by Plato and revitalized by Shaftesbury in modernity. Plato gave originally enthusiasm an ideal moral object[43] and Shaftesbury made enthusiasm an aesthetic response and, in this context, connected it to disinterestedness.[44]

Shaftesbury anticipates Kant in another respect too, because not only did he attribute aesthetic character to enthusiasm, but he also connected it to the aesthetic quality of the sublime.[45] This is what Kant does too in

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[40] For Kant's aesthetic theory, see Henry E. Allison, *Kant's Theory of Taste* (Cambridge: Cambridge University Press, 2001).

[41] Kant, "The Conflict," 7:86.

[42] Ibid.

[43] I am referring mostly to *Phaedrus* and the distinction between the different kinds of madness, with the madness of love being supreme. The object of this madness is the idea of beauty.

[44] Shaftesbury condemns enthusiasm as religious fanaticism in his *Letter on Enthusiasm,* but introduces a benign enthusiasm, which is related to disinterestedness. The more systematic treatment of the concept is to be found in the *Moralists*. In this text we also find an understanding of enthusiasm in aesthetic terms, which takes special importance with regard to the text we are discussing and Kant's use of the concept.

[45] The first who made the connection between enthusiasm and the sublime was of course Longinus. However, Longinus' sublime was not aesthetic but rhetoric. Listing the five causes

the third *Critique* relating enthusiasm to moral ideas.[46] "If the idea of the good," Kant writes (in words very much like those of the "Old Question"), "is accompanied by affect, this is called enthusiasm." The fact that we have a sentiment related to an idea of reason – the idea of good – brings already enthusiasm under the jurisdiction of the sublime (beauty is related to the pure concepts of understanding), Kant, however, explicitly states that enthusiasm is "sublime aesthetically," and his justification is that

> it is straining our forces by ideas that impart to the mind a momentum whose effects are mightier and more permanent than are those of an impulse produced by presentations of sense.[47]

It is interesting to note that this sublime character is also what distinguishes enthusiasm from fanaticism, because while the former is deemed sublime, the latter, which is "the delusion of wanting to see beyond the bounds of sensibility,"[48] is characterized as ridiculous.[49]

Having introduced the concept of "genuine enthusiasm," and rather unexpectedly, Kant leaves for a moment the aesthetic appreciation of enthusiasm, applying the concept to the protagonists of the Revolution. He takes enthusiasm to be a motive of action, which indeed prevails over any other, giving to the people inspired by it – the French Revolutionaries in our case – an invincible power. Kant writes:

> Monetary rewards, will not elevate the adversaries of the revolution to the zeal and grandeur of soul, which the pure

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of the sublime, Longinus starts from the innate ones, in which we find the reference to the "vehement and inspired passion." Longinus, *On the Sublime,* trans. Rhys W. Roberts (Cambridge: Cambridge University Press, 1907), 8, 13-20.

[46] Clewis argues that enthusiasm forms an instance of what he calls the "moral sublime" to distinguish it from mathematic and dynamic sublime. "While both the mathematical sublime and the dynamical sublime," he writes, "can certainly lead the subject to reflect on the idea of freedom (and possibly other moral ideas as well), such reflection in the case of the mathematical and dynamical sublime happens indirectly, through an interaction with extensive or powerful nature or art. In the case of the moral sublime, by contrast, such reflection takes place directly in that the subject has an immediate aesthetic response to something that is deemed to have, and that actually has, moral content." See Robert, R. Clewis, *The Kantian Sublime and the Revelation of Freedom* (Cambridge: Cambridge University Press, 2009), 84.

[47] Immanuel Kant, *Critique of Judgement,* trans. Werner S. Pluhar (Indianapolis: Hackett Publishing, 1987), 29:121.

[48] Ibid., 29:125.

[49] I is a subject that Kant had already treated in his pre-critical work, relating fanaticism to a supernatural communication. Immanuel Kant, *Observations on the Feelings of the Beautiful and the Sublime*, trans. John T. Goldthwait (Berkley: University of California Press, 1960), 2: 251, 108 n.

> concept of right produced in them; and even the concept of honor among old martial nobility (an analogue to enthusiasm) vanished before the weapons of those who kept in view the right of the nation.[50]

After this reference, however, Kant returns to the spectators and the aesthetic treatment of enthusiasm. "With what exaltation," he writes, "the uninvolved public looking on sympathized then without the least intention of assisting."[51] We have an interesting combination of a practical and an aesthetic sense of enthusiasm. Kant referred to the concept of practical enthusiasm, an enthusiasm that allows man to perform great deeds,[52] mostly during his pre-critical period,[53] while the aesthetic treatment of enthusiasm is characteristic of the critical period. Enthusiasm in its practical dimension is a passion and is related to the faculty of desire, while enthusiasm in the aesthetic dimension is an affect, related to feelings[54] (to the human sensibility) and, as all aesthetic judgements, disinterested. "Affects," Kant writes, "are impetuous and unpremeditated, while passions persistent and deliberate."[55] Furthermore, a passion, according to Kant, can never be called sublime, because the mind's freedom is abolished, while an affect can.

Given the above distinctions, it becomes, I think, clear why Kant gradually places aside the practical sense of enthusiasm to bring out the aesthetic one. Furthermore, it is this aestheticization of enthusiasm that allows Kant to take a positive interest in the French Revolution without contradicting his moral beliefs.

IV. Conclusion

Enthusiasm appears originally at the junction of metaphysics and epistemology; it was born as a response to the acknowledgement of man's cognitive limitations and the realization of the radical difference of knowledge between man and god.[56] It worked, in this context, as a vehicle of supernatural communication and privileged knowledge.

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[50] Kant, "The Conflict," 7: 86-87.

[51] Ibid., 7: 87.

[52] Kant, *Critique of Judgement,* 272. In the *Critique of Judgement* Kant refers rather critically to this sense, attributing it to others.

[53] For the use of enthusiasm in Kant's pre-critical work, see Clewis, *The Kantian Sublime,* 50-52.

[54] Kant, *Critique of Judgement,* 29:121, 39 n.

[55] Ibid.

[56] See Bruno Snell, *The Discovery of the Mind: The Greek Origins of European Thought,* trans. T. G. Rosenmeyer (Oxford: Blackwell, 1953), 136-152.

When Burke castigates enthusiasm, he does it with the conviction that he castigates the recovery of a certain kind of metaphysics, which, however, is of a secular kind and closely allied to politics. It is the metaphysics of abstract reason. When he castigates enthusiasm, in fact, he attacks a kind of intellectual presumption; the intellectual presumption exhibited by the French revolutionaries and their English supporters. Enthusiasm thus is politicized and, in this new political context, the presumption is seeing as turning into a "titanic energy,"[57] which attempts to recreate social institutions ex nihilo. "Political theologians and theological politicians"[58] seemed to Burke to "play" god, but, in effect, they were turning into devils. In his sermon, Price had written that "virtue without knowledge makes enthusiasts and knowledge without virtue makes devils."[59] Indeed for Burke, the French "philosophes" were little devils, in whom reason was separated from virtue and the moral constitution of the heart. In Burke then, enthusiasm is practical and negative, it is a sort of secular fanaticism and a kind of hubris, threatening to unsettle human civilization and coarsen human sensibility.

Kant, on the other hand, sees in the French Revolution a hint for the ongoing progress of reason and civilization, appreciating positively the enthusiasm exhibited in relation to it. The enthusiasm, however, he is interested in is of a very different kind from that of Burke and follows rather the platonic tradition with no reference to religion whatsoever. Enthusiasm, thus, is linked to the vision of a higher moral ideal, which is the ideal of right and, in our case, the ideal of a republican constitution. It is well known, however, that Kant, already from his first *Critique,* had broken away with the traditional metaphysics, the right therefore, to which he refers is not a constitutive but a regulative idea, which must be accomplished by man's free will and action. Kant's enthusiasm, however, in the text we are interested in, is not a practical principle, a motive of action. In his mature work, Kant avoided the pitfall of recommending a passion as a guiding rule for our actions. Enthusiasm thus is treated as an effect, a token of sensibility rather and, thus, as an aesthetic principle. Enthusiasm is recast as a pure aesthetic judgement, referring to the spectators of the events and transforming the French Revolution to a sublime spectacle, although its protagonists were rather the little devils Burke described. In this context, Kant's politics is closely related to his aesthetics.[60]

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[57] Pocock, "Edmund Burke and the Redefinition of Enthusiasm," 30.

[58] Burke, *Select Works*, 2: 97.

[59] Price, *Discourse,* 15.

[60] The most extensive treatment of this relevance is to be found in Hannah Arendt, *Lectures on Kant's Political Philosophy* (Chicago: The University of Chicago Press, 1992).

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Physicians' Role in Helping to Die

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Abstract

Euthanasia and the duty to die have both been thoroughly discussed in the field of bioethics as morally justifiable practices within medical healthcare contexts. The existence of a narrow connection between both could also be established, for people having a duty to die should be allowed to actively hasten their death by the active means offered by euthanasia. Choosing the right time to end one's own life is a decisive factor to retain autonomy at the end of our lives. However, there is no definitive consensus on why physicians should be the ones performing the medical procedure to end a person's life. The moral problems arising from such assertion are not to be taken lightly, for medical tradition has long regarded the duty not to kill, not to actively end a patient's life, as the core moral obligation that gives meaning to the medical profession. Our concern is to question the moral justifiability of the arguments offered by physicians not to actively help patients die.

Keywords: *euthanasia; physician's duties; palliative care; conscientious objection; medicalisation of death; bioethics*

I. Introduction

Euthanasia and the duty to die have both been thoroughly discussed in the field of bioethics as morally justifiable practices within medical healthcare contexts.[1] The existence of a narrow connection between

[1] See John Hardwig, "Dying at the Right Time: Reflections on (Un)Assisted Suicide," in *Ethics in Practice: An Anthology*, ed. H. LaFollete, 3rd ed. (Oxford: Oxford University Press, 1997), 101-112; John Hardwig, "Is There a Duty to Die?" *The Hastings Center Report* 27, no. 2 (1997): 34-42; Margaret Pabst Battin, *Ending Life: Ethics and the Way We Die* (Oxford: Oxford University Press, 2005); Margaret Pabst Battin, *The Least Worst Death: Essays in Bioethics on the End of Life* (Oxford: Oxford University Press, 1994); Daniel Callahan, *The Troubled Dream of Life: In Search of a Peaceful Death* (London: Simon & Schuster, 1993); Allen Buchanan, "The Right to a

both could also be established, for people having a duty to die should be allowed to actively hasten their death by the active means offered by euthanasia. Choosing the right time to end one's own life is a decisive factor to retain autonomy at the end of our lives. However, there is no definitive consensus on why physicians should be the ones performing the medical procedure to end a person's life. The moral problems arising from such assertion are not to be taken lightly, for medical tradition has long regarded the duty not to kill, not to actively end a patient's life, as the core moral obligation that gives meaning to the medical profession. Our concern is to question the moral justifiability of the arguments offered by physicians not to actively help patients die.

This paper reflects on physicians' duties towards patients at the end of their lives. First, the traditional approach to medicine and physicians' obligations will be carefully examined to comprehend the reasons behind doctors' refusal to provide active euthanasia grounded in their alleged duty not to kill. Second, the just-mentioned argumentation to defend such a traditional approach to medicine will be questioned. Different counterarguments and objections will unveil the internal inconsistencies of the arguments and the lack of a connection with other current practices physicians perform. As a result, physicians' duties will need to be redefined and new arguments will become necessary to explain the paradigm shift and the justifiability of the novel medical practice. Finally, the focus will be put on the specific duties of healthcare professionals at the end of patients' life.

II. Traditional approach

Mainstream medicine has traditionally defended, at least until recent times, the existence of an intrinsic set of ethics in the medical profession under which certain duties and restraints are inviolable. Above all, the duty not to harm a patient founded on the Hippocratic Oath: *primum non nocere* (first, do no harm). Kass[2] defended medicine as an inherently ethical activity pursuing an overarching good: the naturally given end of health understood as the wholeness and well-working of the body. But how is this abstract idea of *human wholeness* to be understood? It presupposes an underlying natural and universal subject, an *Anthropos* where body and person are self-identical, thus the correct functioning of the body becomes a sufficient and necessary

Decent Minimum of Health Care," *Philosophy & Public Affairs* 13, no. 1 (1984): 55-78; Robert E. Ehman, "The Duty to Die: A Contractarian Approach," in *Is There a Duty to Die?*, eds. James M. Humber, and Robert F. Almeder (New Jersey: Humana Press, 2000), 61-77.

[2] Leon R. Kass, "Neither for Love nor Money: Why Doctors Must Not Kill," *Public Interest* 94 (1989): 25-46.

condition to guarantee the person's characteristic development. Another closely related reason, on the same arguing foundations, understands the body as the living ground for the higher, characteristically and defining, human functions. So, the annihilation of the body would unavoidably imply the extinction of the person. As a result, since medicine pursues health understood as body wholeness, killing, i.e., the destruction of the body, is contrary to medicine's objectives; for, "to bring nothingness is incompatible with serving wholeness."[3]

According to the previous reasoning, the duty not to kill appears as one of the unyielding obligations that physicians must comply with to maintain the medical profession intact. The limits of medicine are fixed, firm, and non-negotiable under this perspective, so the dispensation of deadly drugs is utterly forbidden. Although we might think that some extreme medical circumstances would render such prohibition inhumane due to the caused suffering, either physical or mental, i.e., cases where euthanasia could be advocated for, the traditional approach would reject any alternatives. When the body's wholeness cannot be restored, doctors need to focus all their efforts to ease pain and suffering, checking the patient's comfort and providing support, and lastly avoiding any futile treatment that would unnecessarily extend the agony. Similarly, the traditional view goes on, courage to face the evil of death and ability to stand against the fear it creates in us is praiseworthy. This final macabre twist implies an ideological imposition on people, for there is only one accepted manner to cope with pain and suffering, so any other alternative is morally condemned as wrong. Consequently, liberty and autonomy at the end of life are significantly reduced directly harming people based on their previous life choices and their understanding of existence.

A more recent defence of physicians' duty not to kill has been offered by Garcia.[4] His argument rests on a previous understanding of human nature, which assumes that patients, like any other human animal, have an inherent interest in being alive. For, it is the precondition to enjoying all other possible goods and benefits that life might bring upon a person. Under this approach, there are no conditions whatsoever that render life value deprived. Instances of suffering, either physical or emotional, could never overcome that instinctive willingness to survive at all costs. Garcia goes even further to assert that life itself retains value even when it no longer produces satisfaction.[5] No attention is given to the fact that patients willing to actively hasten their death by euthanasia are autonomously deciding so after competence is

[3] Ibid., 41.

[4] J. L. A. Garcia, "Health versus Harm: Euthanasia and Physicians' Duties," *Journal of Medicine and Philosophy* 32, no. 1 (2007): 7-24.

[5] Ibid., 10.

confirmed, and informed consent is provided. This lack of regard is due to the assumption that certain rights are not waivable, autonomy among them. Hence, the underlying human-animal *instinct* to continue being alive is conceived as the natural limit to our moral and intellectual capacity to decide how much suffering we are willing to endure, as well as how, when, and why we would want to put an end to our existence.

Since every human animal has that irrevocable interest in being alive, a doctors' defining duty is to maintain or restore health. For, keeping the body alive fulfils such necessary condition. Conceiving this as their main obligation, all other physicians' duties need to be consistent, compatible, and coherent with it and will keep it as the base of their justifications. Cases of active euthanasia and/or physician aid in dying become instances that wreck the internal coherency of doctors' obligations. Mercy killing is contrary to maintaining and restoring health because it halts suffering by ending the patient's life, whereas pain and suffering relief are among a physician's prominent duties because their aim is to keep the person alive even while avoiding the harm caused by physical and emotional distress. But what if the alleviation of suffering requires a high dose of drugs that would foreseeably end the patient's life? The traditional approach embraces here the doctrine of double effect, in an intention-sensitive understanding of morals. Providing drugs that knowingly terminate the patient's life is morally justifiable when, first and foremost, a physician's intention is to alleviate the suffering experienced by the patient. In such cases, death, although foreseen, is considered the unavoidable and unintended collateral effect of drug supply. As a result, terminal sedation is deemed coherent with the doctor's duties to avoid suffering and thus morally and professionally permitted.

Similarly, Pellegrino[6] presents an argument against physicians' help in dying grounded on the unnecessariness of active euthanasia and physician-assisted suicide due to the available methods of pain relief and palliative care. In other words, technological advances in the medical field regarding the alleviation of suffering at the final stages of life are deemed sufficient to render any other alternative, such as active euthanasia, as unnecessary. However, what about emotional and/or mental distress? Can it be equally properly addressed and removed? If so, would it not imply the loss of the patient's consciousness due to the high drug dose needed? Life would be void, meaningless in such a state where experience, both physical and intellectual, have been rendered impossible for the patient.[7] Furthermore, legalisation

[6] Edmund D. Pellegrino, "Physician-Assisted Suicide and Euthanasia: Rebuttals of Rebuttals - The Moral Prohibition Remains," *The Journal of Medicine and Philosophy* 26, no. 1 (2001): 93-100.

[7] Compatibility between palliative care at the end of life and physician-assisted dying will be furtherly discussed in section IV.a.

and wide moral acceptance of physician-assisted dying within the medical community could significantly erode the physician-patient relationship. Patients' fears that their doctors could suggest euthanasia as an available option would be exacerbated. Therefore, patients' trust in physicians would diminish, for it could be thought that not all treatment options are being considered and physicians are not doing everything they can to help them. If patients believe that physicians are not trustworthy, they could withhold relevant medical information; for, when doctors are perceived as potential life-ending agents, sensitive medical issues could be hidden from them if patients feel their life is at risk. As a result, doctors could not completely rely on the patients' provided information regarding their condition, which would significantly impede the appropriate development of their work. For example, patients suffering from a terminal condition who are experiencing considerable physical pain could avoid talking to their physician about it due to their fear that she might consider such suffering unbearable and thus ending the patient's life if necessary. On the other side, a lack of information would inevitably lead physicians to treat patients in an inadequate manner further increasing the potential suffering and pain experienced.

III. Objections to the traditional approach

The above depicted understanding of medicine is regarded as teleological essentialism,[8] that is, medicine is essentially devoted to healing the sick and preserving and extending life, thus helping a patient die is not permitted. This section will offer objections to the arguments presented to defend such a traditional approach to medicine.

First, attention will be given to Hippocratic Fundamentalism, the idea that medicine is committed to healing and the conservation of life, thus physician-assisted dying is not permissible. It is difficult to comprehend how defenders of this type of arguments are keen to also sustain doctors' obligation to prevent futile treatment to avoid extending agony unnecessarily. As defended by Rachels, when debunking the distinction between passive and active euthanasia, there seems to be only one identical underlying moral reason to justify both instances of either letting a patient die or actively hastening the process.[9] That is, what truly matters from a moral standpoint is the patient's regard for her life and her autonomous decision that it has come to an end.

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[8] Gary Seay, "Do Physicians Have an Inviolable Duty Not to Kill?" *Journal of Medicine and Philosophy: A Forum for Bioethics and Philosophy of Medicine* 26, no. 1 (2001): 75-91.

[9] James Rachels, "Euthanasia, Killing, and Letting Die," in *Ethical Issues Relating to Life and Death*, ed. John Ladd (New York: Oxford University Press, 1979), 146-163; James Rachels, *The End of Life* (Oxford: Oxford University Press, 1986).

Doctors implicitly agree, and rightly do so, with such argumentation when rejecting further futile treatment; their acceptance of the patient's death seems obvious, so all that is at stake are the means that will be employed to avoid suffering. If rejection of futile treatment is an exception, morally justifiable, to the conservation of life at the core of doctors' duties, on what grounds could the inappropriateness of aiding to die not be considered another exception? Especially when autonomous patients competently decide so, but even more when palliative care is incapable of alleviating all pain and suffering. In those instances, would physicians not be neglecting their duty not to harm patients by refusing to provide active euthanasia, for it is the only alternative that puts an end to that agony? This kind of situation exemplifies that there are times when alleviating pain can be more important and overriding to physicians' duty not to end a patient's life. Hence, doctors' non-maleficence duty needs to be properly understood. Every alternative needs to be weighed and special attention to be given to those described cases where ending life is the sole option to end pain and suffering.

Evidently, opponents of physician aid in dying argue that terminal sedation would still be an available option to provide adequate care for the patient and is not contrary to the Hippocratic Oath. In cases where patients require such a high dose of morphine, or similar, to alleviate their pain that will irremediably also end their lives, it is sustained that hastening the patient- s death is not intended but merely accepted as an unavoidable consequence of treatment. However, it is difficult to defend an intention-sensitive approach to morality in scenarios like the one just depicted. Even though there might be instances where our moral actions can be justified by merely considering our good intentions, especially when among its consequences some were not foreseen, it seems we would be sidestepping doctors- moral responsibilities by defending terminal sedation as one of those cases. As stated before, the patient- s death is not the unforeseen consequence of the chosen treatment to ease her suffering and pain; quite the opposite, the selected drug is supplied in a dose high enough to also cause the patient's heart to stop, which implies her death. It appears that the doctrine of double effect proponents would be hiding behind this faulty reasoning to avoid accepting the true moral reasoning justifying their intervention. It could be that using the label of "foreseen but unintentional consequence" is easier than abandoning their previous medicine paradigm to embrace a new, redefined one.

By no means, a devaluation of the duty not to actively and intentionally help a patient die is intended with the objections presented. The duty not to harm is reflected in one of the prominent bioethical principles, non-maleficence, but needs to be regarded as a *prima facie* obligation, that is, it needs to be weighed against other physician-specific duties, which might

render it infeasible. Respect for patient's autonomy and the relief of suffering are also professional duties doctors have grounded on the principles of autonomy and non-maleficence,[10] respectively. When a patient autonomously requests hastening her own death due to the unbearable suffering experienced, the physician's duty to fulfil this right prevails over their obligation not to help a patient die.[11]

The other main cluster of arguments defended by the teleological understanding of medicine is concerned with the loss of trust that patients could feel towards their doctors.[12] As a result, it is thought that the risk of abuse might considerably increase or, at least, the possibility of its appearance is higher. However, recent research shows the opposite.[13] It is not the case that erosion of trust in the patient-physician relationship occurred in any of the countries where physician-assisted dying is legal. Findings of the study show that palliative care was furthered as the result of physician-assisted dying in those countries,[14] so the fear that abuse might happen is ungrounded. If anything, it seems that patients' trust in their physicians could improve when they foresee that their dying choices will be respected and multiple means to exit life are available. Going back to the example at the end of the previous section, a terminal patient would be confident enough to inform physicians about her suffering and her decision regarding the chosen means to put an end to her life. Knowing that her doctor respects her decision and will do what she can to help the patient increases patients' trust and contributes to strengthening the patient-physician relationship.

There is still a second, complementary, objection that can be offered against the loss of trust between patient and doctor. It concerns patients' expectations from healthcare systems and professionals. It is unrealistic to expect limitless treatment to be provided to only one person or small group of people, even less realistic at the end of life. That is not to say that the elderly be neglected regarding their treatment options, for adequate care should be provided at every stage of life. However, there are other morally binding imperatives that healthcare professionals must comply with to

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[10] Cf. Tom L. Beauchamp, and James F. Childress, *Principles of Biomedical Ethics*, 7th ed., 101-201 (New York; Oxford: Oxford University Press, 2013).

[11] For a more detailed explanation between correlative and noncorrelative doctors' duties, see Gary Seay, "Euthanasia and Physicians' Moral Duties," *Journal of Medicine and Philosophy* 30, no. 5 (2005): 517-533, who sustains that doctors' duty not to end a patient's life cannot be unconditional.

[12] See also in Pellegrino, and Kass.

[13] See Kenneth Chambaere, and Jan L. Bernheim, "Does Legal Physician-Assisted Dying Impede Development of Palliative Care? The Belgian and Benelux Experience," *Journal of Medical Ethics* 41, no. 8 (2015): 657-660.

[14] The Netherlands, Belgium, and Luxemburg.

guarantee everyone in society their fair share of healthcare resources. This just allocation of resources rests on the recognition that we are all equal from a moral standpoint, thus we all deserve to have the same opportunities in life, which are, at least to a significant extent, determined by our health condition. Age rationing, where allocation of scarce healthcare resources corresponds to earlier stages in life, ensures a just distribution of them, which allows every person to enjoy a higher life expectancy and quality of life for most.[15]

IV. A novel approach to medicine and doctors' duties

Identification of medicine goals and physicians' duties is fundamental to providing high-quality and adequate health care to society. So far, the traditional approach to medicine, which ultimate maxim was to avoid harm and promote health, has been questioned by different arguments which debunk the inviolability of doctors' duty not to end a patient's life. However, our notion of common-sense changes rapidly in medical ethics with all the scientific and technological advances, which result in new challenges to our thinking patterns about life and death.[16] What counts as a legitimate part of medicine has changed over time. Consider, for example, cosmetic surgery as a commonly accepted medical practice nowadays, which would not have had a place within the definition of medicine a few centuries ago.

The proposal for a new medical practice, to the extent of the possibilities within this paper, is to defend that aid in dying should be included within physicians' duties. It is, as Jonsen[17] puts it, the inauguration of a new social practice, where medical support to help patients end their lives in the chosen way becomes a procedure integral to the practice of medicine. That is not to utterly reject the principle "do no harm," but to understand that it needs nuancing, and it has exceptions. Respect for the patient's autonomy, as she decides when and how to end her life, becomes the pivotal bioethical principle to support our claim. However, there is still a further underlying objective: the humanization of medicine in a healthcare environment where scientific and technological medical improvements prolong and extend life to the limits of the morally defensible. That intention to keep a person alive until

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[15] Cf. Buchanan; Battin, *Ending Life*, 280-300; Norman Daniels, *Just Health: Meeting Health Needs Fairly* (Cambridge: Cambridge University Press, 2008).

[16] Cf. Gary Seay, "Euthanasia and Common Sense: A Reply to Garcia," *Journal of Medicine and Philosophy: A Forum for Bioethics and Philosophy of Medicine* 36, no. 3 (2011): 321-327.

[17] Albert R. Jonsen, "Criteria That Makes Intentional Killing Unjustified," in *Intending Death: The Ethics of Assisted Suicide and Euthanasia*, ed. Tom L. Beauchamp (Upper Saddle River, NJ: Prentice-Hall, 1996), 50-52.

the moment treatment becomes futile[18] rests on, and is morally supported by, the assumption that life has intrinsic value, and is further defended as the core medical principle of "first, do no harm." Thus, the promotion of health, as well as the relief of pain and suffering, must be understood in a broader sense. Suffering and pain relief is a physician's duty equally fundamental to their duty to conserve life,[19] and many situations will require them to hasten death grounded on the patient- s autonomous request not to endure any more suffering.

Reflecting on the objectives of medicine, Hardwig[20] argues against medical vitalism, that is the idea that being alive is itself valuable despite further medical or moral considerations, thus prolonging life is the highest value within medical practice. There are more important goals for healthcare than endlessly fighting death, e.g., the fair allocation and distribution of resources to treat everyone justly. We should also consider, as Hardwig suggests, the impact on families that medical vitalism has; for, families are reduced to mere "patient-support" systems and the impact on the lives of others is not to be left unconsidered. Longer life, the simple fact of remaining biologically alive for a lengthier period, is not valuable by itself. What matters is what we do with the time left, how we autonomously decide to spend it based on personal values and life trajectory. The traditional medical account, which rejects physicians' aid in dying, fails to respect autonomous decisions by patients who opt for the earlier termination of their lives, choosing assisted death as the appropriate and meaningful personal way to end their lives.

Varelius[21] offers further criticism regarding the goals of medicine. For him, there are two main approaches to defining the goals of medicine: subjective and objective. Among the latter, we find considerations closely related to the preservation of life, such as the promotion of health and the patients' wellbeing, together with the avoidance of harm. Those are the ones traditionally defended and incorporated by medical practice as exceptionless. However, further reflection will lead us to question such assumptions. For example, what is the role of the quality of life in the traditional approach? Should it matter at all what we consider as harm or benefit for the patients? It is not difficult to imagine situations where the same treatment might be beneficial for a person, based on her personal beliefs, and harmful for another. End-of-life process is exemplary in this regard: prolongation of life for a further two weeks might be regarded as necessary for a patient who is waiting for a

[18] This is the idea of technological brinkmanship defended by Callahan, 23-56.

[19] Seay, "Do Physicians Have an Inviolable Duty Not to Kill?"

[20] John Hardwig, *Is There a Duty to Die?* (London: Routledge, 2000), 165-184.

[21] Jukka Varelius, "Voluntary Euthanasia, Physician-Assisted Suicide, and the Goals of Medicine," *Journal of Medicine and Philosophy* 31, no. 2 (2006): 121-137.

loved one to arrive and say goodbye, and the same amount of time can easily become a nightmare for another patient who has made peace with her death and does not want it to be delayed any longer. Similarly, end-of-life choices demonstrate that the promotion of health is not self-evident regardless of the patient's personal circumstances. These considerations should make us consider the subjective approach to the ends and goals of medicine, which should be determined by the autonomous decisions of patients.

It seems evident that some of the questions posed before to challenge the objective perspective are easier to answer from a subjective patient's approach. There are two main reasons for valuing autonomy. First, it is an instrument for promoting the patients' well-being. Patients must be adequately informed about their condition, prognosis, and treatment options, so they can be in a position to independently decide what is best for them, considering their own life values and trajectories. Second, it is intrinsically valuable, independent of its role in promoting the patient's well-being. In other words, autonomous decisions that could not contribute to the patient's good retain value when the consent is informed and given freely.[22]

Overall, it seems obvious that medicine should not concern itself with promoting whatever enhances the patient's well-being regardless of the patient's autonomous considerations and decisions. Despite its origins, medicine has developed as a profession committed to the alleviation of pain and suffering, and not simply dedicated to healing and conserving life. This shift makes physicians' duty to alleviate suffering override, on some occasions, their duty not to end life.[23]

a. Compatibility between palliative care and euthanasia

One of the greatest challenges when discussing physician-aided dying is its apparent incompatibility with palliative care. Especially, active euthanasia, the objection goes, seems contrary to the goals and main objectives of the medical care provided at the end of life. Furthermore, the legalisation of diverse types of physician-assisted death would negatively affect palliative care for two main reasons. First, patients would feel that having the possibility to choose their own death makes them vulnerable to not receiving appropriate end-of-life care. In other words, having active euthanasia, for example, as a medical option at the end of life could make patients think that their physicians

[22] Further discussion on whether there is such an intrinsic value on autonomy cannot be offered here. Cf. Ibid., 123-125; R. Gillon, "Ethics Needs Principles - Four Can Encompass the Rest - and Respect for Autonomy Should Be 'First among Equals,'" *Journal of Medical Ethics* 29, no. 5 (2003): 307-312.

[23] Seay, "Do Physicians Have an Inviolable Duty Not to Kill?"; Seay, "Euthanasia and Physicians' Moral Duties."

would encourage them to elect this path instead of the expensive treatments necessary in palliative care. Second, the purposefulness of palliative care would significantly diminish, for considerations of more active procedures to end the patient's life would make it the chosen and preferable option in many cases. And, if death is deemed as an acceptable alternative, the importance of end-of-life care could be rendered less practical and appropriate. As a consequence of both, palliative care would presumably suffer from a lack of resources, both material and in personnel making alternative decisions at the end of life available to patients.

However, it is far from evident that the offered concerns regarding palliative care truly arise from the moral and legal acceptance of different physician-assisted dying procedures. I will try to show how palliative care and physician-assisted dying can be compatible, and in fact, are compatible in countries where these procedures are legal. As part of doing so, the main common assumptions of the incompatibility between palliative care and euthanasia will be debunked.

Palliative care and euthanasia are related and compatible. They are treatment alternatives, procedures that do not exclude each other, which can also be mutually beneficial and complementary. My claim here does not pretend to establish a reciprocal necessity and close relation between palliative care and active euthanasia; it is sufficient for the purpose of the argument to show how the relations between both is a two-way street where the procedures support each other in certain cases.

Death in contemporary western societies is more likely to happen after a prolonged period of deterioration and suffering.[24] This fact is paramount for understanding that palliative care is, in many cases, the best alternative, the adequate medical procedure before euthanasia can become acceptable. In the process of dying, physicians' duties of not harming and being beneficial to patients necessarily convey their obligation to provide the best care available before death occurs. Moreover, it might perfectly happen that for many dying people palliative care does effectively prevent the need for euthanasia by the aforementioned alleviation of pain and suffering. However,

> this does not mean that all requests for and cases of euthanasia or PAS can be prevented; neither can it be claimed that such requests and cases are indications of a lack (or of a low quality) of palliative care.[25]

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[24] Callahan, 156-160; John Hardwig, "Medicalization and Death," *APA Newsletters on Philosophy and Medicine* 6, no. 1 (2006): 5-6.

[25] Guy Widdershoven, Margreet Stolper, and Bert Molewijk, "Dealing with Dilemmas around Patients' Wishes to Die: Moral Case Deliberation in a Dutch Hospice," in *The Patient's Wish*

Even when the best palliative care is provided, patients might still opt for a more active means of dying because they autonomously decide that waiting for any longer is needless. Although some of the main principles and goals of palliative care are irreconcilable with euthanasia, i.e., the acceleration of death is not an aim of palliative care, they share other objectives, i.e., the recognition that dying is an intrinsic part of life and that palliative care is designed to make patients as autonomous and active as possible.[26]

Research by Michael Gill[27] also supports the thesis of the compatibility between physician-assisted dying and palliative care. Even though the research undertaken by Gill focuses only on debunking common assumptions regarding the incompatibility of physician-assisted suicide, and good palliative care, I see no reasons to think that significant differences would appear in cases of active euthanasia, for what truly matters is the underlying moral ground to support the justifiability of physician-assisted death, regardless of the employed means to perform the procedure.

The first common assumption is concerned with suffering, more specifically, with the complete elimination of pain when palliative care is provided. It is commonly argued that appropriate palliative care would render physician-assisted dying unnecessary; for, if suffering is the prominent feature that determines a patient's wish to die, its effective alleviation would make people reconsider and lastly reject their willingness to end their lives. However, the ability to control pain does not make instances of physician-assisted dying illegitimate. First, it is not always possible to completely eliminate physical pain. Some people suffering from terminal conditions continue experiencing extreme pain even when the best palliative care is provided. Furthermore, 12% to 20% of patients receiving excellent end-of-life care keep their desire to hasten their deaths, which indicates that better palliative care does not totally eliminate physician-assisted death requests. Second, other physical conditions, such as nausea, extreme fatigue, and weakness, or diarrhea, can be an obstacle that impedes patients from having a comfortable and good death. Third, and last, people hold different attitudes and beliefs towards death, as well as have different pain and suffering thresholds. That implies that the exact same medical situation and its associated conditions, if it comparing different cases were at all possible, could be tolerable for one person and palliative care would suffice to ease her last days, but it could be

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to Die: Research, Ethics, and Palliative Care, eds. Christoph Rehmann-Sutter, Heike Gudat, and Kathrin Ohnsorge (Oxford: Oxford University Press, 2015), 152.

[26] Ibid.

[27] Michael B. Gill, "Is the Legalization of Physician-Assisted Suicide Compatible with Good End-of-Life Care?" *Journal of Applied Philosophy* 26, no. 1 (2009): 27-45.

unbearable for another patient who cannot endure that suffering and would prefer to end it by taking more active steps, i.e., requesting active euthanasia. Once again, justifications offered to defend why physical or psychological suffering are good reasons to provide help in dying are the truly important moral features to consider and discuss.

Another related and frequent assumption points to the incompatibility of hospice care and physician-assisted dying. Hospices have always been places where people went to receive adequate care throughout the final stage of their lives. Respect for life is the paramount principle guiding hospice practice, which seems contrary to helping someone die. However, the principle not to abandon patients at the end of their lives and respect their wishes conflicts with another hospice principle, that is, the one against postponing or hastening death. It seems obvious that in instances of a patient requesting her death to be hastened, hospice caregivers face a conflict of obligations, for they must respect the patient's wish and not abandon them in their suffering but providing help in dying is forbidden. We advocate for an inclusive understanding of both principles that makes help in dying, thus respecting the patients' autonomous wishes, compatible with providing the best care available, so people are not abandoned to their suffering. The end of a person's life must be understood as a continuum where respecting their death wishes can be compatible with providing the best care until just before the time comes. In addition to that, hospice personnel has the expertise to deal with death requests and physician-assisted dying procedures. Different studies show how hospice caregivers have not experienced any greater difficulty combining both.[28]

Now we shall address a final assumption. Physician-assisted dying requests, where the hopelessness of prospective life is presented as an argument to hasten death, are thought to be possibly erased by providing adequate end-of-life care. The type of care provided is viewed as sufficient to give suffering patients hope for the remaining days of their lives. Whereas different justifications could be offered from patients as to which extent their regarded hopelessness for life is due to bleak prospects in the expected end-of-life care, we believe that the determinant features that trigger such feelings have more to do with the patient's awareness of her factual medical condition. For example, in patients with a terminal condition, hopelessness is more likely to be associated with the imminence of death and its unavoidability. Thus, better end-of-life care could not change their previous decision and offered reasons for their wish to die due to their hopeless condition and future. Adequate palliative care could indeed make the remaining time bearable and will surely ease pain and suffering, but it cannot alter the features that make the patients' lives hopeless.

[28] Gill.

In short, both palliative and end-of-life care are compatible with physician-aid in dying requests, for they must be understood as distinct stages within the same process. Respect for patients' autonomy is the prominent aspect to consider and accommodate in healthcare settings or hospices. Doctors, nurses, and hospice caregivers must accompany patients during their final time alive providing the best care possible until death comes, regardless of whether the time to die is natural, as it is commonly described in traditional literature, or chosen by the patient by a request to actively hasten their death.

b. Conscientious objection

One major issue to carefully consider when including physician-aid in dying as customary practice in healthcare settings is the impact conscientious objection might have on the effective implementation of such procedures. Medical professionals might appeal to their scruples to avoid performing assistance in dying, thus patients' autonomy might be seriously compromised and even disrespected on various occasions. Is conscientious objection a sufficiently robust moral appeal to avoid performing euthanasia or other dying procedures that need the help of a physician/nurse? Are there any exceptions? Traditional medical ethics have long regarded the appeal to scruples as a legitimate excuse to not perform specific procedures that were legally and morally demanded from patients, such as in cases of abortion or euthanasia. The justification offered in defence of conscientious objection was the right to freedom of conscience, protected by the United Nations Universal Declaration of Human Rights, which reads: "Everyone has the right to freedom of thought, conscience and religion" (art. 18). However, there could be limits to this right within specific contexts, such as healthcare, where professional duties rest on other citizens' rights establishing limits to physicians' right to conscientious objection. That will be the thesis we will advocate for in the following. Especially enlightening are Savulescu's words in that regard:

A doctors' conscience has little place in the delivery of modern medical care. What should be provided to patients is defined by the law and consideration of the just distribution of finite medical resources, which requires a reasonable conception of the patient's goods and the patient's informed desires.[29]

These words might appear to many as contrary to the predominant understanding of medical goals. However, we have advocated for a change of paradigm that is more adequate to present challenges within current

[29] Julian Savulescu, "Conscientious Objection in Medicine," *British Medical Journal* 332, no. 7536 (2006): 294.

modern societies. Healthcare is a service provided to citizens by society, where the main objective of healthcare systems is to protect the health of their recipients. The focus when addressing conscientious objection must shift from healthcare practitioners (doctors, nurses, and pharmacists) to the rights patients are entitled to. Therefore, if a healthcare practitioner presents a conscientious objection not to do a specific procedure, and such objection compromises the quality, efficiency, or equitable delivery of a service, there are no reasons to tolerate it.[30] It may be thought that a possible solution would be to refer the patient to another doctor willing to perform whatever procedure objected to by the first physician. But there are several objections to this alternative, both philosophical and practical, that question the tolerability of conscientious objection in healthcare settings.

The previous discussion relates to our first objection: the commitments of healthcare practitioners. The latter are required to deliver healthcare services based on what is legal, beneficial, and desired by patients, and part of a just healthcare system. "Doctors are first and foremost providers of healthcare services. Society has every right to determine what kinds of services they ought to deliver."[31] Healthcare professionals are not different from others who perform fundamental societal services. It might be difficult to fully grasp the implications of such assertion, for physicians have long retained a deontological moral code upon which their practices are substantiated. But why should such medical values override their obligations as a certain type of professionals within society? To be a doctor has implications based on what society requires from the profession grounded on their expertise and skills. Those requirements cannot be personally adopted by practitioners at will regardless of their fellow citizens' rights.[32] We shall try to clarify the point with an example from another profession where the goals are established by society: teachers within a public educational setting. The knowledge and skills that teachers must provide to their pupils are established by society and enforced by governmental educational laws. Teachers cannot select specific parts within the national curriculum of their subject to impart and others to avoid based on their personal, either moral or religious, beliefs. A biology teacher cannot skip the Darwinist theory of evolution on grounds of her personal religious belief in the creation of the world by God. Then, why should we allow doctors to choose whether or not to perform euthanasia,

[30] Ibid.

[31] Udo Schuklenk, "Conscientious Objection in Medicine: Private Ideological Convictions Must Not Supercede Public Service Obligations," *Bioethics* 29, no. 5 (2015): iii.

[32] Alberto Giubilini, "The Paradox of Conscientious Objection and the Anemic Concept of 'Conscience': Downplaying the Role of Moral Integrity in Health Care," *Kennedy Institute of Ethics Journal* 24, no. 2 (2014): 173-174.

where it is legal and citizens are entitled to receive such healthcare service, based on their beliefs and convictions?

The second objection points to the consequences of permitting conscientious objection, for it may lead to an inefficient waste of resources in cases where patients are unable to find an appropriate practitioner to deliver the service.[33] Similarly, it is not difficult to imagine patients who are not connoisseurs, or are simply less informed, of their right to the specific service their regular practitioner is conscientiously objecting to. As a result, they will fail to receive the service they are entitled to, which generates a morally and legally unjustifiable situation of inequity. Following Schuklenk,[34] patients are entitled to receive a uniform healthcare service from practitioners, not subjected to today's lottery of conscientious objectors. Furthermore, even in scenarios where we could accept conscientious objection on grounds that there would be sufficient professionals to help patients, healthcare practitioners who fail to state initially their principal-based unwillingness to perform a specific medical procedure acquire positive obligations towards their patients.[35] This is especially relevant in physician-assisted dying. A doctor who knows her patient and is fully aware of her willingness to hasten death when she decides so cannot wait just until the last days before the procedure will be performed to present her conscientious objection. The patient-doctor relationship is fundamental in medical procedures such as euthanasia and a strong relationship facilitates the patient's readiness and eases their psychological suffering at the end of life, for they know that a familiar caring person will be assisting and fulfilling their wish.

A third argument points to the inconsistency of permitting healthcare practitioners to object to performing and delivering specific services based on their moral and/or religious beliefs. If society does not, rightly, accept other forms of objection on self-preservation or self-interest grounds,[36] it would be inconsistent to accept other types of objections.[37] It might be initially believed that moral or religious claims are somehow more solid or consistent, but it is easy to show how we would never permit practices that would be plainly discriminatory just because they would have moral or

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[33] That is the situation faced by many women in the South of Italy, where a majority of doctors conscientiously object to abortion, seriously compromising the women's reproductive rights. Cf. Francesca Minerva, "Conscientious Objection in Italy," *Journal of Medical Ethics* 41, no. 2 (2015): 170-173.

[34] Schuklenk.

[35] Cf. Battin, *Ending Life*, 88-107.

[36] For example, physicians reject the provision of a service in a public healthcare setting because she could benefit more from that same procedure if conducted in her private surgery.

[37] Savulescu.

religious grounding. Giubilini[38] brilliantly exemplifies the case stating that we would not, and should not, permit healthcare practitioners to reject treating a patient based on her gender just because her religion prohibits so. The underlying reason is the existence of a moral justification to argue that a person's healthcare rights and entitlements have nothing to do with her gender. Similarly, in cases of physician-aid in dying, healthcare practitioners cannot avoid fulfilling their obligations as professionals by sidestepping them and presenting a conscientious objection. There are solid moral grounds for defending the justifiability to grant plenty of requests – depending on whether they meet the established criteria – for a hastened death in countries where the procedure is legal, thus doctors' duties involve the delivery of the service safely. Furthermore, an increase in the risk of abuse is not to be taken lightly. Healthcare professionals could appeal to their right to conscientiously object in situations where the true reason is different. How could we know that theirs are genuine moral objections and not mere inconveniences?[39]

The above offered arguments provide support against the permissibility of conscientious objection in healthcare settings, grounded in an understanding of healthcare practitioners as professionals within society from whom the delivery of specific services is expected. However, we are aware of the practical difficulties in attempting to implement such a huge change in societies where physician-assisted dying is not yet legal or has been recently legalised. It can surely be too much for society to fully comprehend and rationally accept. We thus believe that intermediate steps might be necessary to ease the transition and a thorough understanding of euthanasia and assisted suicide as morally justifiable healthcare services. It might be possible then for physicians, nurses, and pharmacists to initially object to these practices on moral grounds, even though some objections would remain in scenarios where the patients' rights would be compromised. For example, the conscientious objection would only be permissible when there are enough doctors willing to take over their colleagues' responsibilities guaranteeing an equitable and efficient service provision.[40]

c. Why doctors?

Having discussed how to redefine doctors' duties and the goals of medicine, always giving special attention to the impact both have on physician-assisted dying, it is now necessary to explain why doctors must be the ones among other healthcare practitioners to perform euthanasia, and be present, having

[38] Giubilini.

[39] Schuklenk; Giubilini.

[40] Battin, *Ending Life*..

previously prepared all that is needed, in assisted suicide. Advocates of a traditional approach to medicine, where ending a life is regarded as contrary to doctors' main duty not to harm, could argue that even where assisted death could be legalised and morally defensible, physicians should not be the ones performing it.[41] Our thesis here is that doctors must oversee assisted dying because they are the best professionally qualified to do so.

As previously stated, respect for the patients' autonomy and the relief of pain and suffering are two fundamental duties of doctors, which might sometimes collide with their duty not to harm, not to end a life.[42] We have proven that the first two together might override the latter, especially when we also consider physicians' duties as established by their professional expertise within society. Thus, doctors' duty to help patients die will arise, in this new scenario, from the expectations patients have regarding standard care.[43] Besides these morally grounded arguments presented from a new understanding of healthcare practitioners' duties, there are other reasons to defend our thesis.

First of all, physicians are currently using their professional knowledge to serve other interests far from strictly medical issues, or where the restoration of health and preservation of life is not the main goal of their work.[44] There are, in those countries where it is still legal, physicians providing lethal injections for inmates in the death row, only because they have the knowledge to do so. This example by no means defends the moral permissibility of the death penalty, but it only focuses on the non-traditionally understood role of physicians. Another example is cosmetic surgery, where physicians use their expertise and knowledge about human bodies to modify them attending to purely aesthetic intentions dictated by capitalist societies. There are, indeed, cases where cosmetic surgery is necessary to restore mental and societal health, facilitating the patients' return to their normal life, i.e., cases where doctors perform breast reconstruction surgery due to cancer. Therefore, if doctors can use their knowledge in those situations, why should they not employ it to help people die when there are strong moral reasons that justify their requests?

Secondly, the main reason to defend our thesis is that physicians are the most appropriately qualified, possess the best knowledge of the patient, and

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[41] Confront with the idea of self-euthanasia proposed by Ton Vink, "Self-Euthanasia, the Dutch Experience: In Search for the Meaning of a Good Death or Eu Thanatos," *Bioethics* 30, no. 9 (2016): 681-688.

[42] Seay, "Euthanasia and Physicians' Moral Duties."

[43] Seay, "Do Physicians Have an Inviolable Duty Not to Kill?"

[44] Richard Huxtable, and Maaike Möller, "'Setting a Principled Boundary'? Euthanasia as a Response to 'Life Fatigue,'" *Bioethics* 21, no. 3 (2007): 117-126.

have control of the medication employed in assisted-dying.[45] Delegating the responsibility to less qualified professionals would most likely inflict harm or would unnecessarily put patients in a dangerous position. Good medical practice at the end of life requires that the dying person leaves in a state of maximum physical and mental comfort,[46] and the only professionals within society to guarantee that are healthcare practitioners. Moreover, due to the medicalization of death, which main consequence has been a significant shift from people dying at home to people spending their last weeks or months in healthcare facilities, "only healthcare professionals today develop sufficient experience and familiarity with death and dying."[47] Furthermore, these practices should be restricted to physicians because of the inevitable involvement with safeguards, specific healthcare guidelines, the discharge of medical information that justify the procedure, and so forth. Societies that acknowledge and approve aid-in-dying medical procedures would require their healthcare professionals to include help in dying as a good medical practice, for it honours the autonomous decisions of patients[48] and guarantees their right to healthcare within which euthanasia is offered as a fundamental service.

Finally, as a way of summarising what has been so far discussed in this paper, physicians' role could be understood under a different lens. Veatch[49] proposes regarding physicians as patients' helpers, assistants, thus shifting the medical focus from doctors' duties to patients' rights. This perspective could help rebuild and strengthen the patient-doctor relationship, where dialogue becomes a secure place for mutual understanding, and make possible that patients discover their best interest from a comprehension of their practitioners' knowledge. It can be seen as an educational process where patients learn how to proceed with specific illnesses, giving them an increase in informed autonomy to reach their own conclusions and decide which is their preferable treatment or procedure. This proposal emerges from the recognition that patients are the only ones who know what benefits them holistically speaking, whereas doctors are only concerned about their medical well-being. Moreover, doctors must accept that protecting patients' rights is more important than seeking their benefit; in other words, patients have the right to choose a treatment that is

[45] Ibid.; Seay, "Do Physicians Have an Inviolable Duty Not to Kill?"

[46] Geoffrey Scarre, "Can There Be a Good Death?" *Journal of Evaluation in Clinical Practice* 18, no. 5 (2012): 1082-1086.

[47] Ezekiel J. Emanuel, and Linda L. Emanuel, "The Promise of a Good Death," *Lancet* 351, no. SUPPL.2 (1998): SII 21.

[48] Cf. Dan W. Brock, "Voluntary Active Euthanasia," *The Hastings Center Report* 22, no. 2 (1992): 10-22.

[49] Robert M. Veatch, "Doctor Does Not Know Best: Why in the New Century Physicians Must Stop Trying to Benefit Patients," *The Journal of Medicine and Philosophy: A Forum for Bioethics and Philosophy of Medicine* 25, no. 6 (2000): 701-721.

less likely to benefit them than other available alternatives. In the same way, the core duty of healthcare practitioners would be respect for the patient's autonomy and the recognition of their right to decline a beneficial treatment even when they could be mistaken. Consequently, two other duties become significantly relevant: their duty to tell the truth, that is, patients must be well informed and in an optimal position to decide what is best for them, and their duty to keep promises, that is, the information shared between patients and physicians would remain confidential.

V. Conclusions

The present paper provides arguments to defend the implementation of physician-aid in dying among the duties that healthcare practitioners must perform. Healthcare should be understood as a cluster of services to which the whole citizenship is entitled to. The suitability of the procedures offered as part of the healthcare agenda depends on the justification we can present to defend their aptness to be considered fundamental services. Our reasons should be grounded on the core bioethical and medical principles: respect for autonomy, avoidance of harm, beneficence, and justice. Within such a theoretical-practical framework, we have questioned the traditional medical rejection to end a patient's life due to doctors' ultimate duty not to kill. Our main argument against the traditional view of physicians' duties points to a paradigm shift where there are other obligations that doctors must fulfil, which emerge from the patient's right to have her autonomous decision respected and her suffering and/or pain ended.

At this point, we have clarified why and how end-of-life and palliative care are compatible with euthanasia or other help-in-dying medical procedures. For, the total alleviation of suffering is not always possible, patients may have different suffering and pain thresholds, and end-of-life care must also always be present until the performance of euthanasia or physician-aid in dying. Additionally, the possible conscientious objection refusals to perform euthanasia have been addressed, analysing the inconsistencies of those objections and the practical negative implications they might have. However, more cautiously, we have accepted some instances where it could be possible to assume them as a transitional stage towards a new understanding of physicians' duties and responsibilities. Finally, healthcare practitioners' suitability, and further obligation, to be the ones responsible to perform end-of-life practices has been defended. For they are the ones best qualified and have the necessary knowledge to perform hastening death procedures, and they are already familiar with death and dying in medical settings.

Healthcare practitioners must perform end-of-life practices as part of their job in a new understanding of them as professionals from whom society requires specific services grounded on people's rights to healthcare.

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Josef Pieper on Medieval Truth and Martin Heidegger's Wahrheitsbegriff

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Abstract

Josef Pieper's critique of Martin Heidegger's Wahrheitsbegriff (concept of truth) has been virtually ignored in both Pieper and Heidegger scholarship; however, Pieper's critique of Heidegger is both lethal and affirmative. On the one hand, Pieper makes a strong case against Heidegger's Wahrheitsbegriff in "Vom Wesen der Wahrheit" and yet on the other he affirms his thesis that "the essence of truth is freedom." This paper attempts to mend this gap in the literature by first presenting Heidegger's "Vom Wesen der Wahrheit," the essay in which Heidegger explicates his concept of truth. Second, I exegete the critique of Josef Pieper found in his "Heideggers Wahrheitsbegriff." Third, I conclude the paper by contextualizing Pieper's critique within Pieper's Werke, and make a note of the philosophical insights derivative from Pieper's less than simple relationship to Heidegger.

Keywords: *Pieper; Heidegger; truth; medieval; critique*

I.

Contemporary analytic epistemology has invested itself in reviving, either in part or whole, medieval epistemology. Significant scholarly treatment has been specifically given to St. Thomas Aquinas and his concept of truth.[1] Despite the epistemological progress and advances in a "Thomistic" theory of truth, not every criticism of the Medieval concept of truth has been sufficiently addressed, especially beyond the purview of discussions within analytic epistemology. As a case in point, Josef Pieper's

[1] Beyond the so-called "analytic Thomists," see especially Edward Feser, *Scholastic Metaphysics: A Contemporary Introduction* (Heusenstamm: Editiones Scholasticae, 2014), 1-34, 154-156. This paper uses "theory"/"concept" to be roughly synonymous e.g., a concept/theory of truth.

(1904-97) critique of Martin Heidegger's (1889-1976) concept of truth (Wahrheitsbegriff) in defense of St. Thomas' concept of truth has gone virtually unnoticed in Heidegger and Pieper scholarship.[2] Unfortunately, this cannot be explained away on historical grounds, for Pieper and Heidegger were contemporaries (and in fact the former had even heard the latter debate in person).[3] This cannot also be explained on the basis that they had different projects. While this is to an extent true, both Pieper and Heidegger had occupied themselves with many of the same philosophical questions and themes–one of which the concept of "truth" and "being," the focus of this paper. To remedy this lack of conversation, this paper concerns itself with exegeting Pieper's critique of Heidegger's concept of truth, and offers a contextualized, nuanced reading of Pieper's critique. This paper is divided into three parts. First, this paper exegetes Heidegger's 1943 "On the Essence of Truth" (Vom Wesen der Wahrheit), an essay in which Heidegger explicates his concept of truth. Second, this paper exegetes and substantiates Josef Pieper's critique of Heidegger's concept of truth in his "Heidegger's Concept of Truth" (Heideggers Wahrheitsbegriff). Third, this paper concludes with both a contextualization of Pieper's critique within his *Werke* to nuance his critique, as well as an appraisal of Pieper's philosophical relation to Heidegger.

II.

Heidegger's "On the Essence of Truth" (Vom Wesen der Wahrheit) defends the following claim: "The essence of truth is freedom."[4] Heidegger begins by

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[2] Two caveats. First, there is one exception: James Orr, "Heidegger's Critique of Aquinas on Truth: A Critical Assessment," *New Blackfriars* 95, no. 1055: (2013), 14. However, Orr's use of Pieper is for the purpose of showing how Heidegger's theory of truth is ambiguously (ambiguous in its motivation in Thomist and Scotist epistemology) "medieval." As such, while Orr's contribution is significant, it does not put Pieper into constructive conversation with Heidegger, nor does it present the more decisive elements of Pieper's critique of Heidegger's theory of truth. Second, the closest approximation to a "Pieperian" critique would be Thomist interactions with Heidegger's theory of truth. Most recently Liran Shia Gordon, and Avital Wohlman, "A Constructive Thomistic Response to Heidegger's Destructive Criticism," *The Heythrop Journal* 61 (2019): 1-17; John Knasas, "A Heideggerian Critique of Aquinas and a Gilsonian Reply," *The Thomist* 58, no. 3 (1994): 415-39; Joseph Trabbic, "A Critique of Heidegger's Critique of Christian Philosophy in the *Introduction to Metaphysics*," *Religious Studies* 53, no. 1 (2017): 71-86. However, in none of these major contributions has Pieper's contributions received significant philosophical treatment.

[3] Josef Pieper, *No One Could Have Known: An Autobiography: The Early Years 1904-1945*, trans. Graham Harrison (San Francisco: Ignatius Press, 1987), 81.

[4] Martin Heidegger, "On the Essence of Truth," in *Basic Writings*, ed. David Farrell Krell (New York: Harper Perennial, 1993), 123. A prefatory note with respect to translation, texts and methodology. Although I will be using English translations in this paper, I will be abiding by the German texts of both Heidegger and Pieper closely. I will be using Martin Heidegger, "Vom Wesen der Wahrheit," in *Wegmarken*, ed. Friedrich-Wilhelm von Herrmann (Frankfurt/Main: Vittorio Klostermann Verlag, 1976), 73-97, as well as Josef Pieper, "Heideggers Wahrheitsbegriff," in

pointing out that "essence" refers heterogeneously to "the one thing that in general distinguishes every "truth" as truth."[5] To pursue the essence of truth, he exegetes the medieval concept of truth, rooted in the Greek philosophical tradition[6]: "A statement is true if what it means and says is in accordance with the matter about which the statement is made."[7] The notion of "in accord" is to be found, Heidegger says, in the "proposition," the non-material content of sentences.[8] However, both "being" and "truth" signify "accord" in two senses. First, the consonance of the matter with what is supposed in advance regarding it. Second, the accordance of the statement with the matter.[9] It is from this that Heidegger says the Medieval understanding of "truth as agreement [matching, approximation] of thing and intellect" (veritas est adequatio rei et intellectus), a statement from Thomas Aquinas, can be understood.[10] Heidegger delineates the medieval definition, writing that

> it implies the Christian theological belief that, with respect to what it is and whether it is, a matter, as created (ens creatum), *is* only insofar as it corresponds to the idea preconceived in the *intellectus divinus*, i.e., in the mind of God, and thus measures up to the idea (is correct) and in this sense is "true."[11]

For Heidegger, this expresses the Christian theological understanding of how truth functions as "agreement with the Creator."[12] Having unpacked the medieval concept of truth, Heidegger demarcates *propositional* truth from *material* truth. The former is constituted by the correctness of statements. The latter means "the consonance of something at hand with the 'rational'

Schriften zum Philosophiebegriff, ed. Berthold Wald (Hamburg: Felix Meiner Verlag, 1995), 186-198. Methodologically, this paper treats the "On the Essence of Truth" as a stand-alone text offering a view of the essence of truth since this was both Heidegger's intention and how Pieper read Heidegger's text. As Dr. Michael Blezy has pointed out to me, further resources to motivate and articulate a Heideggerian theory of truth might be found elsewhere, i.e., Heidegger's earlier work. However, even if true, this overlooks Heidegger's intent to specifically answer the question of the essence of truth within the confines of "On the Essence of Truth."

[5] Ibid., 115.

[6] Aristotle, *Metaphysics*, 4: 1011b25; Plato, *Cratylus*, 385b2; Plato, *Sophist*, 263b.

[7] Heidegger, "On the Essence of Truth," 117.

[8] Ibid., 117, 120.

[9] Ibid., 117.

[10] Ibid. 117; Thomas Aquinas, *Summa Theologiae*, Ques. xvi, Art. 1, 3.

[11] Ibid.

[12] Ibid., 119.

concept of its essence."[13] Heidegger reverses the truth-structure of truth and says of untruth (falsity, falsehood) that it consists in "nonagreement of a being with its essence."[14] Heidegger writes that

> if we take the tracing back of propositional truth to material truth to be what in the first instance it shows itself to be, namely a theological explanation, and if we then keep the philosophical definition completely pure of all admixture to theology and limit the concept of truth to propositional truth, then we encounter an old–though not the oldest–tradition of thinking, according to which truth is the accordance (homoiōsis) of a statement (logos) with a matter (pragma).[15]

Heidegger's contention here is that in divorcing theological explanations from philosophical concepts, genuinely philosophical, that is, non-theological, discourse is possible.[16] Having drawn this explanatory distinction, Heidegger goes on to evaluate the possibility of "accordance," understood as the accordance between a "statement" and "a thing."[17] He argues that the "accord" is completely dissimilar, and hence such correspondence "cannot signify a thing-like approximation between dissimilar things."[18] Instead, it must be in "the kind of relation" that the correspondence holds.[19] However, for Heidegger the indeterminacy and groundlessness of the essence of the relation results in a lack of correspondence altogether. As such, it is the statement which presents the matter, and says in what the matter consists.[20] As Heidegger says: "What is stated by the presentative statement is said of

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[13] Ibid.

[14] Ibid.

[15] Ibid., 120.

[16] Heidegger's relation to Christian philosophy – biographically, historically and theoretically – has been well-documented in Trabbic, "A Critique of Heidegger's Critique," 72. Setting aside Heidegger's rejection of the union of philosophy and theology, Heidegger *presupposes* that there is "the" Christian theological understanding of truth. Specifically, Heidegger's bounding together divine conceptualism with Christian theology overlooks not only the disputed nature of the legitimacy of divine conceptualism (and its varieties), but also theologically consistent alternatives. See William Lane Craig, *God and Abstract Objects: The Coherence of Theism: Divine Aseity* (New York: Springer International Publishing, 2017).

[17] Heidegger, "On the Essence of Truth,"120.

[18] Ibid., 121.

[19] Ibid.

[20] Ibid.

the presented thing in just such a manner *as* that thing, as presented, is."[21] The verb "to present" thus means "to let the thing stand opposed as object."[22] Heidegger introduces two concepts to move philosophically from exegesis of the medieval concept of truth to analysis: "open region" (das Offene) and "comportment" (Verhalten).

"Open region" refers to the space in which the "opposedness" between the thing and what stands opposed to it occurs, "the openness of which is not first created by the presenting but rather is only entered into and taken over as a dominion of relatedness."[23] "Comportment" refers to the accomplishment of the relation between the presentative statement and the thing, understood as a *bearing*.[24] Comportment thus stands in the open region, adhering to something "opened up *as such*."[25] Comportment refers to "what is thus opened up," namely *being*, which "stands open to being."[26] He then specifies that "every open relatedness is a comportment" to the effect that

> this can only occur if beings present themselves along with the presentative statement so that the latter subordinates itself to the directive that it speak of beings *such-as* they are. In following such a directive the statement conforms to beings. Speech that directs itself accordingly is correct (true). What is thus said is the correct (the true).[27]

The "such-as" refers to, it should be re-called, the "manner *as* that thing, as presented, is."[28] There is a "letting be" of the thing whose integrity is only preserved by the presentative statement corresponding to the "letting be." Heidegger then says that if "this openness of comportment" is the ground for the possibility of the truth of statements, "what first makes correctness possible must with more original right be taken as the essence of truth."[29] Heidegger concludes that the notion that truth resides exclusively to statements, and is thereby the locus of truth, is incorrect.[30] The language of

[21] Ibid.

[22] Ibid.

[23] Ibid.

[24] Ibid.

[25] Ibid., 121-122.

[26] Ibid., 122.

[27] Ibid.

[28] Ibid., 121.

[29] Ibid., 122.

[30] Ibid.

Heidegger here suggests that he does not reject truth residing in statements. Instead, he rejects two central notions integral to the medieval concept of propositional truth. First, he rejects that it is *only* in statements that truth resides. Second, he rejects that the locus and essence of truth resides in the statement. The German term that is being translated as "locus" is *Wesensort*, comprised of "essence" (Wesen) and "region" (Ort). Heidegger is saying that the region in which the essence of truth is located is not *merely* in the proposition. Heidegger then interrogates "the ground of the inner possibility of the open comportment that pregives a standard" whose "possibility alone lends to propositional correctness the appearance of fulfilling the essence of truth at all."[31] In this sense, the essence of propositional correctness is grounded by a deeper comportment of the presentative statement to what is presented, the latter of which – standing in "open comportment" – requires itself a ground for its inner possibility.

Heidegger then asks: "Whence does the presentative statement receive the directive to conform to the object and to accord by way of correctness?"[32] In other words, from what does the presentative statement receive directive to conform to the object, and why would it accord by way of correctness? Heidegger writes that it is only if this "pregiving" – referring to the "ground of the inner possibility of the open comportment that pregives a standard" – "has already entered freely into an open region for something opened up which prevails there and which binds every presenting."[33] Heidegger then incorporates freedom (Freiheit): "To free oneself for a binding directedness is possible only by being free for what is opened up in an open region."[34] This *bindende*, though appearing like the English gerund "binding," includes within itself not only a "binding," but a *thickening*.[35] *Bindende* thereby requires experiencing the *thickness* of being, namely, allowing presentative statements to let the object *be* without ontological compromise.[36] In Heidegger's terms, "freedom [...] lets beings be the beings they are."[37] Heidegger then says that this "being free points to the heretofore uncomprehended essence of freedom."[38] Hence, the freeing of oneself for what is opened in the open

[31] Ibid., 123.

[32] Ibid.

[33] Ibid.

[34] Ibid.

[35] Charles Desmond Nuttall Costa, and Mary Herbert, *Langenscheidt Compact German Dictionary* (Berlin: Langenscheidt, 1993), 114.

[36] Heidegger comes strikingly close to the notion of *acedia* as the flattening of the thickness of being. See R. J. Snell, *Acedia and Its Discontents* (New York: Angelico Press, 2015).

[37] Heidegger, "On the Essence of Truth," 125.

[38] Ibid., 123.

region is precisely what the essence of truth consists in, and therefore "*the essence of truth is freedom*."[39]

Differing from the definition of "essence" in the Greek philosophical tradition (e.g., hypokeimenon, ousia, hypostasis) and the medieval philosophical tradition (e.g., essentia), Heidegger uses the term "essence" to signify "the ground of the inner possibility of what is initially and generally admitted as known."[40] While Heidegger notes that "truth is here driven back to the subjectivity of the human subject," he says that "an objectivity is also accessible to this subject [...] along with subjectivity [...]"[41] From this, Heidegger draws a paradox: If metaphysics is concerned with eternal truths which are imperishable (not founded on man, *status viatoris*), how can the essence of truth be anchored in freedom? Heidegger writes: "[...] freedom is the ground of the inner possibility of correctness only because it receives its own essence from the more original essence of uniquely essential truth."[42] Such freedom for "what is opened up in an open region lets beings be the beings they are."[43] Such "letting be," Heidegger says, is open to being interpreted to mean indifference, neglect, isolation; however, what Heidegger intends by "letting be" is "to engage oneself with beings" and therefore "with the open region."[44] Heidegger's next move is then cloaked in phraseological difficulty: "To let be [...] means to engage oneself with the open region [...] bringing that openness [...] along with itself."[45] As such, Heidegger arrives at the Ancient Greek philosophical term traditionally translated as "truth," contending that the "open region" he has been talking about has been called *ta alēthea*, "the unconcealed."[46]

Heidegger's argument summarized in conjunction with the following: truth is that which is unconcealed in the open region, the "uncomprehended disclosedness and disclosure of beings."[47] This disclosure is revelatory, for it is not in "letting be" that one "lose[s] oneself in them," but instead allows beings to "reveal themselves with respect to what and how they are [...]."[48] This

[39] Ibid., 123, Heidegger's italics.

[40] Ibid., 123.

[41] Ibid., 124.

[42] Ibid., 125.

[43] Ibid.

[44] Ibid., 125.

[45] Ibid.

[46] Ibid.

[47] Ibid.

[48] Ibid.

makes the ontological space for a "presentative correspondence."[49] The letting be, further, is *ek-sistent*; if this is to mean the "ecstatic character of freedom," then it means an ecstasy from letting-be. This ecstatic character freedom, it should be noted, is "rooted in truth."[50] This freedom, for Heidegger, is radically separated from the traditional sense of freedom in the sense of choosing between various alternatives i.e., the principle of alternative possibilities (PAP). For Heidegger, freedom resides in "engagement in the disclosure of beings as such."[51] Unconcealment occurs when "historical man," as Heidegger says, asks the question of what beings are, "beings" as "nature," "beings as such as a whole," "upsurgent presence."[52] The freedom within letting-be – for ek-sistent, disclosive Dasein – "possesses man" and "secures for humanity that distinctive relatedness to being as a whole as such [...]."[53] On this account, "truth is disclosure of beings through which an openness essentially unfolds."[54] In this oppeness Dasein is ek-sistent – *existing in ecstasy*.

While Heidegger rejected the notion that freedom was constituted by PAP, he invokes this sense of freedom in his analysis of our decision/choice to let-be: "[...] because truth is in essence freedom, historical man can, in letting things be, also not let beings be the beings which they are and as they are."[55] This can involve a covering up of beings – under the rubric of power, for example – as well as a distortion of beings i.e., industrialization, technologically centering the world, et cetera.[56] It is in this distortion that the *nonessence of truth* is presented. Heidegger says that the question of the nonessence of truth both derives from the essence of truth and is "the decisive step toward an adequate posing of the *question* concerning the essence of truth."[57] For Heidegger, before inquiring into the nonessence of truth we have not even *posed* the question regarding the essence of truth. Heidegger then says that "freedom has already attuned all comportment to being as a whole."[58] "Attunement" is not a feeling or an experience, Heidegger writes. Likewise, it is also not a mood or disposition.[59] Heidegger clarifies what he means:

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[49] Ibid.

[50] Ibid.

[51] Ibid., 126.

[52] Ibid.

[53] Ibid., 127.

[54] Ibid.

[55] Ibid.

[56] Ibid.

[57] Ibid., 128.

[58] Ibid.

[59] As the translator (128) writes.

> Being attuned, i.e., ek-sistent exposedness to beings as a whole, can be "experienced" and "felt" only because the "man who experiences," [...] is always engaged in being attuned in a way that discloses beings as a whole.[60]

It is in the letting-be of Dasein that attunement occurs; however, Heidegger notes that this happens only inasmuch as Dasein is not "aware of the essence of the attunement."[61] Heidegger then uses this analysis as a critique of the technologically-centered mentality which sees "omniscience" as a limitless technical mastery over being:

> Precisely in the levelling and planning of this omniscience, this mere knowing, the openedness of being gets flattened out into the apparent nothingness of what is no longer even a matter of indifference, but rather is simply forgotten.[62]

Heidegger's understanding of "mere knowing" as distinct from truth as letting-be is instructive as the former attempts to technologize the world. As he says, "letting beings be [...] is an attuning [...]."[63] "Concealment" for Heidegger amounts to a letting-be, though it is also *undisclosedness*.[64] For Heidegger, we can infer from the nonessence of truth "the still unexperienced domain of the truth of Being (not merely of beings)."[65] Indeed, comportment is grounded in a bearing which does "not close up in itself," and which "receives from it directedness towards beings and disclosure of them."[66] He reflects: "Man clings to what is readily available and controllable even where ultimate matters are concerned."[67] Put otherwise: "[...] to reside in what is readily available is intrinsically not to let the concealing of what is concealed hold sway."[68] Heidegger then continues his critique of such a predicament:

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[60] Ibid., 129.

[61] Ibid.

[62] Ibid.

[63] Ibid.

[64] Ibid., 130.

[65] Ibid., 131.

[66] Ibid.

[67] Ibid.

[68] Ibid.

> By disavowing itself in and for forgetfulness, the mystery leaves historical man in the sphere of what is readily available to him, leaves him to his own resources. Thus left, humanity replenishes its "world" on the basis of the latest needs and aims, and fills out that world by means of proposing and planning. From these man then takes his standards, forgetting being as a whole.[69]

Heidegger's rejection of a relativistic attitude towards being is then put explicitly: "He is all the more mistaken the more exclusively he takes himself, as subject, to be the standard for all beings."[70] Heidegger concludes his essay by turning to *untruth as errancy*: "Man's flight from the mystery toward what is readily available, onward from one current thing to the next, passing the mystery by – this is *erring*."[71] In other words, "errancy is the essential counter-essence to the primordial essence of truth."[72] This errancy is manifested and embodied in various forms. One such example would be in the consumption of pornographic material. Within this sphere, the mystery of the human being–in her/his entirety and ontological depth – is overlooked (objectified), unrevealed (exposed as object-to-be-used) and flattened (to use Heidegger's term).[73] Heidegger says that this happens fundamentally in a consumptive attitude towards being "onward from one current thing to the next" as well as "passing the mystery by;" again, this occurs too in an "ordinary wasting of time."[74] One need only reflect on the English phrase "killing time" – which, since there is intent, should be "murdering time." Heidegger concludes:

> Freedom, conceived on the basis of the in-sistent ek-sistence of Dasein, is the essence of truth (in the sense of the correctness of presenting) only because freedom itself originates from the primordial essence of truth, the rule of the mystery in errancy. Letting beings be takes its course in open comportment [...]. This questioning thinks the question of the *Being* of beings [...].[75]

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[69] Ibid., 132.

[70] Ibid.

[71] Ibid., 133.

[72] Ibid.

[73] See Rashad Rehman, "Love as a Divine Gift in Pieper and Kierkegaard: A Phenomenological Analysis," *MJUR* 9 (2018): 105-132.

[74] Ibid., 133.

[75] Ibid., 134-135.

III.

By way of background, Pieper's first scholarly interaction with St. Thomas is found in his doctorate (Habilitationsschrift) entitled *The Ontological Foundation of Morality in Thomas Aquinas* at the University of Münster in 1929.[76] While primarily a scholar of Western philosophy, Pieper was also formally trained in law and sociology, studying under sociologist Johann Plenge (1874-1963) at The Research Institute for Organization Theory and Sociology between 1928-1932. For the rest of his long career, Pieper taught philosophy at the Gymnasium Paulinium, the University of Munster and the Pedagogical Institute of Essen. As evidenced in his Complete Works (Gesammelte Werke),[77] Pieper is best described as a "global" philosopher whose attitude towards philosophy and philosophical education was not confined by any one particular methodology or set of philosophical themes/questions, even if broadly aligned with the central tenants of the philosophy of Thomas Aquinas.[78] In what follows, I briefly provide a five-fold itemized philosophical contextualization of Pieper – leaving aside Pieper's specific concept of philosophy for the conclusion of the paper. First, philosophy is for everyone and not only those who were financially privileged and can afford university education.[79] Second, philosophy cannot not be separated from tradition and theology, since it emerges from, and is enriched by, them.[80] Third, philosophers' teaching, writings and speaking ought to be responsive to historical and socio-political circumstances.[81] Fourth, philosophical questions can never omit differing methodologies, principles and theories.[82] Fifth,

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[76] Josef Pieper, *Die Ontische Grundlage des Sittlichen noch Thomas von Aquin* (Münster: Verlag, 1929). This work is not included in the complete works of Pieper, plausibly because Pieper later revised and popularized it into *Living the Truth*, trans. Lothar Krauth (San Francisco: Ignatius Press, 1989). The thesis of both his initial scholarly dissertation and later popular, revised book was based on and inspired by Pieper's teacher Romano Guardini's "Von Goethe und Thomas von Aquin und vom klassischen Geist," in *In Spiegel und Gleichnis* (Mainz: Verlag, 1932), 20-25.

[77] Josef Pieper, *Gesammelte Werke in Acht Banden,* ed. Berthold Wald (Hamburg: Felix Meiner Verlag, 2008).

[78] In defense of this "global philosophical attitude," see Josef Pieper, *In Defense of Philosophy: Classical Wisdom Stands up to Modern Challenges*, trans. Lothar Krauth (San Francisco: Ignatius Press, 1992).

[79] Josef Pieper, *Leisure: The Basis of Culture*, trans. Alexander Dru (Toronto: A Mentor Book, 1956).

[80] In defense of tradition, see Josef Pieper, *Tradition: Concept and Claim,* trans. E. Christian Kopff (Indiana: St. Augustine's Press, 2010), as well as Pieper's *Tradition as Challenge: Essays and Speeches*, trans. Dan Farrelly (Indiana: St. Augustine's Press, 2015).

[81] Pieper, *Leisure*, 25-29.

[82] Josef Pieper, *What Does "Academic" Mean?,* trans. Dan Farrelly (Indiana: St. Augustine's Press, 2015).

philosophers should aim to find out the truth of things without privileging certain groups, individuals or methodologies, et cetera. Pieper's writings, though largely preoccupied with the writings of Plato, Aristotle, St. Thomas and St. Augustine, display an unwavering commitment to each of these five theses. Included within these commitments are also a commitment to including Eastern philosophical traditions within his work,[83] interrogating the narrowness of "Western" philosophical practices[84] and a pedagogically-driven desire to make philosophical practice accessible.[85] With his philosophical background briefly documented, Pieper's criticism of Heidegger's concept of truth arises early in his career, close to the year 1946.

In his "Heidegger's Concept of Truth" (Heideggers Wahrheitsbegriff), Pieper begins by correcting Heidegger's historical exegesis of the medieval concept of truth, understood in dual character as *adequatio intellectus ad rem* and *adequatio rei ad intellectum* (propositional and material truth).[86] Pieper argues that Heidegger makes two "common misrepresentations and misunderstandings," "from which Heidegger's *own* conception of truth derives as well."[87] For Pieper, Heidegger's claim that the "medieval" – problematically not specifying in "On the Essence of Truth" *who* he was talking about[88] – understanding of truth involves a reduction from *propositional* truth to *material* truth is mistaken:

> *Never* did the medieval theory of being attempt to reduce in this way the logical truth of the statement to the ontological truth of the *intellectus humanus*; *never* during the Middle Ages was

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[83] Pieper, *Living the Truth*, 44.

[84] Josef Pieper, *The Silence of St. Thomas*, trans. John Murray, S.J., and Daniel O'Connor (Indiana: St. Augustine's Press, 1957), 75-90. Although it should be noted that Pieper differentiates the "West" from the "*Christian* West." Pieper's criticism is not towards the Christian West's claim to "theologically grounded existence in the world" (Pieper, *Tradition*, 27), but instead towards various Western philosophers and their philosophical practices. See the transcripted radio talk "What is Meant by the 'Christian West?"' in *Tradition*, 20-28.

[85] Josef Pieper, *Not Yet the Twilight: An Autobiography 1945-1964.* (Indiana: St. Augustine's Press, 2017), 10.

[86] Josef Pieper, "Heidegger's Concept of Truth," in *For the Love of Wisdom: Essays on the Nature of Philosophy*, ed. Roger Wasserman (San Francisco: Ignatius Press, 2004), 186.

[87] Ibid., 187. A reviewer of *Archiv fur Geschichte der Philosophie* has raised the following question: does Pieper's rejection of Heidegger's understanding of Medieval truth imply or logically entail that Heidegger's thesis is mistaken? As Pieper himself says, if Heidegger's theory of truth results from – "results from" in both the sense that it is *motivated* by its rejection and *founded* on its presumption as false – then it follows that Heidegger's thesis is at best presumptuously dismissive of the Medieval concept of truth – even if not outright false. This reading of Pieper is consistent with Pieper's acceptance of Heidegger's thesis.

[88] However, as I supply for the reader above, I source the thesis in St. Thomas' *Summa*.

> propositional truth justified with reference to man's faculty of knowing, where being in conformity with its idea would have consisted in just this–realizing true knowledge.[89]

Pieper instead corrects Heidegger by pointing out that the truth of a proposition, in the Middle Ages, was grounded in "recourse to the *ipsa res*, whose intelligibility, however, rested on its having been known previously by God the Creator."[90] Put succinctly, it was God's recognition which produced intelligibility for man, resulting in material truth (from which logical truth was reduced).[91] As Pieper puts it, "propositional truth holds in logic because the object of knowledge, Being itself, is ontologically true."[92] Pieper's second objection to Heidegger on his understanding of the medieval concept of truth challenges Heidegger's understanding of the *adequatio*. Pieper's two objections are as follows. First, Heidegger overlooks the historical point that the equation of Being-true and Being-unconvering is a *medieval* thesis. Pieper cites St. Augustine's "*veritas est qua ostenditur* [show, expose to view, exhibit, display] *id quod est*" as well as Hilary of Poitier's "*verum est manifestativum* [plainly apprehensive, clear, apparent, evident] *esse*" as evidence.[93] Second, Heidegger's contention that truth as disclosure and truth as *adequatio* are contradictory or unrelated overlooks how the medieval understanding of truth united them:

> ...the knowing mind "un-covers" something real, it receives its measure from just this real thing; insofar as reason comes to know being, it is inwardly molded by the latter so that knowledge is a matter, not simply of accommodation, but of outright identity.[94]

In this sense, the medieval concept of truth united truth as disclosure with truth as *adequatio*. However, Pieper notes that St. Thomas' understanding of *convenientia*, the ability of the soul to come together with the whole of reality, is not far from Heidegger's invocation of Dasein's *disclosedness*.[95]

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[89] Pieper, "Heidegger's Concept of Truth," 187.

[90] Ibid., 187-188.

[91] Ibid., 188.

[92] Ibid.

[93] Ibid., my italics.

[94] Ibid., 189.

[95] Ibid., 191. Further, an anonymous suggestion has been made that St. Thomas' definition of truth (cited above) can substitute "correspondence" (correspondentia) and "harmony/conformity" (convenientia) for "agreement" (adequatio).

Pieper then highlights how "affirmation" is missing in Heidegger's notion of "letting-be":

> The relation of Being postulated by Heidegger has nothing of the straightforwardness of that receptive way of looking at things, nothing of the easy unaffectedness and accepting simplicity associated with immersion of Being – something that can flourish only on the basis of an affirmation of Being as a whole.[96]

Pieper says elsewhere that the highest form of affirmation resides in an affirmation of the world and God.[97] On my reading of Pieper, it is the existence of God which gives *ground* for affirmation inasmuch as reality is fundamentally good inasmuch as it is *creatura*,[98] and that Heidegger's omission of affirmation of God is therefore ontologically suspicious.

Pieper then points out that Heidegger's understanding of the essence of truth as freedom is reminiscent of Duns Scotus' concept of truth on which truth is dependent on the will (voluntas est superior intellectu).[99] Pieper contrasts this with St. Thomas who held that freedom is grounded in knowing.[100] Indeed, in his "The Question Concerning Technology," Heidegger himself says "the essence of freedom is *originally* [Heidegger's emphasis] not connected with the will or even with the causality of human willing."[101] Pieper concludes that such a *voluntas*-based understanding of freedom is not dissimilar to the *modi volendi* characteristic of Descartes's understanding of logical affirmation and negation.[102] While this is not necessarily an objection to Heidegger, it points out that Heidegger's analysis is closer to the early modern philosophical project he had been trying to re-shape. It is for Pieper mysterious that Heidegger answers the origin of Dasein's primal orientation towards being by pointing out that Dasein is oriented towards Being from its inner nature as Being-oriented.[103] Pieper points out that, contrary to Heidegger, the major representatives of the medieval and Greek philosophical tradition, Plato and St. Thomas, provided answers which were at least *accounts*.

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[96] Ibid., 192.

[97] Pieper, *Leisure,* 56.

[98] Ibid., 123-124.

[99] Pieper, "Heidegger's Concept of Truth," 194.

[100] Ibid.

[101] Martin Heidegger, "The Question Concerning Technology," in *Basic Writings*, ed. David Farrell Krell (New York: Harper Perennial, 1993), 330.

[102] Pieper, "Heidegger's Concept of Truth," 194.

[103] Ibid., 195.

In the case of the former, the Idea of the Good,[104] for the latter the *intellectus divinus*.[105] Pieper argues that Heidegger's understanding of the primal orientation to Being cannot be done, for Heidegger's answer that Dasein's directedness to being is resultant from freedom amounts to Heidegger's next statement: that this is from *Dasein's freedom*. Dasein's directedness towards being – and hence the question "why is there something rather than nothing" – is theological,[106] if it is to be intelligible at all.[107] This aside, for Pieper there is a dimension of Heidegger's analyses that are not to be left overlooked, namely, its theological impulse (Impetus):

> Precisely herein lies, it seems to me, the exciting, affecting, and explosive character of Heidegger's philosophizing, that is, in the fact that, motivated by what is at bottom a theological impulse, questions that in themselves would require a theological answer are posed with a provocative radicalism and that, at the same time, such a response is just as radically rejected, without the theological answer finding its replacement in a confession of ignorance and in what Goethe calls that calm reverence before the unfathomable.[108]

He concludes that "in Heidegger's work [...] the question of truth – the question of its *essence* – has been left unanswered."[109]

IV.

Having exegeted Heidegger's "On the Essence of Truth" and Pieper's "Heideggers Concept of Truth," this paper concludes with the constructive

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[104] Plato, *Phaedo*, 65d-e.

[105] Ibid., 196; Thomas Aquinas, *De veritate* I, 2.

[106] This dilemma, that Heidegger's claim is either philosophical and unintelligible or theological and intelligible, alleviates the worry that Pieper's argument against Heidegger is not (formally) philosophical. Thank you to an anonymous reviewer for raising this objection.

[107] Beyond misconstruing the meaning of "faith," Pieper says the following of philosophy as "questioning:" "Am I myself not saying the same thing [as Heidegger]? Have I not already explicitly discussed philosophy's intrinsic structure of hope as well as the questioning reflection on reality as such, a questioning that can never be stilled by any final or exhaustive answer? Yes, I have. Any similarity, nonetheless, exists only in appearance. The difference, to put it bluntly and somewhat aggressively, lies in this: for me, "questioning" means to be aware of the elusiveness of any final answer yet nevertheless to pursue such an answer and remain open to it. For Heidegger, in contrast, "questioning" seems to mean the absolute exclusion and rejection of any possible answer (which answer, in fact, would infringe on the purity of questioning itself)." Pieper, *In Defense of Philosophy*, 114-115.

[108] Pieper, "Heidegger's Concept of Truth," 196.

[109] Ibid.

task of understanding the relationship between Pieper's critique of Heidegger's theory of truth, as well as his acceptance of his thesis elsewhere and, moreover, what this means philosophically and for Pieper's philosophical relationship to Heidegger. Consider an anecdote from Pieper's autobiography:

> For my colloquium lecture the faculty had chosen the topic "Heidegger's concept of truth." I had, of course, suggested it myself; but from the start it did not sit well with me, and I never thought of publishing this text. Not only was I not sure that I really understood what Heidegger meant ("The being [essence] of truth is freedom:" what kind of "definition" is that, in which the definition is less known and clear than what should be defined?); in truth, at that time my initial fascination gave way to a deep distrust, I simply could not trust the language of this author, and as a result I could not trust the author himself. "I just don't trust him" was later the answer I sometimes gave to American friends when they absolutely insisted on hearing my opinion about Heidegger.[110]

While one might have suspected Pieper to shortly thereafter dismiss Heidegger's convoluted work,[111] this is exactly what did not happen. In Pieper's *Abuse of Language, Abuse of Power*, he agrees with the thesis of Heidegger he had formerly criticized, writing that

> [...] *man himself* is all the more free, the more he engages in the pursuit of theoretical knowledge, aimed at the truth and nothing else [...]. Martin Heidegger, too, speaks within the context of this tradition when he sees the very essence of truth anchored in freedom.[112]

What are we to make of these statements? Pieper displays both a deep *distrust* of Heidegger as well as an *agreement* with his thesis he had formerly criticized. This paper briefly concludes with an interpretation of this dilemma, and appeals to Pieper's concept of philosophy for its inspiration and defense. For Pieper, there is nothing to be left out, nothing ignored in the philosophical

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[110] Josef Pieper, *Not Yet the Twilight*, 10.

[111] Consider Pieper's thesis that convoluted jargon in philosophy, which concealed ideas rather than expressed them, was akin to (academic) sophistry. See Josef Pieper, *Abuse of Language, Abuse of Power,* trans. Lothar Krauth (San Francisco: Ignatius Press, 1992).

[112] Ibid., 48.

act.[113] Pieper did not consider philosophy to be an "academic discipline" at all (in the modern sense); instead, he argued that philosophy was an orientation towards reality.[114] This orientation towards reality is predicated upon the philosophical anthropological thesis that the human spirit (Geist*)* "*is* fundamentally nothing but the capacity for relating to the totality of what is real," that is, "it is capable of and oriented to coming in contact and remaining in contact with absolutely everything that is."[115] Pieper likened his account of philosophy to the Ancient Greek philosophical conception of "sight, beholding" (theoria). He writes that *theoria* is "a relationship to the world, an orientation toward reality characterized entirely by the desire that this same reality may reveal itself in true being."[116] Thus: "[...] the philosophical *theoria* is something distinct and special which is not simply the same as the scientific way of looking at things."[117] More specifically,

> [...] philosophical *theoria* can be "pure" in an incomparably higher way than *theoria* in the sciences. It is of the nature of the sciences that they view reality under a particular "aspect." But that means that they approach it with a formulated question... want[ing] to know something definite.[118]

As such,

> [...] it is in fact not meaningful to say: just as the chemist looks at things under the aspect of their atomic and molecular structure, so the philosopher, in exactly the same way, looks at things under the "aspect" of their being real. When a person considers things as something real, as a form of being, as *creatura*, he is not considering them "under a particular aspect." Philosophizing has so much to do with pure awareness that, in this being aware, questioning falls silent. The best and most essential attribute of philosophical *theoria* is the speechless wonder that looks down into the abyss which is the light of being [...] hardly distinguishable from contemplation [...]. A "purely theoretical" attitude must not

[113] It is a general philosophical point that two philosophers can arrive at the same conclusion from different premises, even if the conclusion is understood differently by each philosopher – what seems to have happened in the case of Pieper and Heidegger.

[114] See Josef Pieper, *What Does "Academic" Mean?*

[115] Ibid., 59.

[116] Josef Pieper, *In Defense of Philosophy*, 45.

[117] Pieper, *What Does "Academic" Mean?,* 40.

[118] Ibid.

> be confused with the "objectivity" of a disinterested recording of facts. On a lower level of act (of knowing) and object (of knowledge) some kind of grasp of reality may be achieved – perhaps.[119]

On this reading of Pieper, the "aspect" that concerns philosophical *theoria* (or philosophizing, philosophical act), whether it is a formulated question or not, is never independent of the totality of reality. Consequently, the specific difference (differentia specifica) of true philosophy is "openness for the whole."[120] Although Pieper often uses the term "attitude" in this context i.e., attitude towards the totality, he clarifies that this orientation towards reality is "not so much an attitude or virtue of the human mind," "but rather its very essence, its nature itself."[121] Consequently, it is integral to Pieper's conception of philosophy to interact with language which is suspect, unclear and obscure – even if such language does not possess the "seal of truth" characteristic of clear, natural language.[122] Pieper's claim is that "the closer a writer remains to the natural speech of the people and the simpler [their] language, the more it will be loaded with reality."[123] This is not to reject "extremely difficult statements which are comprehensible only to the few experts," but is a warning that "anyone who is prepared to be impressed by the fraudulent pomp of style and diction will, for this very reason, not have an eye for the insights that come with genuine simplicity."[124] While Pieper's engagement with Heidegger is one of systematic distrust in virtue of the latter's language, Pieper's metaphilosophical commitments about the nature of philosophy committed him to interact with Heidegger. However, as the end of Pieper's criticism of Heidegger showed, interaction with Heidegger is at bottom valuable, if only for the only reason that a theological impulse is lurking behind an allegedly "purely philosophical" analysis of human existence and Being itself.

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[119] Ibid., 41.

[120] Pieper, *In Defense of Philosophy*, 49.

[121] Ibid., 120.

[122] Josef Pieper, "On Plainness of Language in Philosophy," in *Tradition as Challenge: Essays and Speeches*, ed. Dan Farrelly (Indiana: St. Augustine's Press, 2015), 212.

[123] Ibid., 215.

[124] Ibid., 212-3. Pieper substantiates this argument by suggesting that the simple written word is closest to oral knowledge/listening (215-216); however, this argument is a subsidiary and peripheral argument to his main argument for simple language as the "seal of truth."

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Euthanasia: Promoter of Autonomy or Supporter of Biopower?

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Abstract

The medical developments and their subsequent influence on the duration of human life have brought in the limelight various moral questions. The pathological conditions do not constitute anymore the decisive causes of death, whereas an ascending number of people suffer more by being maintained in life. In this reality, the euthanasia debate seems more apropos than ever. The following article examines the aforementioned issue through the supportive argument of autonomy in contrast to a Foucauldian approach. In essence, based on the Kantian concept of autonomy, several scholars have advocated in favor of the legalization of euthanasia in order that our ability to define not only the course of our life and its duration, but also the way of our death is ensured. However, on the other side, a Foucauldian approach of the issue seems to be equally worth cited and taken into consideration. In accordance with that, the domination of Foucault's concept of biopower would deterministically imply that our choices are totally determined by a form of power that targets at the absolute control over our lives through medicine and legislation. In such a context, euthanasia could not constitute a promoter of autonomy. On the contrary, it would contribute to the absolute escalation of the governmental power that would be imposed on every inch of our lives being exclusively interested in its own prosperity!

Keywords: *euthanasia; autonomy; biopower; Foucault; life; heterodetermination*

The medical developments and the subsequent elongation of human life have brought to the limelight a wide range of bioethical issues concerning the significance of personal rights' respect and autonomy. Among them, one could easily detect the dominant position of the ones related to the beginning and the end of life![1] By focusing on the latter, one

[1] Onora O'Neill, *Autonomy and Trust in Bioethics* (Cambridge: Cambridge University Press, 2004), 2. See also Julian Savulescu, and Evangelos D. Protopapadakis, "'Ethical Minefields'

could pose the following questions: Do we have the right to control our death (~euthanasia) as we did with our life, and which are the theoretical foundations of this right? Are we able to do that in the context of the current paternalistic society and should this right, if any, be legalized? By addressing these questions, the article will stand by the legalization of euthanasia without disregarding the socially imposed threats and the need for safety valves' implementation approaching the discussion through the lens of the supportive argument of autonomy objected by a Foucauldian approach.

To further illustrate the topic of euthanasia one should cite the following. In the bosom of medical ethics, euthanasia is thought to be equal to the intentional execution of a person, a patient, by somebody else, a doctor, so as his alleviation is accomplished.[2] Despite the existence of different types of euthanasia, the following paper will focus exclusively on two subcategories of it. On the one hand, it will deal with the case of voluntary euthanasia, a situation where another human being suffers from an incurable illness and s/he requests strongly and insistently the conduct of euthanasia on him/her.[3] On the other hand, it will invoke the case of non-voluntary euthanasia, a situation where the will of the patient, which cannot be anymore expressed, is presumed by formerly expressed statements or by the general viewpoint of his/her life.

Delving deeper into the discussion, in the domain of medical ethics, the ability of human beings to choose and act autonomously possesses an eminent position. As a result, an attitude characterized by respect and moral concern towards patients is of utmost importance.[4] It is also worth mentioning that, according to Kant, an autonomous way of thinking, acting and generally living, turns human beings into historical and moral agents with access to the positive interpretation of freedom.[5] In the bosom of these statements, the first part of this essay will examine the case of voluntary euthanasia through the lens of the supportive – for euthanasia – argument of autonomy, which, in brief, suggests that somebody's reasonable choices about his/her death should be respected by the medical society, provided that these decisions are not harmful to anybody else!

In particular, the invoked argument is grounded in the following premises.

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and the Voice of Common Sense: A Discussion with Julian Savulescu," *Conatus - Journal of Philosophy* 4, no. 1 (2019): 125-133.

[2] Lina Papadaki, *Issues of Moral Philosophy and Bioethics: Kantian Approaches* (Athens: Nisos, 2017), 39 [in Greek].

[3] Evangelos Protopapadakis, *From Dawn till Dusk: Bioethical Insights into the Beginning and the End of Life* (Berlin: Logos Verlag, 2019), 169ff.

[4] O'Neill, 6.

[5] On preserving the patient's autonomy with regard to end-of-life decisions see Protopapadakis, *From Dawn till Dusk*, 206ff.

The human being is the only fully autonomous being. Due to this fact, humans have not only the ability, but also the duty to decide. Otherwise, they are self-discredited and self-alienated. However, the ability to decide in an autonomous way constitutes additionally a right of human beings, that turns out to be absolute as regards topics related to a human person. As long as the issues related to the way of living, the duration of life and the way of death are the ones which concern humans' persons the most, it is apparent that every human being has the ability, duty and, dominantly, right to decide autonomously for his/her death, provided that the moment of his/her decision, his/her intellect is perspicuous and s/he is conscious of the implications of this decision.[6]

By adopting another trajectory equally coming under the argument of autonomy, one could suggest the following. Human beings, as every other being, constitute natural beings possessing exclusively a price. This price is enriched with dignity only when a human being acquires morality which is based on autonomy.[7] When a human being is deprived of his/her ability to decide autonomously, s/he also loses his/her ability to have a moral life in parallel with his/her natural one. Under such a condition s/he is degraded to an exclusively natural being. Based on these premises, one's request for euthanasia seems ethically justified highlighting our duty to respond accordingly to this.[8]

For the better understanding of the above, the following examples should be presented. Under particular circumstances a relatively certain forecast of the gradual loss of the human's ability to decide and act autonomously can take place. A typical case of this is one of a patient who suffers from Alzheimer's disease in the earliest stage. This disease is characterized by rapid progress which finally leads human beings to be deprived of their reasoning skills and subsequently their autonomy. Apart from the aforementioned, another distinctive example is this of a patient who suffers from an acute pain which gradually becomes more and more intense and enables the patient to know in advance with almost absolute certainty that the pain will finally become so intense that it will deaden every atom of human's reasonable thinking. Therefore, provided that the continuation of life leads to the deprivation of reasoning and simultaneously of autonomy, it is evident that the early end of one's life appears to be "acceptable," according to Kant, or even "a moral obligation" in accordance with Cooley.[9]

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[6] Evangelos D. Protopapadakis, "The 'Right to Die' Revisited," in *Proceedings from the Second International Interdisciplinary Conference "Bioethics – The Sign of a New Era,"* ed. Dejan Donev, 53-65 (Skopje: Center for Integrative Bioethics, 2020), 62.

[7] Robin S. Dillon, "Respect," *The Stanford Encyclopedia of Philosophy* (Summer 2021 Edition), ed. Edward N. Zalta, https://plato.stanford.edu/archives/sum2021/entries/respect/.

[8] See Protopapadakis, "The 'Right to Die' Revisited," especially 60ff.

[9] Papadaki, 48-49; Protopapadakis, "The 'Right to Die' Revisited," 60-65; Dennis R. Cooley,

As a consequence of the above, the conduct of euthanasia should be legalized as the synonym of our positive reaction towards this group of people's desire to control their death as they did with their lives.[10] Nevertheless, the most common objection to this argument suggests that it is not easily believed that this action is rational, since it constitutes the denial of the highest good of life.[11] In this context of inflexibility and rejection, it is usually advocated that death cannot be an autonomous choice but imposed by the patient's terrible condition. However, according to the argument of autonomy's supporters, despite the limited range of choices, the patients' decision is thought to be autonomous because it results from their fear of the absolute loss of autonomy and not from their painful condition.[12]

Yet, although not the most commonly raised, the following Foucauldian approach of the topic seems to be the one that underlines aspects that seriously threaten the validity of the above statements suggesting a slippery slope's real threat. In essence and as a consequence of the above, someone could easily assume that the general promotion of autonomy should have increased the confidence towards the methods of medicine. More rights and more autonomy lead rationally not only to increased control on one's way of living but also to the augmentation of the humans'/patients' possibilities to resist others' requisitions and institutional pressure. However, the bioethical discussions are characterized by a repeated and deeply rooted concern that specialists and social functionaries, governments and businessmen are as a whole unreliable.[13] The accumulated knowledge in combination with the pre-existing power provide them with the ability to approve a certain way of action/thinking or disapprove the alternative ones formulating our dominant understanding of the world and in connection with the current discussion of death and subsequently euthanasia.[14] Consequently, the supportive argument of euthanasia will be objected by the Foucauldian positions stated under the idea of a power's genealogy that seem to illustrate the dystopian reality of mistrust.[15]

"A Kantian Moral Duty for the Soon-to-be Demented to Commit Suicide," *American Journal of Bioethics* 7, no 6 (2007): 37-44.

[10] Protopapadakis, "The 'Right to Die' Revisited," 61.

[11] See Andrew Pavelich, "Is it Possible to be Better Off Dead? An Epicurean Analysis of Physician-Assisted Suicide," *Conatus – Journal of Philosophy* 5, no. 2 (2020): 115-132.

[12] Ibid., 60-65.

[13] O'Neill, 3.

[14] Esther Cuerda, "Medicine and State Violence," *Conatus – Journal of Philosophy* 4, no. 2 (2019): 246.

[15] Anne Ryan, Mandy Morgan, and Antonia Lyons, "The Problem with Death: Towards a Genealogy of Euthanasia," in *Refereed Proceedings of Doing Psychology: Manawatu Doctoral*

This genealogy of power goes back to the absolute right of the western society's sovereign on his subjects' life and death that flourished during the feudal system of administration as a successor of the roman "patria potestas."[16] Nevertheless, during the classic ages (17th century), a total modification of the above practices takes place. The power does not constitute anymore a right of death but is a synonym of the absolute management of life, as a new technology of power is created.[17] The new form of power, which Foucault calls "biopower," comprises a limited version of the previous one but it is simultaneously determined by new functions of exhortation, encouragement, control, surveillance, augmentation and management of the powers that it has already subordinated. The predominant objectives of this innovative form of power constitute the production, increase and manipulation of powers,[18] and not the obstruction or even the destruction of them, as it was happening in the past. As "biopower" comes to the spotlight of the new era and its dominant purpose turns out to be the diligent and calculating administration of life,[19] unprecedented requirements arise and the governance of life in the most efficient way is positioned in the focal point of interest.[20]

Life constitutes the centerpiece of the new form of power and a number of continuous, adjusting and corrective technologies are created in order to manage it. In this context, the request is not the imposition of death, but the allocation of human beings in a field of functionality and value. Such a power ought to characterize, evaluate, put in a hierarchy and not to express its murderous mania against human beings.[21] As a result, new methods are brought to the limelight as they assure the increase of power, skills and – generally speaking – of life, without the reduction of the parallel subordination of people. However, the aspirations of the new power do not stop there. On the contrary, its highest request seems to be the absolute promotion of life. All the aforementioned methods of rationalization and strict financial policy of the society establish a system of surveillance, hierarchies, supervisions,

Research Symposium 2011, eds. Robbie Busch, and Ann Rogerson (Palmerston North: Massey University, 2011), 43.

[16] Michel Foucault, *The History of Sexuality Volume I: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), 135.

[17] Anne Hall Lindsay, "Death, Power, and the Body: A Bio-political Analysis of Death and Dying" (MA diss., Virginia Polytechnic Institute and State University, 2007), 11-12; Foucault, *The History of Sexuality Volume I: An Introduction*, 136.

[18] Guerda, 246-247.

[19] Foucault, *The History of Sexuality Volume I: An Introduction*, 140.

[20] Ibid.,136-137.

[21] Ibid., 144.

recordings, and relations or otherwise a "disciplinary technology of labor."[22]

For the accomplishment of these power's objectives, an intimate relationship between power and knowledge is crucial. According to Foucault, the technologies of power create different forms of knowledge through the collection of information regarding the existence and the actions of human beings. This gathered knowledge provides the appropriate ground for the more forceful enforcement of power summarized in the extensive control and complete subjugation of that object/being. This successive procedure can be endless. In this context, it is thought that the truth, considered as such, is produced by several fixed relations of power. The produced notions from these relations are considered to be true and formal, and due to this, they constitute instruments of normativism.[23] The human-centered sciences, like medicine, appear to create a regime of power that controls, describes, supervises and records human behavior in the light of regularity. Consequently, it determines the modern socially accepted beliefs related to a wide range of issues including euthanasia.[24]

In this reality, death is unprecedentedly brought to the spotlight liable to a new model characterized by medicine's and law's dominance. Death is not the limit of life. On the contrary, it is believed to give light to life,[25] as far as it is framed by technologies of power whose aim is the administration of life. Nevertheless, death constitutes the limit of biopower, the moment during which human escapes from power's control living the most secret and personal "experience" of his/her life![26] Thus, biopower tries to avoid death by being indifferent towards the absolute fear caused by the idea of a continuous existence in a coma, supported by machines, controlled by strangers.[27] As a result of this conception, doctors ought to be devoted to the confrontation

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[22] Ibid., 141; Michel Foucault, *Society Must Be Defended*, trans. David Macey (New York: Picador, 2003), 242.

[23] Anne Beryl Ryan, "Making Sense of Euthanasia: A Foucauldian Discourse Analysis of Death and Dying" (PhD diss., Massey University, 2014), 37; Ryan, Morgan, and Lyons, 46; Marina Bazu, "Biopolitics or the Legislation of Life: A Foucauldian Analysis" (MA diss., Louisiana State University and Agricultural and Mechanical College, 2006), 25-26. Also, George Boutlas, "Bioethics as the 'Third Culture': Integrating Science and Humanities, Preventing 'Normative Violence,'" *Conatus – Journal of Philosophy* 3, no. 1 (2018): 18.

[24] Lindsay, 17; Guedra, 247-250.

[25] Donovan van der Haak, "Death Anxiety, Immortality Projects and Happiness: A Utilitarian Argument Against the Legalization of Euthanasia," *Conatus – Journal of Philosophy* 6, no. 1 (2021): 162-166.

[26] Ibid., 19; Todd F. McDorman, "Controlling Death: Bio-Power and the Right-to-Die Controversy," in *Communication and Critical/Cultural Studies* 2, no. 3 (2005): 260; Foucault, *The History of Sexuality Volume I: An Introduction*, 134; Foucault, *Society Must Be Defended*, 247-248.

[27] Lindsay, 28.

of this uncontrolled enemy. This reality has turned the quick event of death into a long-lasting procedure.[28] The choice of death is not regarded anymore as a respectable solution, whereas death has ended up being an artificial event limited in hospitals by constituting a social taboo.[29]

All the aforementioned can be evidenced through a brief reference to the typical case of euthanasia of Terri Schiavo. Consistent with the principles of biopower, the game of power, in this case, does not threaten to end Terri's life. On the contrary, it tries to conserve it under a condition of continuous surveillance through the use of normative means. More specifically, the specific woman was conserved in life in a coma through the use of medical technology for 15 years, although she was thought to be cerebrally dead.[30] In accordance with the reports of her doctors, somebody could easily realize that in the legal and state institutions which were financially damaged in order to support Terri's life's preservation are reflected Foucault's words:

> Death is the limit of power, is the moment that he escapes from it. Death turns out to be the most secret, private aspect of human existence and as a result, we try – the power tries – to prevent it no matter the cost or the means.[31]

However, under biopower, even the legalization of the right to death might not be able to offer either the freedom of choice or the control on our death, as the advocates of the argument of autonomy believe, since our medical choices have automatically placed us under our doctor's control. Therefore, the legalization of euthanasia could constitute an escalation and extension of the medicalization and the normativism aiming to the manipulation of humans' behavior for the reassurance of power's prosperity and economic profit.[32] In other words, despite the fact that the legalization of euthanasia, at first, seemed to promote freedom and independence, it finally ended up being devoted to a genealogic interpretation, which proves that our choices as regards our life and death are under society's and medicine's control and determined by the decline of dependent life and the general displeasure related to the disproportional investment of sources on aged people and patients of final stage.[33]

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[28] McDorman, 265.

[29] Ryan, 62-63.

[30] McDorman, 264.

[31] Lindsay, 19; McDorman, 260; Bazu, 134.

[32] Ryan, Morgan, and Lyons, 46-47; Anna E. Kubiak, "Assisted Dying in the Context of Biopower," *Anthropological Notebooks* 21, no.1 (2015): 29; also Guerda, 246-250.

[33] Carlos G. Prado, "Foucauldian Ethics and Elective Death," *Journal of Medical Humanities* 24,

This particular threat is apparent and unlimited. In this case, where the power is interested in its own prosperity and euthanasia constitutes an economic and not a moral solution, maybe even the first step towards its legalization should not take place. Such a choice in the world that Foucault described appears to be really corruptible if not absolutely subject to heterodetermination. This fact increases our probabilities to slip in a slippery slope without end. Maybe it would be better for our society to be deprived of the possibility of the emancipation of an unbearable life, to conserve the life which is worth to be lived!

Nevertheless, the extreme skepticism, although it is believed to be more refined than the extreme docility, cannot be supported with certainty! The extreme mistrust is not more rational than extreme confidence.[34] As a result, providing that there are several people who desire to choose the solution of euthanasia, we ought to implement safety valves which will allow the legalization of euthanasia under specific conditions.[35] To further illustrate this suggestion, one could advocate in favor of the implementation of advance directives, or, otherwise, the consideration of statements written in advance concerning how one wishes to be treated in the event of a serious mental degradation without being under the medical system's or his/her condition's pressure.[36]

Yet, probably a compromising solution between the need for euthanasia's legalization and the consideration of social threats could be achieved through the adoption of a relational account of autonomy that will recognize the social impact on one's choices without overlooking one's personal latent reasonable thinking. By clarifying this, a relational account of autonomy seems exclusively able to flourish in this context as autonomy has turned out to be socially constructed unable to exist independently of one's social conception of self and social relations of oppression and injustice.[37] Living in such an interrelated world, decisional autonomy seems to lack applicability preventing the grounding of any argumentation in that. On the contrary, a relational approach seems to recognize the impact of the social on one's choices detecting simultaneously his informed consent to these allowing

no. 3 (2003): 208-209; Guerda, 246-250.

[34] O'Neill, 141.

[35] Evangelos D. Protopapadakis, "Why Letting Die Instead of Killing? Choosing Active Euthanasia on Moral Grounds," in *Proceedings of the 23rd World Congress of Philosophy*, Volume 3, ed. K. Boudouris, 85-90 (Charlottesville, VA: Philosophy Documentation Center, 2018), 88.

[36] Corinna Porteri, "Advance Directives as a Tool to Respect Patients' Values and Preferences: Discussion on the Case of Alzheimer's Disease," *BMC Medical Ethics* 19, no. 1 (2018): 1-8.

[37] Catriona Mackenzie, "Autonomy," in *Routledge Companion to Bioethics*, eds. John D. Arras, Elizabeth Fenton, and Rebecca Kukla (New York: Routledge, 2014), 285-288.

us to stand by the legalization of euthanasia as a promoter of autonomy keeping, however, always in mind the threats of biopower.

Concluding, the Foucauldian objection, although reasonable, seems extremely dystopian and, subsequently, unable to destabilize the validity of the supportive argument of autonomy improved by the adoption of a relational approach of its central principle. Social requisitions constitute the current reality affecting all our choices, but we should be able to stand by our own ones, like the choice of our lives' ultimate end, or to put it in another way,

> If you believe that it is valuable to be the writer of your life, in the degree that this is possible, and if you have only a story to tell, don't be in a hurry in order to complete it. Sometimes, nevertheless, in order to give it the meaning you desire, you have to end it before it is led to losing its sense. [38]

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[38] Thomas E. Hill, *Autonomy and Self-Respect* (New York: Cambridge University Press, 1991), 101.

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An Igbo Understanding of the Human Being: A Philosophical Approach

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Abstract

The conception of the human being remains a philosophical controversial discourse among scholars to include Igbo extraction. The discourse has taken many dimensions describable as social, ontological, theologico-anthropological and even normative. Questions now follow: is the human being entirely a spiritual or physical being, or socio-political being, or even anhropological being? What differentiates his existence from the existence of other realities – be it physical or spiritual? It is in addressing these questions that this paper presents a socio-ontological conception of the human being held by Umuoka People which holds that the human being is Maadjvuru which interprets 'Sustained-Survived/Surviving-Spirit.' Doing this, the paper shall employ hermeneutical and phenomenological approaches to critically evaluate and undertake the discourse. The paper is expected to present more insights into the discourse by showing that the human being is a manifestation of the spirit, a concretized-spirit with complex physical and spiritual components whose existential experiences underpin his complex nature.

Keywords: *Maadjvuru; Mmadu; Umuoka; Igbo; Africa; man; spirit*

I. Introduction

There are series of theses from both Igbo and, generally, African and non-African scholars as to what man (human being) implies and signifies to the Igbo. These theses turn to discourse through various perspectives to include, social, theological, socio-ontological, theologico-anthropological, normative and even ancestral approaches. However, the influences that stem from the specific background, the social status, the cultural dispositions, the existential experiences and religion can explain the non-inclusiveness of many of the theses. Be that

as it may, a critical cross-examination of these hypotheses will show their non-inclusiveness.

It is thus against this backdrop that this research, which argues that the socio-ontological conception of man held by the Umuoka People, the, in the present day, Ojebe Ogene Clan in Udi Local Government Area of Enugu State, Nigeria, stands an all-inclusive thesis. For them, the human being is Maadjvuru, which translates into 'Sustained-Survived-Spirit' or 'SustainedSurviving-Spirit.' This conception of the human being explains why he/she displays his/her nature as consisting of both virtue and vice.

Following the nature under which this discourse would be taken up, the research will apply analytical and linguistic hermeneutical tools, expository and phenomenological approaches underpinned in an ontological perspective, in order to critically evaluate and undertake the course. Ultimately, the research outcome will prove that the human being is only but a fragment of the Supreme Sustaining-Spirit, in whose sustenability man ontologically draws his own. It will also show that man is a complex being whose existential composites are large in number, and this is what might explain his mystery.

Finally, the research outcome will be divided into several segments to include: first, with regard to a literature review, to critically scrutinize hypotheses about what the human being could mean and imply, and by extension, what personality attributes could be ascribed, as a result, to the African. Second, an analysis and exposition of the term *mmadu* as the most appropriate term to describe what the human being could ever mean and imply and how it plays out in the existential tendencies of man. Third, how the Umuokan conception of the human being, regarding the meaning and implication of *mmadu*, describes the human being as an all-encompassing being whose existential quiddities underline its existential disposition, and as an ontologically 'sustained-survived' or 'surviving-spirit.' Fourth, an inclusive, phenomenological and linguistic hermeneutical elaboration of all the components of the human being in social and ontological undertones. Finally, a precise and succint summary is provided of all that has been said in the research paper as a conclusion.

II. The African (Igbo) conception of man

Man as a human being has been considered one of the most difficult ideas to conceptualize, analyze and even control, perhaps because of his complex nature and vigorous qualities, even though the Bible portrays him as the most precious and sacred being, not only because he possesses life, but also because he is made in the image and likeness of God. The Igbo term for human being is *mmadu*, and this term has been variously interpreted; whereas some interpretations convey alignments with the Biblical view, others maintain

that the term expresses only the actuality of existence, whilst others provide different explanations. However, the understanding of man among realities cannot be anything but imperative for man, who, although the weakest, is at the centre of the ontological experiences. Every being is considered as both important and influential at its different categorization of existence, but, at the same time, all aspects are in endless interaction of reciprocal nature, either in a positive or a negative sense.

Drawing from this consciouc ness, the Igbo would always religiously conceive of realities – be it in the visible or the invisible realm of existence. This is as a result of the all-encompassing conception of the Igbo worldview that is characterized by religion, ontological-man-centeredness, value and continuous interaction of all beings that reside at different existential spheres. Unlike the West, the Igbo views the universe in such a religious manner, that even evil is punishable by Nature itself.[1] Apparently, the African person is portrayed as the man who is so drawn to nature and who uses religion to reconcile himself with nature, having gained access to exploring it. Buttressing this point, in relation to the attitude of 'being-with' (African communitarian personality), Okolo insists that "'being-with' as characteristic of the African mode-of-being-in-the-world means also openness to nature in positive and sacred relationship."[2] For the African person,

> nature is sacred and mystifying. The African seeks harmony with it by sharing in its life, its spiritual and material blessings... the task of man is however to exploit nature and to the full, too.[3]

Thus, in this manner, any "damage to nature is a breach of Cosmic harmony and order which attracts penalties from the gods and when venerated, good fortune and blessings, material and spiritual, abound."[4] This aligns with Onunwa's position that "the primacy of man in relation to the rest of the world is due to his central position in the universe."[5] Suffice it to say, then, that "humans are not seen as rulers of creation, but rather, as a central element

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[1] George Ohabuenyi Abah, and Anayochukwu Kingsley Ugwu, "A Discourse on the Meaning and Cultural Implications of Ala to the Igbo," *International Journal of Humanitatis Theoreticus* 5, no 1 (2021): 201-205.

[2] Chukwudum Barnabas Okolo, *What Is To Be African? Essay on African Identity* (Enugu: Cecta, 1993), 21-22.

[3] Ibid.

[4] Ibid.

[5] Udobata Onunwa, "Humanistic Basis for African Traditional Religious Theology and Ethics: A Challenge to the Church in Nigeria," *Filosofia Theoretica: An African Journal of Invention and Ideas* 1, no. 1 (2011): 44.

of the system on which human impose a centripetal orientation."[6] Man is, therefore, a being whose existence is defined as ontologically interreational. As a result, this worldview conception addresses the issue of why many Igbo scholars in the process of interpreting man hold metaphysical approach, whilst others social, normative, ancestral approaches based on lineage, etc.; hence, man is an embodiment of *Matter* and *Spirit*.

For Iroegbu, man is a conglomeration of *ahu* which he sees as the essence of *mmadu-ness* in the purely physical perspective, *Uche* (this term also means mind, intellect) which is responsible for man's ability "to reason, to dialogue reasonably, to do things in a way different from other beings with bodies, i.e., brutes,"[7] and *Mmuo* (Spirit), which he interprets in the Christian view as the 'Soul' and which he sees as "indestructible immortal element,"[8] eterminant of a person's personality, supra-empirical, and which survives death and travels back to "*Ala-mmuo*, the spirit-world, to sojourn with the ancestors. From there it will return... in reincarnation"[9] to this physical world. In line with Okolo's position, Iroegbu insists that for the African, the characteristic "starting point of the definition of personality is not the individual, atomic or autonomous self, but the social, communal and relational self,"[10] noting that man and community are inseparable. In his words,

> My identity is partly constituted by the community. What I am is partly what the community has made of me. I do not have the definition of my *self* pre-alably, a priori, or outside of community ties, obligations, care, love, rules, and custom and tradition (*Omenala*).[11]

Suffice it to say that for him, "to be a person (an African, Igbo person) is to be involved: creatively, albeit critically, yet constructively, with the community. Our definition of personality would, therefore, derive from the phrase: *Mu na ndi ozo*, I-with-others."[12] Conclusively, he re-affirms that man is, internally, a composite of body, mind and spirit (soul) and, externally, a socio-communal being whose external characterizing properties express his internal composite.

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[6] Ibid., 52.

[7] Pantaleon Iroegbu, *Metaphysics: The Kpim of Philosophy* (Owerri: International Universities Press, 1995), 352.

[8] Ibid., 353.

[9] Ibid., 353.

[10] Ibid., 79.

[11] Ibid., 355.

[12] Ibid., 358.

Making it succinct, Nkrumah stresses that the characteristic principles of humanism and communitarianism that identify man in the African conception "arises from the fact that man is regarded in Africa as primarily a spiritual being, a being endowed originally with certain, inward dignity, integrity and value. This idea of the original value of man imposes duties of a socialist kind upon us. Herein lies the theoretical basis of African communalism."[13] This infers that, for Nkrumah, man is understood as a dual entity containing both the physical and the spiritual existential aspects, but whose spiritual sphere is fundamental and primary. African existential identities – humanism and communitarianism – are ontological, hence the metaphysical approach to the African understanding of man. To understand man, thus, goes with a lot of duties and obligations towards dealing with man for he, essentially, is a spiritual being and there lies his dignity, integrity and sacredness as a being. In fact, for Ki-Zerbo, the emergence of 'civilization' with its principal tenets – 'individualism, and privatization' of the supposed-communal-properties signifies the emergence of evil – depersonalization and 'decommunalization' of the African person and community.[14] However, the reconciliation of the individual's freedom and volition with the African communitarian personality, and to avert the possible cheat of the weak on the strong, is still in question.

For the Akan people of Ghana, even though a disagreement is, to some extent, observed on the sphere of nature, but not the existence of *Okra*, there are fundamentally five outstanding components of human person according to Kwasi Wiredu,[15] namely: *Nipadua* (Body), *Okra* (Soul-approximate or life-giving entity), *Sunsum* (that which gives a person's personality – by interpretation, it could imply character – and, which for Gyekye, is Spirit), *Ntoro* (fatherly genes), *Mogya* (Motherly genes – which stands for the ghost that emerges after death). He emphatically describes the *Okra* as "the innermost self, the essence, of the individual person,"[16] "the individual's life, for which reason it is referred to as Okrateasefo, that is, the living soul,"[17] "the embodiment and transmitter of the individual's destiny [fate:

[13] Kwame Nkrumah, *Consciencism: Philosophy and Ideology for Decolonization* (London: Heinemann, 1964), 69.

[14] Joseph Ki-Zerbo, *African Personality and the New African Society: Pan-Africanism Reconsidered* (Berkeley: University of California Press, 1962), 267-282.

[15] Kwasi Wiredu, "The Concept of Mind with Particular Reference to the Language and Thought of the Akans," in *Contemporary Philosophy, vol. 5: African Philosophy*, ed. G. Floistad (Dordrecht: M. Nijhoff, 1987), 160-161.

[16] Ibid.

[17] Ibid.

nkrabea],"[18] or the "spark of the Supreme Being [Onyame] in man."[19] Through measuring Wiredu's analysis in the Igbo thought, we can deduce that *Okra* is the 'Christian Soul' or the Igbo *Mmuo* or even *Chi* in the sense of *Akara-Aka* (Destiny). However, unfortunately, Wiredu would never agree that *Okra* would be translated into English as 'Soul' and perceived by the West as 'Soul,' as, for him, 'Soul' is

> a purely immaterial entity that somehow inhabits the body. The okra, by contrast, is quasi-physical. It is not, of course, supposed to be straightforwardly physical, as it is believed not to be fully subject to spatial constraints. Nor is it perceivable by the naked eye. Nevertheless, in some ways it seems to be credited with para-physical properties.[20]

Going further to defend why he terms *Okra*, which stands for 'soul-approximate,' differs from Gyekye's view, Wiredu insists that identifying *Okra* as 'Soul' is "quite definitely wrong,"[21] and, therefore, holds that as the life-giving entity the presence of *Okra* "in the body means life, and whose absence means death, and which also receives the individual's destiny from God."[22] For him, soul is entirely spiritual while *Okra* is almost physical and possesses para-physical attributes. Man is, thus, seen as a complicated being, an existent that has both natural and supernatural compositions. Regarding the issue of hereafter, Wiredu maintains the notion that Akan, just like many African peoples, conceive the 'afterlife' or 'here-after' itself in a quasi-material manner.[23]

However, for Gyekye, the Akan conceives man in terms of four metaphysical elements, namely, the Soul (*Okra*), which is the life-force and it influences breathing (the immaterial), the Body (*Honhom* or *Nipadua*), the Spirit (*Sunsum*) and, then, Thought (*Adwen*) which is the activity of the *Sunsum*.

By laying more of an emphasis on *Okra*, Gyekye insists that it is clearly explanated, through the descriptions of it "as divine and as having an ante-

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[18] Ibid.

[19] Ibid.

[20] Ibid., 161.

[21] Kwasi Wiredu, *Philosophy and an African Culture* (Cambridge: Cambridge University Press, 1980), 47.

[22] Wiredu, "The Concept of Mind," 162.

[23] Kwasi Wiredu, "Death and the Afterlife in African Culture," in *Person and Community: Ghanaian Philosophical Studies*, I, eds. Kwasi Wiredu, and Kwame Gyekye (Washington: The Council for Research in Values and Philosophy, 1992), 139-140.

mundane existence with the Supreme Being."[24] He insists that "the okra can be considered as the equivalent of the concept of the soul in other metaphysical systems. Hence, it is correct to translate okra into English as soul."[25] For him, therefore, the *Okra* is 'Soul-equivalent' and entirely immaterial, not quasi-material as Wiredu holds, because following what Wiredu indicates is seen as running

> counter to the belief of most Akan people in disembodied survival or life after death. For a crucial aspect of Akan metaphysics is the world of spirits [asamando], a world inhabited by the departed souls of ancestors.[26]

Apparently, Gyekye believes that with the *Okra* component, there is the possibility of survival after death through reincarnation. In other words,

> from the point of view of the Akan metaphysics of the person and of the world in general, this seems to imply that a human being is not just an assemblage of flesh and bone, that he or she is a complex being who cannot be explained by some laws of physics used to explain inanimate things and that our world cannot be reduced to physics.[27]

According to this, it becomes clear that the Akan's conception of a person is more metaphysical, rather than physical. This perception completely denies scientific approach with regard to the study of man, unlike what a number of European scholars, like Darwin, the Atomists, the Naturalists, psychologists, sociologists, etc., would propose. Man cannot be mechanically studied, for he is more than just materiality. However, the fact remains that the concept of *Okra*, as far as the composition of man is concerned, is indeed a critical and uneasy aspect to explain, as it sometimes is almost non-physical, it can conceptually survive death, being perceived as soul-approximate and as receptor of the individual's destiny, yet it seen as almost physical, possessing para-physical attributes. Once more, there is a great confusion caused by the possibility of it being comparatively likened to the Igbo concept of *Chi*, which both receives man's destiny and stands for the principle of individuation among men, but which is purely metaphysical!

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[24] Kwame Gyekye, *An Essay on African Philosophical Thought: The Akan Conceptual Scheme* (Philadelphia: Temple University Press, 1995), 85.

[25] Ibid., 85.

[26] Ibid., 86

[27] Kwame Gyekye, *An Essay on African Philosophical Thought: The Akan Conceptual Scheme* (Cambridge: Cambridge University Press, 1987), 160-161.

Okere, regarding the Igbo conception of man, states that man is a composition of *Mmuo* (spirit), *Onwe* (Self), *Obi* (heart), *Chi* and then *Ahu* (Body). Through this, it becomes clear that the human person is more of spiritual constitution, and the combination of these different elements make him superior to the mere physical constitution. By this, the Igbo conceives man as a bond of ontological being whose personality is communal inclinations, hence he posits that "the self is never alone... never a pure, isolated individual," rather "the self is a congenitally communitarian self."[28] That is to say that the self is discovered in a community of interrelatedness or among other 'selves;' and reitrating this, Okere asserts:

> Man is not just an individual, an island, left to himself and sufficient to himself, on his own. Man is essentially community. No one ever came to being as a bolt from the blues, like an oil bean seed falling from the sky, as our proverb says, 'I am always we.' We in the nuclear family, we in the extended family, we in the village and town, etc.[29]

Okere's position portrays the ontological nature of man, the state in which man is essential conceived as a legion of forces of beings. His existence becomes meaningful and his desires easily achievable in the community. Both as individuals and as groups, people need the protective cover that community-life offers, if their lives are to have any meaning or significance; and the community is essentially present in order to help the individual achieve human social goals and aspirations. The African, more than any other people, understands this.[30] A man as an 'I' does not exist, but men as a 'we' in a community does, and this highlights Opoku's position, that "a man is a man because of others, and life is when you are together, alone you are an animal."[31] In this regard, the vitality of Malcoln X's Letter from Mecca surfaces when it suggests that "when "I" is replaced by "we" even illness becomes wellness."[32] This, thus accenuates Okoye's position that man is essentially a constituent of the Soul and the Spirit (in the immaterial perspective), and the Body (in the material perspective).[33] The Igbo, therefore, sees the immaterial in a more fundamental manner, as a life-source and essential to

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[28] Theophilus Okere, "The Structure of the Self in Igbo Thought," in (ed.), *Identity and Change: Nigerian Philosophical Studies 1*, ed. Theophilus Okere (Washington: Paideia, 1995), 159-160.

[29] Theophilus Okere, *Philosophy, Culture and Society in Africa* (Nsukka: Afro-Orbis, 2005), 3.

[30] Christopher Agulanna, "Community and Human Well-Being in an African Culture," *Trames* 14, no. 3 (2010): 282-298.

[31] Kofi Asare Opoku, *West African Traditional Religion* (Accra: FEP, 1978), 92

[32] Malcolm X, *Letter from Mecca*, accessed June 8, 2022, http://malcolm-x.org/docs/let_mecca.htm.

[33] Chuka A. Okoye, "'Onwe': An Inquiry into the Igbo Concept of the Self," *OGIRISI: A New Journal of African Studies* 8 (2011): 51-65.

the material. However, the value of the self is, thus, dependent on its interrelation with other selves, where a communal relationship is formed, hence from *onwe m* to *onwe anyi* – from 'myself' to 'ourselves.'

For Omoregbe the essential constituents of man include the invisible elements: soul (the Creator's spark), spirit (which he finally fails to tell us what it really is), mind, which he holds (that is a faculty, the cognitive faculty, the power to think and to know), and the element of the visible element: body.[34] Substantially, he upholds that the mind and the body are "but only one substance which constitutes the human person."[35] By this, he also denies the problem of mind-body interaction between the invisible mind and the visible body, on the basis of them being the substantial element by which the human person is made; the mind-body problem is, hence, a pseudo problem. He, however, shows here the influence of Dualism and Double Aspect Theory. Be that as it may, what makes a person different from animals and other inferior beings, he opines, is that man possesses mind, not just the brain, with which he thinks, unlike other inferior to him animals, that possess only the brain, even though there is a close connection between the two.[36]

For Ozumba, man is randomly and essentially a composite of *ahu* (body), *mkpuru obi* (soul) and *mmuo* (spirit).[37] He argues that even though man is composed of both physical and metaphysical components and that his physical condition is dependent on the spiritual, it is the principle of individuation *Chi* always prevails in each individual's existential progress. However, he contends that lineage remains an essential identity marker of a man, hence the indispensability of paternal and maternal homes. That is, the African person, he contends, is a product of his paternal and maternal ancestral homes.[38] However, this brings to the fore the vitality of Wiredu's mother and father's genes in the composition of the human person in the Akan thinking. Still in the same vein, the Luo people of Kenya hold similar views, when they see man as a composite of

> *del* (body), *obuongo* (brain, but also intelligence when used in an active sense) and *juok* (a spiritual element in which reside several human capabilities, particularly what is rendered in English as "will").[39]

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[34] Joseph I. Omoregbe, *Philosophy of Mind: An Introduction to Philosophical Psychology* (Lagos: JOJA, 2006), 32.

[35] Ibid.

[36] Ibid.

[37] Godfrey O. Ozumba, "African Traditional Metaphysics," *Quodlibet* 6, no. 3 (2005): 2-20.

[38] Ibid.

[39] Dismas A. Masolo, "Western and African Communitarianism: A Comparison," in *A Companion to African Philosophy*, ed. Kwasi Wiredu (Malden, MA: Blackwell Publishing, 2004), 490.

Juok is an ancestral inheritance (spirit) which defines a person's ancestral lineage, and, thus, assumes an essential position in a person's personality and identification. Similar conception/belief hold the Dogon people of Mali. For them, the self is a constitution of the ancestral spiritual forces – *nommo*, *a nyama*, and *a kikinu say*, and these forces "give humans their general characteristics as members of the human species as well as members of specific clans and families, and finally as unique individuals."[40] Being more emphatic about *a kikinu say*, Masolo informs us that the people believe in it being

> the seat of a person's capacity to exercise will and use their intelligence. In union with another element, *nani*, it is the individuating principle which makes every individual unique from every other.[41]

However, in what seems as a follow up opposition, Oyowe and Yurkiuska posit that since the African personality is communally based, therefore, the concept of personhood cannot be gender-neutral, since those who make up the community form a relationship and are either patrilineal or matrilineal in character. Thus, the communitarian concept of a person may encourage one form of gender violence and discrimination.[42] Despite this, one may wonder what would become the fate of those who are born outside wedlock and who only have an immediate home together with the mother, but not a grand home.

Wahba presents us with a theory where a person is identified as a composition of body and soul and his body is physically self-evident, unlike the soul.[43] However, as a substance that gears towards eternity, it can be proved on three grounds: metaphysically, as its acts are exposed "through the mind and the will"[44]; psychologically, as "man has an inbuilt natural inclinations toward eternal survival"[45]; morally, as man's actions are at last, examined by a Supreme Being.

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[40] Marcel Griaule, *Conservations with Ogotemmmeli: An Introduction to Dogon Religious Ideas* (London: Oxford University Press, 1965).

[41] Masolo, "Western and African Communitarianism," 490.

[42] Oyowe, and Yurkiuska, "Can a Communitarian Concept of African Personhood be both Rational and Gender-Neutral?" *South African Journal of Philosophy* 33, no. 1. (2014), 85-99.

[43] M. Wahba, "Rationalism in the Contemporary Arab World," in *Contemporary Philosophy: A New Survey, vol. 5: African Philosophy*, ed. G. Floistad. (Dordrecht: M Nijhoff: 1987), 266-270.

[44] Ibid.

[45] Ibid.

Egbunu, verging on a metaphysical dimension, informs us that the term *One* is used to denote the notion of person in Igala. *One* can also variously mean any person who is now of age, free born, as well as a person who is now morally conscious. This implies that even if a person is biologically related (free born) but becomes disconnected from the community, perhaps through ostracism, exile, excommunication, etc., he does not share in the traditional etymological meaning and implication of this term. As a concept of person, the term strictly is used to depict only human beings and, in the Igala traditional understanding, it is innate to names of human beings. Through this nominal universal characteristic, human beings are portrayed as a community of beings who are in constant interrelationship with one another.[46] By implication, the African personality is identified with the African's communal spirit to love and relate with one's fellow member of the community. However, from one point of view, it is questionable the fact that slaves, morally-unconscious and not-yet-of-age, are not, in a sense, considered as persons in Igala.

Nze, throught the traditionally etymological route, informs us that the Igbo term for man (*mmadu*) is derived from the term 'mu-du' which means 'I exist.'[47] He insists that it connotes the whole sense of existence, and that this existence, for the African, is intrinsically communal-characterized. He contends that the African Communalism depicts the extended family system where the spirit of brotherhood prevails for all the members are in ontological relationship as fathers, mothers, uncles, aunts, nephews, cousins, nieces etc., and so, does it extend to the clan, village or even town levels.[48] Just like the principle of Stoicism, the emphasis is on universal brotherhood rooted in human feeling. Expatiating further, he explains that the African communalism is built on the principle of humanism and the deity-status and on the ontological purity of *Ala* (mother Earth) that supervises all the activities of men regarding one another. The African has great regard for *Ala* and fears possible punishment from it, in case of guilt. This regard and fear for *Ala* serve as ontological binding forces which go a long way in uniting the people as extended family members. The African person, thus, is identified with the attitude of 'brotherhood' towards his fellow, which is "a system of life that recognizes the humanity in every individual; a life that encourages a certain human attitude,"[49] an attitude which Okolo terms "an involvement-with" or

[46] Fidelis Eleojo Egbunu, "Personhood (One) in Igala Worldview: A Philosophical Appraisal," in *Cross-Cultural Communication* (Canada: Canadian Academy of Oriental and Occidental Culture, 2013), 30-38.

[47] C. B. Nze, *Patriotism: A Cultural Emanation* (Onitsha: Veritas Press, 1994).

[48] Ibid., 29.

[49] Ibid., 1.

a life of "sense of communion."[50] Unfortunately, today, the African-European contact has defiled this fear of these cultural phenomena, which serve as the ontological binding forces for the African communitarianism. [51]

Nwala states that *Mmadu* (a term he consistently writes as *Madu*) (Human Beings) "refers to both the living and those about to be born"[52] and is categorized under the visible realm of nature. However, it is irreconcilable to adhere to a conception of man that is both visible and invisible (living and yet unborn) and to, still, have him categorized entirely under the visible realm of reality. The unborn person is invisible and cannot be part of the physically living man, whom Nwala categorizes as a visible reality. Nevertheless, Nwala goes on to assert that "man is conceived as both spirit and non-spirit,"[53] implying *Mmuo* (a term which though he consistently writes as *Nmuo* – spirit) and *Ahu* (body – the non-spirit). In trying to analyze these two main components of man, especially the spirit-component, Nwala presents us with a contradictory and irreconcilable view of man. He posits that *Mmuo* "is the spirit of man and it incorporates attributes of spirituality, intelligence, feeling, emotion, and conscience" and finally, "is associated with *Nkpuru-obi* – soul which is located in the heart."[54] Some of the attributes given to *Mmuo* could also adequately be given to other components of man. For instance, 'intelligence' could be ascribed to *uche* (mind) and 'feeling/emotion' to *Mkpuru-Obi*, which, I insist, is heart. He also equates *Mkpuru-Obi* (a term he consistently writes as *Nkpuru-Obi*) to 'soul,' but would soon assert that "the interpretation of the Christian concept of soul as *Nkpuru-obi* is definitely wrong" hence "*Nkpuru-obi* in Igbo ontology is materialistic."[55] Why then equating it to Soul? Again, how does *Mkpuru-Obi* (heart), and to which extent, associate with the *Mmuo* (spirit)? Nevertheless, he is of the opinion that *Mkpuru-Obi* is located in the 'heart' which he argues is 'material' and which he later equates to the 'heart,' and, again, to the 'soul.' So confusing is the equation of 'soul' to *Mkpuru-obi*, which he also thinks of, as material (heart), in contradistinction to and criticism of the Christian metaphysical concept – the soul. And, to crown this contradiction, he states that *Mkpuru-Obi* (in the context of the Christian soul concept) is located in the heart. The epistemological question is the following: is the invisible precisely locatable, lest it being even in the heart? Nonetheless, he continues, and informs us that *Mkpuru-obi* has "a definite

[50] Okolo, "What is it to be African," 11, 19.

[51] Anayochukwu Kingsley Ugwu, et al, "A Critical Review of African Communitarianism," *Thought and Action Journal of Philosophy* 1, no. 1 (2022): 69-79.

[52] Timothy Uzodimma Nwala, *Igbo Philosophy* (New York: Triatlantic, 2010), 57.

[53] Ibid.

[54] Ibid.

[55] Ibid., 57-58.

material shape and location in the heart"[56] yet it is "the location of the life-giving force, *ndu*."[57] And my simple question is: what is, then, the difference, for Nwala, between the 'heart' and the concept of *Mkpuru-obi* in the Igbo ontological conceptual scheme? And, based on that, how can the *Mkpuru-obi* be located in the 'heart'? Deductible here is the point that, for him now, *Mkpuru-obi*, which he sees as material, has "a definite material shape and location in the heart"[58] and it is where the life-giving force *ndu* is located. *Ndu* (life, the facticity of visibly human existence) now has a material location in the heart which is still material in the Igbo ontological system. This is indeed a total oblivion and ontological catastrophic conceptual scheme posited on the Igbo metaphysics of man's nature and worldview entirely as it were. The same *Mkpuru-obi* "is equally the location of *Nmuo* i.e., the spirit;"[59] yet "Nmuo is that which reincarnates after death and thereafter sojourns in the spirit world."[60] At another point, he refers to *Mkpuru-obi* as heart – "the *Nkpuru-obi* of certain animals (i.e. their heart)."[61] Finally, he contends that "there is no difficulty in differentiating between *Nkpuru-obi* (the heart) and *nmuo* or *obi* (spirit),"[62] hence "the human heart is certainly the part of the body, which is the definite residence of the spirit or soul."[63]

Critically, as feasible as it is, according to Nwala, with regard to his position that there is no difficulty in differentiating among some metaphysical concepts and components of human beings, it has soon turned an aberration seeing him equating *Mmuo* and *Obi*, not *Nkpuru-obi* this time around. And the question is as simple as this: In Igbo language or even ontology, is *Mkpuru-obi* the same thing as *Obi*, and are they the same things as *Mmuo*? *Mkpuru-obi* literally means 'the fruit of the chest,' referring to the 'seed-like part' located at the thorax region (chest), however, more critical interrogation of the term will be done under the section dedicated to *Mkpuru-Obi*.The necessity, although, of this clarification is linked to the fact that even when Nwala would suggest that he means the ideal implication of *Obi* as 'conscience,' it still does not equate neither to *Mmuo* (spirit) nor to *Mkpuru-Obi* (heart). The conclusion deducible from Nwala's conceptual analysis of man is that man is entirely material, hence the two main components of man *mmuo* (spirit) and

[56] Ibid.

[57] Ibid.

[58] Ibid.

[59] Ibid.

[60] Ibid., 57-58.

[61] Ibid.

[62] Ibid., 58.

[63] Ibid.

ahu (body) are material following his position that the *mmuo* and even *ndu* (the life-giving force) are all finally to be located in the heart which is purely reduced to material just like *ahu*. In short, we can posit that he is not too careful in interpreting these metaphysical terms which centrally characterize the Igbo conception of man.

Edeh considers the proper term for Being as "'Ife-di'... because it covers all entities, both visible and invisible, as well as the note of existence which we commonly associate with being."[64] However, he further maintains that the understanding of *Ife-di* begins with the understanding of the 'subject' (man). Man in Igbo according to him means *Madu*, which is a short form of *mma-du*. The term *mma-du* is formed by the conjunction of two Igbo words, according to him: *Mma* (good) and *du* which, now, through an application of linguistic game, turns to *Di* which derives from the Igbo verb (Ngwa) *idi* (meaning, 'to be'), hence man (Madu) means 'good that is.' Having now seen that man is the 'good that is,' Edeh advises that we must restore this existential paradigm as 'good that is,' and so, we must treat man with everything good; to accenuate this, Edeh coins the term EPTAISM, in order to represent Edeh's Philosophy of Thought and Action where the ideal 'goodness' is concretized.[65] For that reason, identifying the African personality with the fact that man is communally and ontologically centered in the universe, Edeh suggests that man is essentially a 'participatory-being' and in his communitarian participation with regard to one another, the paradigm of the nature, substance and essence of his Creator, who is the *Summum Bonum* (the Supreme Good), ought to be the guiding principle, the centre of the ontological communal participation. In his words,

> the Igbo notion of "good that is" must be understood in the context of creation... divine creation. To say that man is the "good that is" is not to say that man is "good in se," for no one is "good in se" except God.[66]

Thus, the goodness, or a man's status as the 'good that is,' is achieved only by participating or sharing in the goodness of his Creator.

On a critical note, the implications of Edeh's work show that so long as man is primarily and essentially 'good that is,' then: (1) His nature, substance and essence is (good and not evil, that is), because, he is nothing but a *paradigm* of his Creator – the all-good-God, (2) he was made in the image and likeness

[64] Emmanuel Mathew P. Edeh, *Towards an Igbo Metaphysics* (Enugu: Our Saviour Press, 1999), 96.

[65] Ibid.

[66] Ibid., 100.

of God, his Creator, (3) he shares or partakes in the goodness and holiness and all-goodness nature of his Creator. But in a sharp follow up contradiction, Edeh later states that no man is good *in se* except God. He equally notes that "the problem of evil is as old as man"[67] and that "evil is a phenomenon common to all peoples of the world. It is present at all levels of beings."[68] So, if evil is as old as man, if some evil actions are acknowledged as quite natural,[69] and if it is a phenomenon in life and in the world, how can we then explain the understanding of *Mmadu* (Man) and, indeed, reality in general, as the 'good that is'? If some evil acknowledged natural, how can we explain and defend the idea that the nature, substance and essence of man's Creator is 'all-good'? Or, does this mean that God cannot explain the emergence of evil? Again, to designate generally the understanding of *reality* holistically with the term 'good that is,' following the fact that all existents (perhaps, without evil) comes from God, is very wrong. This is because the term 'good that is or exists' comes only from the etymological meaning of *mmadu* (man) as *mma di* (good that is/exists). So, *Osisi* (tree), *Mmiri* (waters), *Okwute* (stone) *Aja* (sand) are not literally, or rather, etymologically 'good that is/exists,' as their meaning differs from that of man – *Mmadu*. And if everything that exists should be designated with the term 'good that is or exists,' just because they are all created and by God, the Creator of man, then they should be designated with a name/term relative to creation, not from the etymological meaning and implication of man as *mmadu*. This goes to say that all existents should be defined and described with a name that would emerge from creation to pinpoint their realities, or even, take from their own etymologies. Furthermore, some Africans or Igbo may not agree with the creation theory, the Biblical accounts, and so, the terms and the logic behind that, which abide by it due to their virtue of creation, become all fallacious and foul.

Abanuka contends that in as much as the discourse on reality or Being is concerned, the Igbo proper term that pictures reality or Being is *Chi*, hence in his words: "In no other word in the Igbo language is this more apparent than in the word *chi*."[70] Elaborately making this claim, he posits that

> if metaphysics is the basic philosophical discipline, in so far as it describes the general charactersitics of reality as a whole, then... (i)n Igbo metaphysics, the idea of *chi* corresponds to the idea of being or reality.[71]

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[67] Ibid.

[68] Ibid., 103.

[69] Ibid., 102-103.

[70] Bartholomew Abanuka, *Further Critical Studies on the Igbo World* (Onitsha: Spiritan Publications, 2009), 55.

[71] Bartholomew Abanuka, *Two Enquiries in African Philosophy* (Onitsha: Spiritan Publications,

Giving reasons for the choice of the term, he says that first, *chi* stands for the 'principle of identity' and by this, it performs "a metaphysical, but more precisely ontological function."[72] Second, *chi* stands for the 'principle of uniqueness,' and by this it becomes "the ground of epistemology."[73] Third, "*chi* is a subsidiary principle in the sense of being a subbordinating or causal principle,"[74] hence it founds ethics. However, Abanuka, peradventurally taking influences from Edeh, posits that *Mmadu* ('human being' though whom he always refers to as man), is a product of two Igbo words – *mma* (beauty) and *du/di* (to be, is) meaning 'beauty that is.'[75] Buttressing this point, he asserts that the "Igbo philosophical anthropology does not view man as the measure of all things, but as the mediate origin of beauty in the world."[76] Further differentiating his point from any other one possibly to represent his, he notes that 'beauty' here inheres both 'aesthetic and ethical connotations.' Critically, just as his conception of human being shows influences from religion as a Roman Catholic Priest, all he could see and say about human being proceeds from the perspective of divine, never from the negative perspective which inherently characterizes human being. Abanuka in a place posits that man is "a composite of mind (spirit) and body"[77] or better still, "mind (whose content is spirit)."[78] It is very absurd to agree to such a position, following the implications that, first of all, 'mind' is equal to 'spirit,' second of all, 'spirit' is a content of the 'mind,' thereby making the 'spirit' inferior to the 'mind,' while, in the very opposite way, the 'mind' depends on the 'spirit' to function, and that is why even when man is insane, bad, or in an uncordinated state of mind, his brain and all physical functions still work and he still lives. If Abanuka's position is true, then any damage to the capacities referred to the 'mind' pressupposes damage to the 'spirit.' That is, however, wrong; even when the 'mind' 'malfunctions,' so to speak, the 'spirit' supports the person, for it is the last existential reality in man that its absence signifies non-living state (lifelessness) in that very being. Abanuka does provide an extra point on this discourse.[79]

2003, 2008), 11; Abanuka, *Further Critical Studies*, 55-74.

[72] Ibid., 57-58.

[73] Ibid.

[74] Ibid.

[75] Ibid.

[76] Ibid.

[77] Ibid., 70, 73.

[78] Ibid., 58.

[79] Bartholomew Abanuka, *History of African Philosophy* (Enugu: SNAAP Press, 2013), 23-41.

At this juncture, we have been able to examine the conceptions of man by many African scholars. However, giving a general analysis and overview of their conceptions, we can say that from the Igbo etymology of the term *Mmadu* (Human Being), we can deduct that three outstanding conceptions stand out: *Mma Ndu* (the Beauty of Life), *Mma Di* (the Good that Is) and *Mu Du* (I [who] Exist[s]). Also, from the human compositions, man is conceived as a composite of both the *metaphysical components* to include *Mkpuru Obi* (on the Soul context), *Mmuo* (Spirit), *Onwe* (Self), *Obi* (Heart), *Chi*. Through the process of widening the scope, to include the whole Africa, as other conceptions suggest, we have in addition *Adwen* (Thought), *Ntoro* (Fatherly Genes), *Mogya* (Motherly Genes). The *physical components* include *Ahu* (Body), but noteworthy is the fact that it encompasses all the things physical in the composition of human being.

III. The term *Mmadu* as the all-encompassing term that reveals the reality of human beings

Before engaging into the critical analysis of the term *Mmadu*, it is, however, important to point out that it is gender-insensitive to use the term 'man' to mean 'human beings.' The Christian Holy Book, meaning the Bible, and other sensitive existential books and materials of knowledge are not equally free from this non-inclusive representation of the concept 'human being' through the use of the term 'man.' This is because in Igbo 'man' means *nwoke* (a male human) and that does not constitutes a *nwanyi* (a female human). Hence, it is wiser to use the appropriate term that should account for both genders, which is *mmadu* (human being), as opposed to non-human being. Nevertheless, 'man' should still, in this context, be understood as 'human being,' in this essay.

Be that as it may, in the Igbo thought the true expressions, definitions and descriptions of man (human being – as against non-human beings) are explained in the etymological term *mmadu*. This term explains in its entirety the existential reality and conditions of human beings. All the etymological explanations and attempts to etymologically analyze Man by Igbo scholars as cited above are all unfortunately half-done, and it is the onus of this paper, as we have said earlier, to fill this knowledge gap, as having foresight. Their attempts are not 'all-inclusive,' and that is why all the existential aspects of man are not therein explained. Those who gave definitions according to the Igbo conception of man see only the positive aspect/explanation of the etymological term – *Mmadu* – perhaps to exonerate themselves from attributing evil-tendencies to the nature of man and his Creator. But contrary to that, it is pertinent to know that man is intrinsically or naturally 'good and evil.' From the etymology of 'human being,' we get the term *Mmadu* which could be critically dissected and explained in the following analysis bellow in order to be holistic.

By its etymology, 'Human Being' – *Mmadu* could mean *Mmā Ndụ* ('Beauty of Life' – in terms of *Mmá* as in 'Aesthetics'; or 'Good of Life' – in terms of *Mmá* as in something 'Right, Approved, Accepted, Better/Best, Right Quality/Standard,' etc. (moral connotation)), *Māā Ndụ* (Spirit of Life), *Mmà Ndụ* (Knife/Machete of Life), *Mmā Di* (Beauty and Good that Exists/Is), *Māā Di* (Spirit that Exists/Is), *Mmà Di* (Knife/Machete that Exists/Is), *Mmá Dụrụ* (Survived Beauty and Good), *Māā Dụrụ* (Survived Spirit), *Mmà Dụrụ* (Survived Knife/Machete), *Mụ Di* (I Exist or I who Exist) and finally *Mụ Dụrụ* (I who (have) Survived). From this analysis and etymological implications of *Mmadu* (Human Being) in Igbo, it is clear that *the human being is a Beauty or Good or Spirit or Knife (who) that Exists/Is, Beauty or Good or Spirit or Knife of Life and that (has) Survived; or a portrayal of the facticity of Human Proclamation of Human Existence or Survival*. As *Beauty*, the human being is depicted as the most *beautiful creature, ontological center of aesthetic* attractions among all beings. As *Good*, s/he is an embodiment/expression of morality-consciousness and is depicted as the most *right, best, accepted, quality-endowed, precious*, *sacred* among other beings. As *Spirit*, s/he is portrayed as the most *complexed* in nature, considering the human 'physical' and 'metaphysical' existential components. As *Knife/Machete*, which symbolically stands for both peace and disaster/violence, s/he naturally stands as a symbol of both *peace* (good) and *disaster* (bad/evil) as existentially lived. And, finally, the term can also portray the *ascertaining, proclamation* and *facticity of human existence and survival*. From this stand point, *Mmadu* is essentially, naturally and substantially primarily an embodiment of metaphysical and physical compositions and in full potency of being either a peace/disaster-ambassador, or an icon of beauty, or a good(morality)-paradigm or facticity of reinstating existence/survival. He is an embodiment of both vices-and-virtues-in-potency, hence both good and evil are natural and intrinsic in the nature of man. This may, basically, have been the reason some scholars, like Hobbes, etc., insist that evil is an essential part, and associates to the inclinations of man; whilst others, like Heraclitus, etc., believe in the principle of opposition and change as the reality behind every being. This may equally explain why some theorists like Machiavelli, etc., come up with theories that encourage both vices, so as to counter or balance man's nature and inclinations to virtues.

IV. The Umuokan conception of man (human being)

The conception, analysis and lingual definition of the human being (Mmadu) according to the Umuokan scheme of thought is quite interesting, captivating, enlightening and insight-giving. In Umuokan language, just as it is applicable and implicating in Igbo language generally, the term *Mmadu* means 'Human Being.' But for Umuokan people, this term *Mmadu* is a combination of *Maa*

(Spirit) and *Duru* (Survived). In the central Igbo language, *Mmadu* stands for 'Human Being,' but in the Umuokan thought, the central Igbo *Mma* is *Maa* and *du* is *duru* but the *ru* is silent in pronunciation. For them, the pronunciation of this term, *Mmadu* (which for them sounds like that M*aadjvuru*, that is, *Maadjvu*) is the same with that of the central Igbo language, but in their thinking, it simply means 'Survived Spirit.' By implication, the human being is *Maadu*, that is, spirit that is/exists, having sustainably-survived. He only exists, or is through the facticity of his/her sustenability into survival.

Basically, the pronunciation of the central Igbo *du* as in *Mmadu*, in Umuokan language sounds like how possible it could be when *djvu* are combined as a word. However, meaningfully, when the two words – *Maa* and *djvu/ru* – are joined together, we get something like *Maadjvu/ru* (Survived Spirit) which in the central Igbo language could be written thus *Maadu/ru*. But significantly, this 'survival' is never conceived without the sense of 'sustenance.'

Thus fundamentally, the root of the definitive completing word (of Mma/Maa) which is *du/duru* spurs up from the facticity and meaningfulness of the term *Ndu* (denotatively meaning Life, but connotatively meaning Existence/Survival). Practically, when an Umuokan wants to ask, for instance, if a crop his neighbour planted survived/has survived, he would say: *ihe ahu ikuru o djvuru* (duru)? Meaning, 'did the crop you plant survived?' The affirmative response to this would go thus: *o djvuru* (duru) (it survived/has survived). So *idjvu* (idu) 'to survive' or *ndjvu* (ndu) or *odjvudjvu* (odudu) 'survival' depicts nothing but the facticity of 'surviving or existing' which refers to nothing but *ndu* 'life/living or existence.' And significantly, this 'life/living or existence/existing' is a process that is begun from and in the spirit, towards the physics, is being continuously sustained or is ever in sustenance by ontologically the Progenitor or Sustainer who is also the Owner, and socially within the (context of) the 'other,' and more significantly again, grows unstoppably to/into eternity through the sustenance it ever and constantly gains from the Sustainers. Thus, 'human being' as *Maadjvu* or *Maadjvuru* according to the Umuokan means a 'Sustained-Survived/Surviving-Spirit' whose sustenance is socio-ontological. That is purely an ontological conception of the human being; normative perspective becomes a qualitative and secondary aspect of existence and another existential issue entirely. Importantly, thirteen significant implications stand out in the this Umuokan conceptual scheme of thought.

Firstly, the Umuokan conceptual scheme of the human being as a 'survived/surviving-spirit' presupposes 'sustenance,' hence, 'survival/existence/living' for the Umuokan, is never imagined without 'sustenance.' This 'sustenance' initiates the human 'survival' and physically leads it through the visible

world, and back to the invisible world – its origin state. Hence, the sense of 'sustenance' precedes the actuality and sense of 'survival/existence/living.'

Secondly, the sustenace is socio-ontological, in the sense that (from) the invisible realm begins the principle of the sustenance; and its continuity necessarily revolves aroud the 'other' – fellow existents most nearest of whom are fellow human beings. Perceptibly, the sustenance is ontologically vertical – refering to the sustenance initiation from the invisible, Divinity; socially horizontal – refering to the facticity of the sustenance remaining in continuity within fellow existents – beginning from fellow humans, lower animals, trees/vegetatives, lifeless objects, etc. Thus, in the horizontal sustenance and in the community of 'others,' the Divine sustenance extends and reinstates.

Thirdly, by the social or horizontal perspective of the sustenance, humans are naturally condemned to socialization (the activity of being-in-the-world) wherein humans live. This sustenance instils the human nature of not just socialisation, but in-the-world; that is, being existentially condemned to the world. Without the world, the human existence/survival is incomplete, for the vertical perspective of the sustenance necessarily needs the horizontal perspective for a holistic human existence. But unlike the Western counterpart as seen in Heidegger for instance, humans can be conceived without the world, but they cannot be holistically and existentially fulfilled so as to complete the human nature of socialization for self-actualization, without the world. Even the reality of the invisible existence is never perfected without the visible existence (being-in-the-worldness) of the visible realities.

Fourthly, the Umuokan conceptual scheme positions the human being as an embodiment/epitome of morality-consciousness. Human existence is the standard of morality, hence anything 'anti-human' is 'anti-morality.' Thus, the human being stands as a symbol of what moral-consciousness means and implies. S/he is the only being in whose existence it necessarily is, to ask/raise existential moral questions. S/he is thus a moral being(agent); and as such, existentially ought to stand some moral measures/standards for human-welfarism. The human existence alone expresses what 'morality-consciousness' stands for.

Fifthly, the existential nucleus (sustenance) of human beings portrays humans as beings-in-potency. The sustenance is neither static nor does it exist within time. With the sustenance, humans are kept into the occean and realm of non-stopping-existence through which they accomplish their aspirations and grow (exist) towards infinitum from the visible to invisible realms and vice versa. On this continuous existential process, humans become what they are not and stop being what are hitherto. By extension, the conception upholds two outstanding views: one, that humans are not already-made; two, that humans express their virtue and vice nature through the exercise of their nature

as possibilities hence evil and good are natural, and any of them that triumphs over any human being has its way. Thus, whether or not a human being is moral, s/he is vulnerable to the fate/blindness of evil and good. Even though the level of moral consciousness in a human being plays a vital ontological role towards human welfarism, however, the strife of evil and good over humans still maintains a strong maximum point in human existence.[80] To live, to exist, intrinsically expresses 'survival.'

Sixthly, the conception brings out the novelty in the African conceptualization of value: that anything of the African value must be modified or characterized by the sense of 'humanism' and 'community'; that is, humanist and communitarianist-ontology.[81] Anything of African value must be 'human-based' and 'community-minded.' Because of the African awareness and consciousness of the fact that life is sacred, and ought to be preserved with utmost dignity, and following the existential reality that it is in the community that the African communes with the 'other,' therefore, the sense of humanism and community-consciousness stand prior in the African value conceptualization. Thus, it is deducible that by the identification of the human sustenance within the community of fellow humans where the continuity of the sustennce is assured, the sense of humanism and community-mindedness therefore prevails in the human community. This conception is based on and drawn from humanist-ontology and not racist-ontology as could be seen in the Western counterpart from scholars like Plato, Aristotle, Aquinas, Hume, Kant, Meiners, Hegel, Heidegger, Popper, Levy-Bruhl, Westermann, Carothers, Horton, Finnegan, Gobineau, the two French neuropsychiatrists, Gallais and Planques, etc.[82] Simply put: that it proves the dual fold of African conception of the human being where it is humanism-ontologized and community-bounded.

Seventhly, standing on the fifth significat implication, the conceptualization bestows on each human being the humanistic consciousness by which s/he ought to approach his/her fellows. Put differently: it points to the 'duty' perspective of the conception where each human being is obliged to ensure the duty of preserving the humanness of the 'other.' It is a conceptualization

[80] Anayochukwu Kingsley Ugwu, and Leo C. Ozoemena, "Reality Explained from Parmenides to Heraclitus: An Insight into the Nature of the Christian God," *OWIJOPPA* 3, no. 1 (2019): 97-108; Anayochukwu Kingsley Ugwu, "The African (Igbo) Concept of *Akara Aka*: A Philosophical Reassessment," *IGWEBUIKE: An African Journal of Arts and Humanities* 5, no. 3 (2019): 61-81.

[81] Anayochukwu Kingsley Ugwu, et al., "A Critical Review of African Communitarianism," *Thought and Action Journal of Philosophy* 1, no. 1 (2022): 70.

[82] Anayochukwu Kinglsey Ugwu, *The Notion of the African Person in Chukwudum Barnabas Okolo* (MA diss., University of Nigeria, Nsukka, 2019), 1-2, 32-37; Ikeagwuchi I. Ukwuoma, *Okolo's Notion of African 'Being-with' and Heidegger's Idea of 'Baeing-with' (Mitsein)* (MA diss., University of Nigeria, Nsukka, 2021), 7-15.

that is human duty-bound for the humanistic value of the 'other' and the community-welfarism that makes the existence of both humans and their community palatable and continuity-assured. The conceptualization portrays the sanctity/sacredness/divinity of life/existence/survival; and the right of every being, not to take (damage or end) any life/existence/survival of the other. Existence thus bounds in duty, moral obligation. To live is to live in indebtedness, to live in ever-obligation and moral duties towards the living of the other. It is engulfed in moral responsibilities and that makes the human being a moral agent and by extension, proving the existential authenticity of life/living.

Eighthly, this conception brings to the fore the fact that the being existing or surviving is not the real owner of the life/existence it possesses, or is using/enjoying, rather it is divinely, though necessarily, bestowed on it. This portrays the sanctity/sacredness/divinity of life/existence/survival, and the right of every being, not to take (damage or end) any life/existence/survival of the other. Existence, thus, bounds in duty and moral obligation. This infers that all that can be said about reality is the *facticity of existence*, not water, air, fire, reason, will, earth, number, event, etc. as held by Greeks. All these first of all do exist, and then stand upon *the facticity of existence* as the primordial to every reality. However, deducing from the fact that humans' existence just like every other existents' is not theirs in a strict sense, makes them ever-indebted-beings.

Ninethly, it conveys the point that the Existence/Life-Giver-and-Sustainer is naturally condemned/conditioned to live for ever-giving-and-sustaining the life/existence given to the beings enjoying this gift and intrinsic aspect of the giver's, sustainer's nature. By this, the giver/sustainer proves the ownership/mastership of existence/life, for it is in the giver's/sustyainer's nature, substance and essence to not just give life but also tirelessly dutiful to the sustenance of the given life/existence. Thus, it is necessary that the Life-Giver and Sustainer gives or bestows life/existence on beings; and it is necessary also that beings, humans inclusive, exist/live and survive so as to stand as proofs of real ownership/mastership of life by the Giver and Sustainer. Put in other way, the Necessary Being necessarily needs to share/open its beingness/belongingness to/with the contingent beings in order to prove Its necessity in, to and for them – the contingent beings. No wonder then the Bible says that even if humans refuse to praise God, He (God) will make stones and other lifeless beings to praise Him. It (Bible) would have rather said that He (God) will make Himself to praise Him (God) instead of stones and lifeless beings to do that. By and large, the necessity of the lower, powerless, contingent beings to the proof of the superiority of the Necessary being is existentially inevitable and necessary. Thus, the existence/life-Giver and Sustainer has 'its' beingness conditioned by 'its' nature, substance and essence. 'It' is never

conditioned by 'outside' factors, rather 'inside' factors embedded in 'its' nature/substance/essence. However, whenever, wherever and whatever 'it' does is solely and 'self-necessitated'; it is never 'extended-necessitated.' 'It' is self-exclusively-influenced, though 'it' necessarily needs self-existing-beings, humans inclusive, to enjoy 'its' self-operative-system (modus operandi) or nature/substance/essence.

Tenthly, another outstanding point is the clarity of the Divine-implication of this ever-sustaining-existence as portrayed in the existential-characteristic of the Supreme Being. The 'ever-sustenance' here could be an implication of the existential Quality of the Supreme Being, the real 'Existence/Survival//Life-Sustainer' by the Igbo which is definitively explained in His name *Ose-buru-uwa* [*Ose* who ever carries (depicting ever and continuous love, care, provision and sustenance) the world in His hands]. This name is all about the Igbo popular saying and song: He (God) holds/has the whole world in His hands. 'Having/holding' the whole world in His hands does not only imply here, showing His (bragging) ownership of the whole world, or ability to smash it any time He dare wills, but also showing His ever-dutifulness in caring, overseeing, well-managing and accounting for the whole world – every existent in the world – or the whole universe as a whole. However, going into detailing, analyzing and defending this position may be out of scope here, nevertheless, the point of emphasis here is that an aspect of this conception of the human being by the Umuokan depicts God – the Supreme Being – as the Sustainer of all that is/exists, humans inclusive, the very Sustainer that plays in the existential mode of living of *Maadjvu/ru*.

Eleventhly, in this conception, we see an ever-processing-sustaining-survival/existence/existing. That is, a process-existence, ever-sustaining/sustained-existence or eternity-growing/belonging-existence; an existence/survival/livingness that is not only ever-sustained, but also that lives or sustains-into and till eternity. At this juncture, we must recall and juxtapose this conception of man with Iroegbu's analysis of Belongingness as the fact of Reality. Iroegbu starts his articulation on the concept of 'being/reality' by saying that "to be is to belong" and "to belong is to be." That is 'to be-on,' 'to emerge' (be existentially concretized) on this world (uwa) and, by that, to overcome non-being (existential abstractism or nothingness as to oppose to concrete-existence or somethingness). Buttressing the position by analyzing the first stage of Belongingness, he writes,

> The 'belong' involved in Belongingness is a turning on of being in general and abstract into being as concrete expressed entity. It is a 'being-on' in the *Uwa* (World, Cosmos)... To be on therefore is to escape the contrary of being on, i.e., to be off.[83]

[83] Pantaleon Iroegbu,"Being as Belongingness: A Substantive Redefinition of Being," *Ekpoma Review* 1 (2004): 7-19; Iroegbu, *Metaphysics*, 372-382.

Thus, at the next stage,

> having been turned-on into *Uwa*... the being now goes on... There is always process both in the act of becoming being, and in the practice of getting along in being: the maintenance of being.[84]

Here, Being through the activity/engagement of Belongingness keeps going-on in his emerged existence/survival, the On-goingness of being, through maintenance/sustenance, without which, he dies off, and which would equally signify that the activity/engagement in the on-goingness/existence/survival/life of being is no more endless thereby now being disjointed. But, on the contrary, however, "being is something that goes on. In going on however, it is both itself (identity) and something else (difference)."[85] In this On-goingness of being, any being that "belongs today cannot... be regarded as not belonging tomorrow... Not even death can break the Ongiongness of being defined as Belongingness."[86] This On-goingness as Belongingness stays "as long as ever," because "Belongingness of being is open-ended."[87] Here, the existential nature/facticity of belongingness of being has no end, once it starts. The survival of man as a spirit has no end, hence, it has started, continues existing (on-going) and is endlessly sustained/being-sustaining by a Sustainer. So, the sustenance-inherence of survival/life/existence of being (man inclusive), which is the mode of living/existing/surviving of being (man inclusive), is both survival/life-existence-and-sustenance into and till-eternity.

Twelvethly, very insight-giving in the Umuokan scheme of thought on who *Maadjvu* or *Maadjvuru* – central Igbo *Mmadu* (Human Being) – means and implies, is a mode of being that inherently portrays 'Survival/Surviving and Sustenance (SS).' The human being as a 'Survived Spirit' means that the human being is a spirit, his/her survival is seen or ensured by the Divine, and his/her survival is a sustaining(or sustained)-one still by the Divine. The definitive term 'survival' of humans here does not only and exclusively mean 'the facticity of existence or living,' but also 'sustaining-survival, sustaining-living, sustaining-existence.' Put in another way: that his/her survival/living/existing inheres or characteristically carries the facticity of sustenance. Existence is inseparable from sustenance. His/her beingness is a sustaining-survival/living/existing which is endless but sustainably-survives-into-eternity. Thus, the human being is not just a survived spirit, but also a survival-spirit, in that, s/he survives-and-is-constantly-sustained

[84] Ibid.

[85] Ibid.

[86] Ibid.

[87] Ibid.

spiritually and by the Divine. So, even in death, the human being is still being sustained-in-survival; s/he is still surviving and never leaves the circle within which s/he has visibly survived.

Thirteenthly and finally, this conception lays more emphasis on the spiritual living/existence-surviving of the human being rather than physical. Life/existence/survival starts from the unseen/invisible world/domain and in activities/process, transits/grows back towards the unseen/invisible world/domain (eternity). Appropriate attention and care must be assured to the spiritual affairs and concerns of humans just as the physical affairs through justifiable and reasonable way of living the physical affairs. Any mistake in the physical living/existence/survival of humans greatly mars, disrupts and limits the spiritual. The two existential affairs are as important and complimentary as two sided-coin. They both compliment each other. Even though the spiritual stands for Necessary Existential Affair, it necessarily needs the complimentality of the physical and its contingencies.

Finally, we will have to further analyze the components of man as enumerated above. In doing this, we will largely base them on the metaphysical components as the physical components are clear to the understanding of an average (Igbo) man.

V. Components of man (human being)

For the Igbo, in the Umuokan scheme of thought, *mmadu*, or *maadjvu(ru)*, is basically a composite of two main 'existential phenomena/spheres': *Physical and Metaphysical*. His Physical existential phenomenon/sphere comprises of the presence of *Ahu* (Body). In his bodily existential sphere, we have *Mkpuru-Obi* (Heart), *Uburu/Uvuru* (Brain), *Akpukpo Anu-Ahu* shortened (Anu-Ahu) (Skin) *Aji* (Hairs), *Obara* (Blood), *Okpukpo* (Bones), *Akwara* (Veins), *Anu* (Flesh), *Mmiri* (Waters including the sex cells and all the moisture-contents) and *Ihe-Mmebiga* (Wastes). His Metaphysical existential phenomenon/sphere comprises of the presence of *Mmuo* (Spirit) *Onwe* (Self), *Uche* (Mind/Intellect), *Echiche* (Thought), *Ako* (Wisdom), *Onyinyo* (Shadow), *Nghota* (Understanding), *Ume* (Breath), *Oyime* (Ghost), *Ehihe* (the Doubleness of Man) *Agwa* (Attitude), *Obi/Mmuo-Ikpe* (Conscience), *Onatara Chi* (Natural Talent/Skill), and *Chi*. Based on this, we can see that man is such a complex being that almost every aspect of his life is a component of himself in the Igbo thought. Reincarnation as an outstanding belief of the Igbo is manifestable through both the physical and metaphysical components. In this regard, among these components, the foremost components that are centrally active, vis-à-vis the reincarnation belief, include *Anu-Ahu* (Skin), *Mmuo* (Spirit) *Onwe* (Self), *Ako* (Wisdom), *Nghota* (Understanding), *Agwa* (Character/Attitude), *Onatara Chi* (Natural Talent/Skill) and *Chi*. Questions on reincarnation always and mainly revolve around these human components.

However, before engaging in the critical analysis of these components, it is important to make it clear that the 'Soul' concept is not Igbo, but western. The concept of the 'Soul' could be traced to the Hebrew word *Ruach* (literally meaning 'breath,' which symbolizes 'living'). 'Breath' signifies 'living' and as such, anything breathing possesses the principle of living which soul stands for; and for the Greek, the person possesses *Pneuma* which translates to 'Spirit.' Breath therefore expresses the reality of the 'Soul' or 'Spirit' in the body, and that is 'living,' and so, the absence of the 'Soul' or 'Spirit' in the body signifies death. By this, the immaterial expressed by breath has now parted with, or withdrawn from the material in which it expresses its presence.[88] In fact, it is believed by the Hebrews that this animating force resides in blood. The Igbo also believes that life lives in blood, which explains why, for him, spilling of blood is a taboo, for that is wasting of life, of the divine phenomenon offered to man; it is not a man's own property, but given to him to make a well utility of, for a better hereafter. However, the implications in this conception include: one, the independency, but, most importantly, the necessity of the immaterial (Soul/Spirit) over the material (body); two, the independency of the former over the latter; three, the possibility of resurfacing of the former (Soul) in another body explaining transmigration. These three implications, by inference, can be said to inform the practical details of the western philosophy, or, to be precise, metaphysics as expressed by Pythagoras, Socrates, Plato, Aristotle, Descartes, Kant, etc. In fact, Socrates, when interrogating the concept of death, in every means of simplicity asks if is it not

> simply the release of the soul from the body? Is death nothing more or less than this, the separate condition of the body by itself when it is released from the soul, and the separate condition by itself of the soul when released from the body? Is death anything else than this?[89]

In the Platonic thought,

> the soul is most like that which is divine, immortal, intelligible, uniform, indissoluble, and ever self-consistent and invariable, whereas the body is most like that which is human, mortal, multiform, unintelligible, dissoluble, and never self-consistent.[90]

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[88] Jerome A. Shaffer, *Philosophy of Mind* (Hoboken, NJ: Prentice-Hall, 1968), 2-3.

[89] Plato, *Phaedo*, 64c, as in Hendrik Lorenz, "Ancient Theories of Soul," *The Stanford Encyclopedia of Philosophy* (Summer 2009 Edition), ed. Edward N. Zalta, https://plato.stanford.edu/entries/ancient-soul/.

[90] Ibid., 80a-b.

Be that as it may, the Aristotlean creed differs, as he opines that even though there are material and immaterial, unlike Platos' separation-conception of reality as a whole, the two are inseparable aspects of reality, hence they both (matter and form) make up the actuality or substance of reality.

Nevertheless, as shown above, as a proof of external (western) influence on the African people and mind, some Igbo scholars still refer to the soul as *Mkpuru-Obi* – a word etymologically formed by the conjunction of two Igbo words: *Mkpuru* and *Obi*. *Mkpuru* literally and simply means 'Fruit or Seed,' and *Obi* on this context refers to 'chest, i.e. the thorax region.' Suffice it to say then that *Mkpuru-Obi* as a word, now refers to that 'fruit-like-organ' we see in the chest (thorax region) when it is opened; and that is no other thing than the 'Heart.' From this, it becomes clear that *Mkpuru-Obi* does not truly and literally mean the 'Soul,' rather it realistically and literally means the 'Heart' – the fruit/seed-like of the chest or located at the thorax region. How then did it come to mean soul? The term is used to designate the concept of the *Christian Soul* when Missionaries came and tried to explain what the Soul is to the Igbo-Africans. But due to inadequacy in language and random and grounded understanding of the concept of 'Soul,' the Igbo presumed it to be the 'Heart.' The reason for this presumption stems from the vitality of the Heart in man's life, coupling with its significant stoppage when a man dies. For the Igbo, during this state, life has gone physically for its vibration/expression (breath) has stopped (in death), and the Spirit (not any phenomenon like soul) as the principle of life would then leave the body. But the missionaries convinced and confused the Igbo that when a man dies, the 'Soul' leaves the body and goes back to God, who was the one to place it in man during creation, for the process of judgment. All these were attempts made in order to understand the Christian concept of 'Soul' as taught by the Missionaries. But, now, drawing on experience, when a man dies, the 'Heart' significantly stops beating and the body becomes lifeless (the assumption that the 'Soul' has left the body), and so, the Igbo consequently mistook the 'Soul' for the 'Heart' and, through considering the functionality, linked it to the 'Heart,' meaning now that the force of the seed/fruit-like organ which beats in the chest (Mkpuru-Obi) has left the body because the sound/beat is no more there. This is an expression of the western philosophy in their religion so as to create a dual avenue for the existence of the material and immaterial as the holism of reality. It is on this influence that many African scholars, many of whom are Christians, have stated that there is soul different from the spirit, albeit not being capable of plausibly differentiate between them. Many even end up making laughable and delusory explanations on the concept of the soul. Njoku denotes that,

> The soul or *obi* in Igbo is the rinciple of life. If one is breathing, it means that one's *obi* (heart) is functioning, and that one is still alive. In this sense, *obi* is a biological principle. It is also a metaphysical principle in sense that it is that which is the form of life without which one cannot be said to have life. Psychologically, *obi* is the seat of character, such that a good person is said to have *obi oma*, and a bad person has *obi ojoo*.[91]

While I agree with Njoku on the biological and psychological functionalities and implications of *Obi*, I strongly disagree with his confusion and substituting *Obi* for 'soul' in one hand and, for the 'heart,' on the other, and on his metaphysical conceptualization of *Obi*. There is no reasoning on how a biological phenomenon should rightly be said to be "the principle of life." Every description attributed to *Obi* therein should go to *Mmuo* (spirit). However, he goes further as to inform us that "'obi' can refer to both the organ of the body called heart or the soul, that is, the *form* that animates the body,"[92] but when prefixed as *npuruobi* (dialectic), centrally written in Igbo as *Mkpuru-Obi*, it therefore "seems to refer solely to the immateriality of the heart or that animating principle of the body – the soul."[93] There will never be anything like "the immateriality of the heart"[94] for the heart remains material. What animates the body, or the force behind the body, is the spirit, for no phenomenon is like the 'soul' to the Igbo.

Amaechi observes the same problem, but fails to address it properly. He states the fact that the word *Obi* equaling to soul is wrong on the basis of these reasons: 'lack of criterion of precision or clarity,' and "the glamour of english language over the Igbo language that only expands its vocabulary through tone-marking."[95] Thus, he opines that the precise Igbo word for soul appropriation is *Chidi* not *Obi*, for "to express the soul as *Obi* like the biological heart will be outrightly rejected by the philosophical empiricists as it is scientifically unverifiable."[96] He argues that the word *Obi* could variously mean the soul, the mind, the heart, a rest house, or even a digger, and following this imprecision, the word disqualifies from being the appropriate

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[91] O. F. C. Njoku, *Ana-Atutu: Igbo Philosophy, A Study in the Public of Identity and Conflict Resolution* (Owerri: Goldline & Jacobs, 2009), 58.

[92] Ibid., 63.

[93] Ibid.

[94] Ibid.

[95] Oliver N. C. Amaechi, "Let Igbo word for Soul be *Chidi* not *Obi*," *The Leader* (October, 2005), 8.

[96] Ibid.

representation of the soul. The representation is too poor following his conception of the soul as the "*De anima* of the scholastics, *De persona* of the humanists, the *ens qua ens* and the *quiditas* of metaphysical existentialists expressed as the being."[97] The *Chidi* proposed by Amaechi to appropriately represent the Christian 'soul' is an Igbo word which Njoku interprets as 'God in me.'[98] That is, however, incorrect, for 'God in me' translates into 'Chi/Chukwu n'ime m.' Even though the expression/content, and not the term per se, is what we finally use to picture/suggest what the soul could mean in Igbo, it is certainly not what Amaechi's *Chidi* means in Igbo. *Chidi* is an Igbo term formed by *Chi* (variously meaning God, luck/fortunation, destiny, personal guardian, day-light)[99] and *di* meaning 'is/exists;' hence *Chidi* in the specific context he refers to means 'God (who) is/exists.' Going further, Amaechi informs us that "the soul is the principle of life, feeling, thought and action in man."[100] In this, one may wonder what could the functional implications of the conscience, mind, etc., be in a man. He, however, dares to describe the conscience, saying that the "conscience is the spirit of God in man."[101] Furthering his argument, he opines that "the operations of the soul in man is the voice of conscience. From the above, both soul and conscience are synonymous and psycho-spiritual principles."[102] Amaechi harmed his own cause by his choice of grammar; he clearly notes that the concepts of soul and conscience are not interchangeable, but later says they are synonymous, hence if they both are not meaning the same thing, how can they be synonymous, all of a sudden? From his explanations, what functionally differentiates the soul from the conscience, based on the final analysis, is uncertain, as it appears that he treats them both as same phenomena. Eventually, though, that does not mean the Igbo is unaware of the spiritual elements of a man, for he knows that man is not entirely physical, but also metaphysical. However, Iroegbu renders in his own words the discourse regarding the 'Soul.'

> Since the advent of Christianity the term *mkpuru-obi* is used to translate soul... since the heart is in every creature the source of physical life and force of energy... But *mkpuruobi* is a poor rendering of *mmuo* because it is materialistic in overtones, it localizes the *mmuo* in the heart. Mmuo remains the standard and

[97] Ibid.

[98] Njoku, *Ana-Atutu*, 62.

[99] Anayochukwu Kingsley Ugwu, "The African (Igbo) Concept of *Akara Aka*: A Philosophical Reassessment," *IGWEBUIKE: An African Journal of Arts and Humanities* 5, no. 3 (2019): 65-70.

[100] Amaechi, "Let Igbo Word for Soul be Chidi not Obi," 8.

[101] Ibid.

[102] Ibid.

> original word for that aspect of the human person that is the spiritual, the invisible and the determinant of the ontologico-transcendental being and functioning of *mmadu*.[103]

Iroegbu has always thought and written in Igbo, and that deserves a commendation. But here the influence of western tradition and his religious social status has played out. He rightly observes that the Soul is a foreign concept and redering it as *Mkpuru-Obi* is materializing it knowing the religious implication. But as a Christian and Priest of the foreign religion, it must be maintained, hence the description of it now as *Mmuo*. But, if the Soul now means *Mmuo*, what should the Spirit be called? Or is the Spirit same thing with 'Soul'? Or should the concept of the Spirit be discarded from the Igbo thinking scheme?

Nonetheless, going by the biblical description of the 'Soul,' it can be called in Igbo *Mmuo*, or *Mkpuru nke Chukwu na Mmadu* (God's Spirit or Fruit in man), or even *Chukwu-na-Mmadu* (God-in-Man), which God inserted in man during creation. Though this attempt to describe and define the 'Soul' in the Igbo thought spurs from the Christian influence and reflection because the 'Soul' is of Christian origin to explain the mystery of God, especially in creation account, and to equally establish a communication-means between God and His creatures, as it is regarded by many philosophers, like Aristotle, that every being, even the invisible ones, possess 'Souls' in accordance with their existential categories *cum* quiddity.[104]

At this juncture, we begin our analysis of the components of *mmadu* (maadjvuru) from the *Physical Sphere* to the *Metaphysical Sphere*.

Ahu (Body): The term *Ahụ* could be etymologically dissected as *A* (an affixation) and *hụ* implying 'see, to see, seeing (ihụ).' The *A* is affixed to hu to make it an activity, an on-going phenomenon (to see, or to be seen). So, *Ahụ* implies a phenomenon to be seen, condemned to be seen. But *Ahụ* as a term could be used in reference to 'sickness' whose effects could be visibly seen on the sick individual. Again, it could equally be applied to refer to somebody with small stature. It could also be used to refer to the (endearness) pleasantness of a child to parents when used in name/naming. It could equally be used to show the depth of feeling/emotion in somebody at the sight/hearing of a shocking/breaking news. Okere made a more elaborate attempt on this.[105] However, by *Ahu*, the Igbo literally means 'muscle/flesh (as covered by the

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[103] Iroegbu, *Metaphysics*, 353.

[104] Aristotle, *Nicomachean Ethics*, trans. F. H. Peters (London: Kegan Paul, Trench, Trübner & Co, 1906), 1177a11-19; 1178b5-8.

[105] Okere, "The Structure of the Self," 154

skin),' but whose philosophical discourse and complexity extends to the hairs, blood, veins, bones, waters, flesh and other physical (both wastes, sex cells and moisture-contents) constituents of man. Extensively, the Heart and Brain are indicated in *Ahu* concept as physical components, but we will separate their discourse due to their sensitivity and essentiality in human life. Thus, *Ahu* is used to designate the 'physicalities' of man, but with its own critical and complex issues lying in the blood and human sex sells *cum* genes through which traits, attitudes and mysterious diseases from without to within are transmitted. It extensively comprises of 'physicalities' through which non-physical elements get into and out of the body – the physicality of man.

Mkpuru-Obi (Heart): *Mkpuru* means 'seed' while *Obi* means 'chest,' in this context. As we have rightly pointed out earlier, *Mkpuru-obi*, literally means 'the fruit of the chest,' and by this, it refers to the 'seed-like thing/structure/part/organ' located at the thorax region (chest).

However, *Obi* broadly connotes dual meanings; materially speaking, *Obi* means *chest, the thorax region*, and ideally speaking, Obi could mean the following: First, *Obi* could generally refer to 'thought, opinion, intention or suggestion' in an issue. Expressing this, the Igbo would ask a fellow: '*gini bukwanu obi gi?*' meaning 'what is then your mind/opinion or intention or take,' with regard to a particular issue. Second, it could refer to guts/audacity/courage or in a losed tone 'mind' to do something – in this sense, the Igbo would say '*i nwere obi ime m ihe a*?' ('so you have the mind/guts/audercity to do this to me?') – probably because the act is so bad that the actor is thought by the action-receiver to have the mind to kill. Third, though an extension of the second, Obi could mean gesture or the attitudinal disposition of doing either good or bad – such that when one does good to you, you can say *o nwere obi-oma ebe m no* (he/she has a good heart towards me) while otherwise speaks also volumes of having same *obi* (attitudinal disposition), but in this instance a negative one, towards another. Fourth, it means *conscience*, and that is why the Igbo would say: '*obi ya n'ata ya uta*' ('his/her conscience is pricking/blaming him/her').

However, we think that for a proper defense of *Obi* as 'conscience,' some sort of affixation should be done with *Obi* so as to properly picture conscience as a concept. That will be done when we analyze conscience as a concept that composite the metaphysical components of human beings. The term *Obi* in the second leg of its etymological meaning and linguistic implication, thus, acquires a metaphysical status, implying a metaphysical concept that is very essential in the ideal components of human beings. Be that as it may be, fundamentally, *Mkpuru-Obi* does count in the composition of man but it is purely physical and biologically highly influential in man. But the *Mkpuru-Obi*, which others term the *Soul*, does not exist in the Igbo

ontological thinking vis-à-vis the composition of man, hence, for the Igbo, there is no *Soul*, rather there is *Mmuo* (Spirit). *Soul* is brought by the foreign religion, precisely Christianity as have elaborately discussed above. However, we have tried to designate the Christian introduced concept- 'Soul' with the term *Mmuo* or *Mkpuru nke Chukwu na Mmadu* (God's Spirit or Fruit in man) or even *Chukwu-na-Mmadu* (God-in-Man) in accordance with the biblical creation account and principle of deduction from the biblical influence.

Uburu/Uvuru (Brain): This is a very essential part of man which may be physical but functionally appears or extends to the domains of non-physical. A serious damage on it causes an intrinsic malfunctioning of the human person, even mentally. Its unique way and pattern of functioning makes many materialists – Gilbert Ryle, the Atomists, the Chinese Room Argument Participants, among others – to believe that man is entirely mechanical and physical/material-composited, thereby denying the possibility of elements of spiritual-composition of man. It works in the mental realm, which is ideal even though the effects are measured physically; this may have informed Descartes' conviction/belief that the body-mind interaction takes place in the central region of the brain – the Pineal Gland. It functions alongside the intellect, and in coexistence with all the intrinsic and internal human instincts ranging from memory, emotion, cognition, interpretation, etc., as gathered from the empirical/physical background/sphere. Just like the sex cells, it remains a mystery about the human person, existence and well-being.

Onwe (Self): *Onwe* stands as the principle of the individual self, and in the light of reflexive pronoun, noun-in-apposition. The self is spiritual but distinct and specific to individuals. It is a universal existential quality to every man but differs among individuals as a principle of individuation. As a component of man, it is the internal part of man. It is the internality of a man, and it functionally associates with other metaphysical faculties and constituents of man like the mentality and the whole activities of the mind, the psychological ability to comport the body as a whole, and also the character. Basically, *Onwe* has, ideally, a functional link with *Azu Abuo*. As an expression, the Igbo can say '*onwe ya na-agba ya ntaka*' ('he is internally disorganized, restive'). *Onwe ya* (him/herself) here does not point only to the 'physical person as a whole,' but, also, to his/her 'internal' person – his/her 'internal self' which could be so-linked to the person's 'spiritual affair,' 'mental affair/state,' or any other 'internal make-up or component' of the physical man as a whole.

Mmuo (Spirit): Primarily, the term *Mmuo* refers to 'spirit.' But it could, in the Igbo ordinary linguistic expression, mean 'conscience,' and this is expressed when the Igbo admits his fault and says '*Mmuo m n'atazi m uta*' ('my conscience is now pricking me'). So far, we can see how, on the basis of context, *Mmuo*

and *Obi* could both mean 'conscience.' But in this context, it is very wrong to use *Mmuo* which means 'spirit' when one refers to conscience-related-issues. However, more emphasis is put on this leg of discussion, as it relates and expresses that the concept of 'conscience' would resurface under the discussion of 'conscience.' That said, we must note that metaphysically speaking, *Mmuo* is that part that ceases to operate when a man dies. It is that which "has travelled at death to the *Ala-Mmuo*, the spirit-world, to sojourn with the ancestors. From there it will return... in reincarnation,"[106] as Iroegbu puts it. For Iroegbu, what is reincarnated is the Spirit of the *Departed-living*, or as Iroegbu insists, of the ancestors, and reincarnation, by this logic, becomes "an expression of the ontological longing of man to *live* on."[107] *Mmuo* is a general quality of every man. It is that means-to-journey-back to joining the dead, among whom are the Saints – Departed-living – and whom many scholars called different names – living-dead, ancestors, etc., in the spirit world.[108] It symbolically manifests itself into breathing in a more biological experience. It can go out from the body but can also return later (as in the case of coma, trance, etc,). This belief is the reason the Igbo encourages not to bury the dead immediately, for the *Mmuo* may return, as it is believed that somebody (via spirit) can go out or journey to the land of the spirits and learn some moral lessons, or teach others to be morally conscious for the welfare in the hereafter, or be sent (forced) back to life to complete life-assignments. It is with and in this *Mmuo* realm that somebody can transcend (go off) in the case of *ndi dibia* and other medicine men, and can still return. But if something goes wrong on the process, the person may not return and inhabit the body again, and when this happens, the *Mmuo* can be roaming around in the community, and this can finally lead to death of the person. This experience can still play out in the case of *onwu ike* (sudden death, say- accident, etc.), the spirit may be out, and upon returning and not finding its body, it may proceed to the spirit world prompting the death of the physical body. Significant here is the question of the place of an event, or the 'howness' of the happening of the event, and this expresses in the Igbo saying that '*ebe ihe siri bido bu ebe o sikwa ana/ala*,' or '*ka ihe siri bido bu ka o sikwa ana/ala*' (where or how something started, it ended).

At this juncture, to elaborate more on these two phenomena, *Mmuo* and *Onwe*, man approaches his fellow man with the 'self' to form the aggregate of 'selves,' and, so, from *onwe m* (myself) to *onwe anyi* (ourselves); but *mmuo* (spirit) is used to approach the invisibles in the other existential sphere/world.

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[106] Iroegbu, *Metaphysics*, 353.

[107] Ibid., 354.

[108] John Samuel Mbiti, *African Religions and Philosophy* (New York: Doubleday & Company, 1969), 107; Edeh, *Towards an Igbo Metaphysics*, 75-6; Bartholomew Abanuka, *A New Essay on African Philosophy* (Nsukka: Spiritan Publications, 1994), 37.

Therefore, we can have *onwe anyi* (ourselves) but never *mmuo anyi* (our spirits); and even when we mistakenly use *mmuo anyi*, we quickly emphasize it by coming down to individual 'self' by applying an expression of *m* (me) or *onwe m* (myself). Sometimes we mistakenly say in expressing our feelings '*mmuo anyi anabataghi ya*' ('our spirits did not accept it') instead of '*onwe anyi anabataghi ya*' ('ourselves did not accept it'), if literally expressed. But, in a clever manner, after this, we quickly emphasize, or, in subsequent comments, say something like '*dika, onwe m anabataghi ya*' (that is, 'myself did not accept it'). The 'self' is spiritual, but expresses the experiences within the 'physical existence of man,' but the 'spirit' shares the space with the 'invisible beings in the other existential sphere/world.' Both are in the metaphysical realms of human beings, but while *onwe* (self) is 'particular' and associates with the 'human affairs here and every time,' *mmuo* (spirit) associates with the affairs 'there in the invisible world.' The 'self' does not go to answer for judgment at the last day and be rewarded (if there is any, or according to the Christian belief), it is the spirit that does. The metaphysical realm of communication in man therefore passes through *onwe* (self) to *mmuo* (spirit) and then finally to the 'invisible beings' including the Supreme Reality. Thus, African communality is rooted in *onwe* (self) because it is through 'self' that the other 'selves' have sameness of experiences that encourage the emergence of *onwe anyi* (ourselves) and community-formation. But we must know that the identifying socio-ontological attitude of the African does not end here, it extends to the invisible world. So, from here, the 'self' plays vitally; and being in the same metaphysical realm with the 'spirit,' it easily passes every existential experiences of man to the 'spirit' that will now associate those experiences to the 'invisible beings in the invisible world,' and from there on, the invisibles or ancestors, whom we refer to as the 'Departed Living,' will now judge the person as to whether he will be accepted in their folk (which is the core African-Igbo belief of existential reward) over there or not.

Oyime (Ghost): The experience explained above gives rise to the question of *Oyime*. *Oyime* goes out first, before death occurs properly, and ends immediately after death occurs. It is seen through spiritual eyes and strong minds. From testimonies, it is skeletal in nature, disappears, does not usually touch the ground, it is very difficult to describe and can be chaotic in nature, depending on the nature of the person's spiritual state which could draw from his/her *azu-abuo* (man's-animal-part) of the person about to die. Thus, *oyime*, though still in a very serious realm of metaphysics, expresses to an extent, the beingness of a person's *Ehihe* (the person's doubleness). Somebody's *Oyime* can even visit the relatives of the person about to die, and as a spiritual visit, there could be, by expectation, a certain level of incongruities, which may manifest in the form of sleeplessness, ants' disturbance, unusual animal

cries and in a very ungodly hours for some days, constant experience and visibility of unusual animals, strange sight and behavour of certain animals, etc. Certain sounds of birds, and other animals truly stand for *oyime* as is the African, Igbo experience. In fact, the *oyime* of an *Ozo* differs from the *oyime* of a non-*Ozo*. Different still, is their duration of happening and manner of happening also tells a lot as to which category of person is about to die. It can even express itself in things other than animals like *ero/eru* (mushroom), etc. This explains why a man would, in the state and regarding the level of filial love and endearness existing between hm and his relative, tell him: '*aga m adara gi ero/eru ma obu anu*' ('I will provide mushroom or meat, meaning animal, for you'). This goes to show that *oyime* can be expressed by a strange behaviour of an animal. A dear person could equally be promised a gift, a gesture which could finally be fulfilled by an unknown person. To fulfill this, the relative could be provided with amazing mushroom where the person may have passed by yesterday and did not see anything resembling a mushroom growth there, or being granted the luck of finding an animal to kill and eat, an animal that, on a normal basis, he/she could not kill, among other mysterious signs. Regarding this, he/she would be told '*e gbugoro gi ya na mmuo*' ('they' have killed it, meaning the animal, for you in the spirit). This 'they,' who have killed for the person in quote here, presents this ontological influence that the dying person, spiritually, has on the animal. Such is an expression of love to relatives; but when it concerns to anything edible, it may not be giving that real taste of that item of food, unlike when it is ordinarily got. *Oyime* can be seen/experienced personally or communally and can be havoc or peaceful depending on the spiritual state of the dying person, his *azu-abu,* perhaps. When it is havoc, it creates violent scenes. A story is still today told of a woman whom, when she was about to die, her *oyime* came out physically and pursued a group of women performing a traditional rite while she was yet among the women folk performing the traditional ritual, and she ran for her own dear life as well like others. She did not know it was her *oyime* in the form of violent women who would sparkle light and violently move towards the folk and all would run. No one recognized the face or could say it resembled this or that person/thing. It was only those who could see spiritual knew it was the women, and in the night, she fell sick, and the next day, she died. The simple implication of this is that she was an *ogbanje*, a possessed woman, and she expressed that state through being violent. That does not imply that her doubleness was directly *ogbanje* for *ogbanje* is a state of being, not an animal, but *ogbanje* which is inherently negative and stands for violence-nature of her animal-part.

Ehihe (the 'doubleness' of man): *Ehihe* has no English equivalence, however, it could also be called *azu-abua mmadu*. In fact, it is from this reference (*azu-abua*

mmadu) that it takes its appropriated English equivalence (the 'doubleness' of man). Hence, *Ehihe* is believed to be the *azu abuo mmadu* (the 'doubleness,' or better still, primarily the 'animal-part' of man). The simple implication of this is that it is the animal-in-apposition to every physical man. Basically, *Ehihe* is believed to exist only in animal kingdom, most commonly occuring, regarding wild animals and not domestic ones. A significant deductible point here is that as man takes the existential position of higher animal, his *Ehihe* takes the existential position of an inferior animal. Again, while man takes the habitat position of domestics, his *Ehihe* counterpart takes the habitat position of wildness/non-domestics. *Ehihe* is not believed to be in any other kingdom of reality like tree, water, etc. However, *Ehihe* can be found in human form, but only when the person is at the verge or threshold of death. At this point of transcendence, it could be termed *Oyime* (ghost), no more *azu-abuo* because it has taken another existential form and would transcend from a sphere of existence into the invisible realm of existence. At this point, it becomes the leaving, though still living person, and after this point of transubstantiation, death becomes the next available inescapable occurrence with immediacy – perhaps not more than *izu* (the traditional Igbo week, with the four days being *Eke*, *Orie*, *Afo*, *Nkwo*). Only human beings have *Ehihe*, spirits, trees, animals, etc. do not have one. It is mostly believed that when one's *Ehihe* is killed, the person would die physically for the *Ehihe* is the second of the person in the world/family of animals it belongs to. That is why if someone's siesta lasts till 4 pm, he/she would be woken so that the returning hunters would not kill his *Ehihe* according to the Igbo belief. A possible deductible existential experiential lesson is that this waking up tames siesta duration. It trains and punctuates man within a particular time range (duration) of sleeping in the afternoon. Nevertheless, it is in *Ehihe* (azu-abuo) *mmadu*, at the very point it returns to the human form of the person and very immediately about to leave from this sphere of existence, that the person can be pursued back to life. Any person who can pursue a dying person whose *Ehihe*, or *Oyime* (ghost) so to say, has now come back to human entity, must be a strong person, and who can spiritually see well and far. That is because it is a dangerous journey to embark on and anyone who dares to embark on bringing a person back to life through *azu-abuo* must be a man of surplus vigour, who is strongly willed and minded, very spiritually determined and one with much moral values whose morality/uprightness fights for. The rescuer, if care is not taken – say he/she is not spiritually strong, willed and determined – could be exchanged for the person he/she tries to pursue back to life, or even the two of them might taken by those spirit-beings who have come to take (drag) the dying person spiritually to the spirit world. What is still clear is that a dying person is accompanied/escorted to (in the process of being dragged) by a group of spirit of the dead, to the spirit land. This dying person

dragged in the spiritual realm to the spirit land is no more in the sphere of *Ehihe* but in that of *Oyime* now, hence being in human form when returning to this world where he came from. They are always seen by the gifted and people who can see in a spiritual sense in the community; and, significantly, they always follow the olde path/way, for that is the path these accompanying/escorting spirits knew before their departure from the physical existence. This journey is so dangerous that any who does not see spiritually who blocks the way/path can be severely hurt, and if so unfortunate, can get deformed perhaps deaf if slapped, deformed at the neck if severely hit there, or even get seriously injured if hit or pushed down spiritually, by these spirits undergoing this spiritually dangerous mission. Apparently, at this juncture, that is not just a mere and physical fight alone, it is supportively spiritual as the spirits of the relatives of the dying person *may* join (by divine/ontological intercession/interference) to help the fighting person to succeed in pursuing back the dying person to life, though this greatly depends on the moral status of the person being dragged spiritually to the land of the spirits. But this is not the only way a person could be sent/pursued back to life, for if it were to be, it would mean that every person must have to pass through the scenario explained here. Hence, a person can be pursued back to life in the dream through a spiritually strong willed individual; it could be a physically living person or a dead person. Even in the dream fighting/rescuing mission, the same process of caning (revolt) could be applied to pursue the person back to life and when the person returns to his physical body, the immediate inevitable step is to wake. Same thing happens when the mission is being carried out physically. The person would wake or shake their body to show the sign of life expressing a state of still-living. Peculiar sign could be to sneeze, among other signs. Generally, this way of pursuing back to life in dream shows the existence of spirit elements of reality. The fact that the dead pursue a person back to life from the spirit world in dream shows the ontological reality of the dead, especially when they are in a better place, namely paradise, in the hereafter, which denotes that they are still living as spiritual (counter) parts of the physical living members of the family. This is the base or rationale for describing/designating the dead in paradise in the hereafter as departed-living. They have departed from this visible existential sphere to the invisible eistential sphere but are still actively living. During this fight, canes/sticks of a particular tree called *ozas* are used. *Ozasi* is a sort of tree believed to have some spiritual potencies, is medicinal and whose leaves are used to preserve kola nuts locally and its sticks used in such event because of its highly spiritual-contents. It is a highly conceived spiritualized tree which *Dibia* (native doctors/diviners) use for medical/herbal concoction and spiritual journey. It is the same plant used in the event of *igba agha* (war-revolt/protest) always done by the women folk. *Igba agha* simply means 'revolt, a deep ontological event where the women

folk in unity and agreement with the spirit counterparts revolt against an ongoing negative/abnormal event ravaging the community and which they have physically decided to ontologically revolt against, in unison with the spirit beings, so as to put a stop to and redress for social progress and more social development.' That said, the *watchword* of the rescuer during the fight would be '*onye n'agba nsi/ogu nwanne anaghi ebu/evu akpu n'onu*' ('he who is fighting for his relative does not get wounded but survives'). The successfulness of this spirit-rescue-mission may not entirely be because the fighter/rescuer is strong physically, but through divine/ontological intercession and interference and *aka nkwu-m-oto* (blamelessness/uprightness) of the rescuer/fighter.

Comparatively, to some Umuokans, *Oyime* and *Ehihe* are the same. But, we believe that they are not. *Ehihe* concept begins with the existence of a person, while *Oyime* concept begins only in regard to the person's death. In other words, *Ehihe* is linked with a person's beginning of existence but *Oyime* begins at the tap by the person's *mmuo*, serving as a signal that the person has begun the process of dying. This explains why *Oyime* as a procedural phenomenon/ existential experience can take a long time before death properly occurs. However, *Ehihe* has a lot of implications as far as *Oyime* is concerned, for these two concepts can both be expressed in many forms. Perhaps, this may explain why the European holds that the African believes that souls abode on the trees, stones, waters, etc. Nevertheless, it is of importance to enquire how the two relate with the Mmuo. Simply put that they are manifestations, expressions of the reality and presence of the Mmuo in the human being.

Uche (Mind/Intellect): The term *Uche* in a loosed sense could imply 'intention, wish, opinion.' This explains why the Igbo could tell a neighbour, '*kwuo uche gi*,' that is, 'speak your mind,' or 'express yourself,' in terms of opinion or wish, on a particular matter at hand. Importantly, we must recognize that this 'expression' is still an act of voicing out what the mind thinks/says about the matter in quote. However, from a relative sense to this work, *Uche* is the thinking faculty of man. It exists in the mentality of man and it is functionally linked to the brain, the right state of the individual's health, psyche, memory, etc. It can, however, be lost or appear malfunctioning when a serious damage is inflicted on certain sensitive organs of the body, like the brain, etc. Too much thinking, worries, stress, mental instability, imbalance or insanity can very clearly bring about its malfunctioning. That is why sometimes the Igbo says '*Uche ya anoghizi ya* or *onarago ya Uche*,' that is, 'he has lost his mind,' due to one of the factors listed above.

Echiche (Thinking): *Echiche* is the thinking (activity) that *Uche* does. A man's course of action and manner of thinking go a long way to truly define him and show his personality. It depicts the presence of *Uche* in man but the quiddity of his *Echiche* through *Uche* is greatly influenced by *Ako*. It shows the level of

a man's wisdom and while it is not wisdom, it serves as a way through which wisdom is demonstrated. Overall, it is tied to *Uche* and *Ako*.

Ako (Wisdom): *Ako* is wisdom. Wisdom is *Onatara Chi* (God's gift or Nature-bestowed). Ako brings out the beauty and effectiveness of proper state and functioning or essence of *Uche cum Echiche*. It is not learnt, though seen as a percentage it is incomplete without proper formal education. It can informally lead a man, but not formally, for certain ingredients, such as *mmuta* (knowing/understanding), are enjoyed with *Ako* so as to create a solid intellectual balance. In its informality it is limited and imbalanced. In some Igbo tongues and conceptions, Ako translates as Amam-ihe or Awam-anya, and out of language game the expression of Ako could be referred to as Nti-Ako (Iti-Ako).

Nghota (Understanding): The expression of *Nghota* shows the effectiveness of *Uche*, the level of its essence (*Echiche*) and is the way through which *Ako* is manifested. It defines the personality of man. Its balance and flexibility enhance communal living, accommodation and tolerance.

To give a comparative but brief emphasis on this point, when the physical constituents, such as the eye, ear, etc., behold a phenomenon, *Echiche* occurs and descends on it through the natural phenomenon *Uche*, the faculty of thinking, so as to necessitate *Nghota* which is facilitated qualitatively and quantitatively by *Ako*. This functional link especially between Ako and Uche makes some Umuokans, Igbo, to say Ako-na-Uche to mean one phenomenal composite of the human being. But in a strict though thinly sense, they are different phenomena.

Onyinyo (Shadow): *Onyinyo* is one of the components of man that is mysterious even though science may not see it as such. For the Igbo, it portrays the presence of the metaphysical composition of man. It stands as a symbol of the reality of *azu abuo mmadu* (the doubleness of man). It equally depicts the principle of individuality, thereby, portraying the saying '*onweghi onye ga agbanari onyinyo ya n'oso*' ('nobody will run faster than his shadow' – Individuality Principle). It is sometimes seen as a symbol of the presence of man's *Chi* or Guarding Angel or even life of the being. Among the Igbo, it is equally believed that through a being's shadow the being can be hurt.

Ume (Breath): *Ume* is a significant sign of the proper functioning of the heart, lungs, and other mechanical composite organs in the body. Ideally, it proves that life is still in the body and by implication, the presence of *mmuo* as the principle of life. It is a product of the invisible but expressed visibly through the activity of *mkpuru-obi* (heart). It can be ceased for some times, yet life which symbolizes the presence of *mmuo* is still inside the person.

Agwa (Character/Attitude): *Agwa* is the defining character/exhibition of an individual. It explains the traces of genes from the parents that make up the

attitudinal temperaments of an individual. It is also a principle of individuality and of siblings which defines their diverse personalities that exist even though they are of the same parents. Onunwa places more emphasis on *Agwa* and insists that it is the beauty of an individual, and can mar or grace him.[109]

Obi-Ikpe (Conscience): *Obi-Ikpe* literally means 'the heart that judges or the judging-heart' where 'heart' here refers to 'that voice of reason, voice of moral consciusness, voice of the heart that judges man as to whether what he has thought, done or said is right or wrong.' We have, previously, properly elaborated on what *Obi* means both materially and ideally, and though in its ideal leg of meaning it goes tripartite, here we stick to the one that implies 'conscience.' It is on this basis that it calls for the necessity to serch for a proper way and name for it, as *Obi* can refer only to conscience, and this explains why the affixation *Ikpe* exists. *Ikpe* literally means 'judgment.' But we must note that the sense of judgment inheres elements of rationality so as to proffer a right sense of judgment. However, to give a proper or best correspondence to the English meaningful equivalence of the term 'conscience' as 'a person's moral sense of right and wrong,' or 'the part of your mind that tells you wether your actions are right or wrong,' which connotes the idea/facticity of the sense of moral judgmenet, the term *Ikpe* becomes imperative to be affixed to the term *Obi*. That combination will detach it from wearing entirely a sympathy/emotion-status which centrally revolves around the functionality of *Obi* and then mediate its rationality-involvement and situate it within a mild range between sympathy and rationality-exercise.

Obi-Ikpe (conscience) could also be represented with the term *Mmuo-Ikpe*. *Mmuo* literally means 'spirit,' hence *Mmuo-Ikpe* literally means 'the spirit that judges or the judging spirit' where 'spirit' here implicates 'that spiritual part of man that judges him as to whether what he has thought, done or said is right or wrong.' The ontological function of the term *Ikpe* to *mmuo* on this context gears towards sense of morality as to what is right and what is wrong. It therefore points to the metaphysical aspect of man that judges his acion even in himself before an outside-self judges the action as to whether morally wrong or right. We have also earlier referred to how the term *Mmuo* which ordinarily in Igbo language stands for 'spirit' implies conscience. When the Igbo says '*mmuo ya n'apia ya utari*' ('his/her conscience is caning (pricking) him/her'), he refers to 'conscience,' not 'spirit' as a component of a human being. Hence, it is a very poor manner of expression to apply *mmuo* on the context of 'spirit' when it concerns conscience discourse. In this regard comes the indispensability of the affixation of the term *Ikpe* to the word *mmuo* so as to represent properly the English equvalence of conscience.

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[109] Onunwa, "Humanistic Basis," 46.

Thus by this expression, 'conscience' becomes interpreted as the deepest, purest and most sincere mind or heart with which one brings out the best in him in approaching his neighbour. It becomes the 'vibration of the spirit' in reaction to man's activity, speeches and thinking. By this expression, 'conscience' becomes the seat of sincerity and truthfulness in man. But what then becomes the case when we consciously suppress this conscience to a point of non-functionality just as we see expressed in the daily life of man? However, these terminal expressions about conscience that *mmadu* is attached to, when critically scrutinized from the etymological and ontological meaning, implication and suggestions of the expressions, are discriminatory in nature for they secure/bestow the term 'conscience' solely for/on human beings, no other reality possesses it by a strict meaning, implication and analysis of those expressions. But could it be true that only man can the concept 'conscience' be discussed about? Conscience could be seen expressed by animals, for instance, when the bigger/more-powerful animal quarrels with the smaller/less-powerful animal and hurts it to a point even when the freedom to continue the hurt is there, it may just decide to stop or even position itself on the usual position where it (the bigger/more-powerfu animal) hurts the small/less-powerful one, but willingly declines from continuing doing so and just be looking at the helpless smaller/less-powerful one. What could we say of such attitude even though sometimes this is disregarded because of the exercise of the animalistic nature of animals? Thus, deductible from our analysis so far in this work is that even animals have spirits; it holds no water attributing conscience or even moral cconsciousness to only a set of reality – say human beings – for all these expressions (conscience, moral consciousness) are the manifests, mode of expressions of the spirit in any reality. Animals have moral consciousness and even conscience following their nature being composed of spirit which is central to their beingness, though, habitually, their animalistic nature outweighs their show/expression of these other metaphysical components, and that explains a lot as to why a child-animal can mate with the mother-animal.

Finally, it is very pertinent to note that somebody's *obi-ikpe* or *mmuo-ikpe* can be consciously supressed, bluntly ignored by man, and, when this happens, the negativity-nature and aspect of man now comes up to play, and the inevitable resultant effect is an animalistic, beast-like and inhumane display, all this for the instilling of self-centeredness and self-ego-drives. From our analysis, certain features play out; in the concept as a metaphysical idea and component of man, according to the Igbo, 'conscience' inheres (1) that sense of moral judgment, (2) that sense of sympathy emanating from the ends of morality of the judgment, (3) that guarantee of a plausible moral judgment, in which elements of rationality are involved so as to ensure a

balance between sympathy and rationality, hence rationality is equally featured.

Onatara Chi (Nature-Given Gifts/Talents): *Onatara Chi* literally means 'received from Chi (God)' or 'God/Nature-given.' It connotes the idea of 'inborn' and, as such, it is equally part of the class of individuality. It is that defining talent found in each sibling which distinctly differentiates him from fellows. It is a personal endowment bestowed on man to help him succeed in life if he can identify and maximize it. But, importantly, *onatara Chi* becomes effective and existentially useful when constantly renewed/regenerated/ rejuvenated. This is why I would not like to term it *akara aka* because there is no *akara aka*, but a serious determination towards exploration of human tendencies/capabilities to give essence to life/existence.[110]

Chi: *Chi* has variously been translated and interpreted. It is a serious concept employed to explain reality as perceived. *Chi* has its root and basic sense from God as *Chi-ukwu* (Great God), or *Chi-n'eke* (Creating-God). However, it primarily depicts God/god, or god-hood – in this, it could be God, (personal) god, guarding angel, spiritual being/element/entity. That is why it has also been seen as an individual's Guiding and Guarding god/Angel, associated with individual's principle of luck, fortune, misfortune, failure and success. Again, it has been superlatively interpreted as the root-word to 'god' as in the Supreme Being – *Chi* in *Chi-ukwu*. The adjective *ukwu* (great) is added to differentiate Him from *Chi-ness* or god-hood of other beings, man even included as is expressed thus, '*mmadu bu chi ibe ya*' ('human being is his fellow's *chi*'). In this sense, man becomes the material medium through which the Supreme *Chi* manifests His saving-aid to men. For the Igbo, it could equally connote '*Akara Aka* concept' (Predestination).[111] Abanuka makes an extra effort to explore more on the concept and informs us that "it means day or daylight"[112] as in *Chi efoo* and *Chi ejiee* (Day has broken, and night has fallen). I would like to however to delve deeper, in order to note that *Chi* could as well be perceived as the *principle of existence*, that is, the beginning or emergence of something that has never been; as in *Chi-ta ya* (bring it – make it emerge here), *Chi-a* (laugh – emerge laughter) *Chi-zie* or *Chi-saa ya* (dress or scatter it – let the dressing or scattering emerge), *Chi-wazie anyi* (now lead us – emerge the leadership for it has never been). In attributing creation to God, we say *Chi-oke*, in as much as *oke* implies several things, we shall pick two implications,

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[110] Ugwu, "The African (Igbo) Concept of *Akara Aka*: A Philosophical Reassessment."

[111] Ibid.; Anayochukwu Kingsley Ugwu, and Leo Chigozie Ozoemena, *African Philosophy, Cultural Conceptions and Experiences: A Collection of Essays* (Mauritius: Lambert Academic Publishing, 2019), 87-102.

[112] Abanuka, *Further Critical Studies*, 40.

oke as it relates to 'creation,' and *oke*, as it relates to 'destiny,' that is, 'your own *oke* – portion – which has been designed for you *ab nitio*.' By extension, the 'creation' implication could be more simplified as (*Chi-Okike*) – the *Chi* through whom creation emerged – the principle/beginner/bringer of creation, or *Chi* of creation, or God, whose nature is creation, or *Chi-eke* – the *Chi* who owns/ has or carries *eke* (creation) in Himself that wherever he is behold, creation emerges/begins or is given. By this, His nature as the defiler of barrenness of all sorts is portrayed. Hence, *Chi* concept is an essential constituent of man. The 'destiny' implication could be more expressed as *Chi-Oke* – the God of/who is incharge of destiny apportioning.

VI. Conclusion

And who would refute Anyanwu and Ruch, when they contend that for one to get the real knowledge of reality (in this context, the real knowledge of Africa and the African), one has to be well attached, must remain an insider and never an outsider to reality as obtainable in Africa, hence their assertion that "the method through which the African arrives at the trustworthy knowledge of reality (God, man, spirit, society, social facts) is intuitive and personal experience."[113] Similar view and position is maintained by Achebe,[114] when he recalls that his Western lecturers could only teach him what they have been academically impacted from their own background, but not his African, Nigerian background in order to tell the story of his self. In other words, he is in a better position to define himself, his African environment following his African experiences. Be that as it may, we have been able to critically explore both the physical and metaphysical components of man in the African (Igbo) conception and even narrowed it down to that of Umuokan conceptual scheme. From the analysis in this work, it has been established here that man is a sustained-survived/surviving-spirit whose essential nature is *good/beauty, bad, spirit or the facticity of existence or survival*. Thus, both evil and good are existential/fundamental in the identity of man's nature, essence and substance, hence it is naturally perceived and sustained as intrinsic in man's nature. Of course this existential state is also said of God, for if He has nothin to do or have anything in common with evil, or cannot explain evil, then He is not perfect and omipotent.[115] But man is so complicated, though more vitality is conceptually attached to his metaphysical compositions.

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[113] Chukwulozie Kinglsey Anyanwu, and E. A. Ruch, *African Philosophy: An Introduction to the Main Philosophical Trends in Contemporary Africa* (Rome: Catholic Books Agency, 1981), 94.

[114] Chinua Albert Achebe, *There Was a Country: A Personal History of Biafra* (London: Penguin Books, 2012), 34.

[115] Anayochukwu Kingsley Ugwu, and Leo Chigozie Ozoemena, "Reality Explained."

Man for the Igbo is essentially a being composed of both physical and metaphysical elements, as well as a being who is characteristically identified as an ontological communitarian and humanist. His existence is essentially meaningful in the attitude of 'being-with' other existents – be that visible or invisible, in a more humane way. His name portrays his mode of living/existing/surviving, his existential pattern/manner/way depicts its existential nature/mode-of-living and ontological implications of his name. The spiritual sphere is not distant from the physical sphere of existence, and the African experiences ontologically, epistemologically, intuitively and experientially provide a lot of information on these realities. The two worlds interweave and one sphere is as important as the other for any act in one sphere can intrinsically and existentially mar the rudiments or the existence in the other. The rudiments of his existential communality have a lot to explain in regard to the concept, belief and reality of reincarnation among the Igbo Africans. Morality is an integral part and parcel of the African, Igbo, Umuokan worldview, existence and general life endeavours, hence, the consciousness of moral implications in the ontological-life of the African begins his existential wellbeing and safe-journey-process to the here-after even from here-within. Epistemologically, it brings to the fore the knowledge that the spirit is at the centrality of all the ontological components of man, and indeed every reality. Their ontological existential qualities, natural inclinations/demonstrations are solely dependent on, and are the instrumentalities, workings or expressive means, operationalities or functionalities of the spirit.

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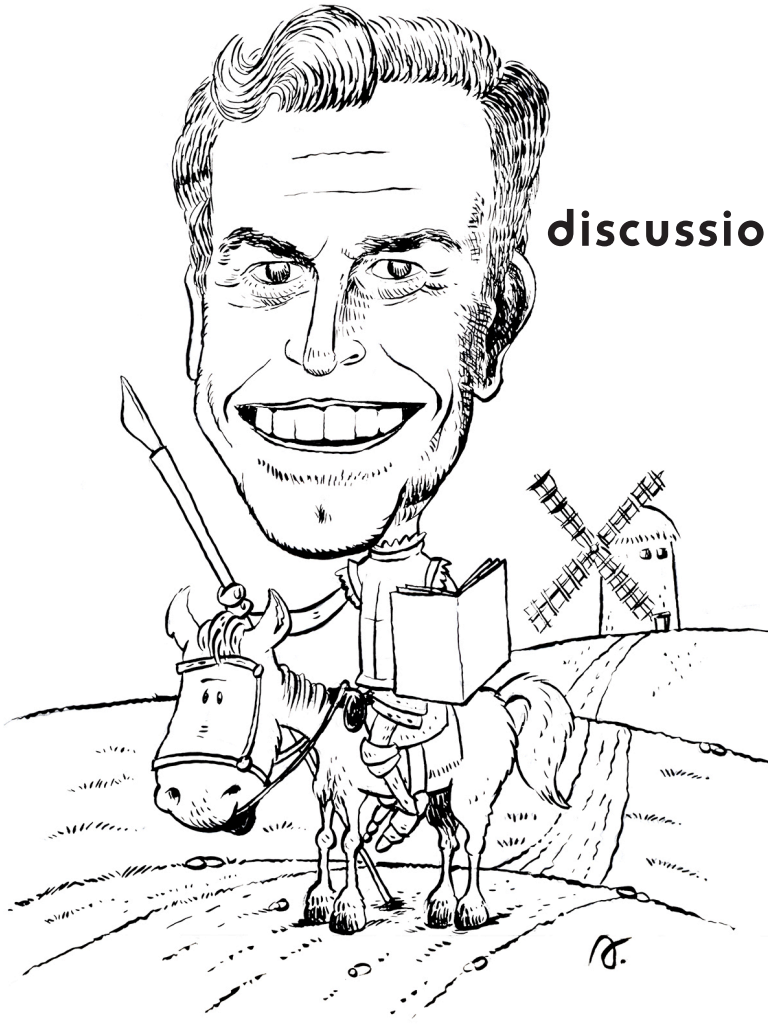

discussion

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Global Bioethics in the Post-Coronavirus Era: A Discussion with Roberto Andorno

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Abstract

A discussion with Roberto Andorno about global bioethics and biolaw, the Coronavirus pandemic, and its impact on human dignity and rights. Can we foresee the emerging new profile of global bioethics and biolaw in the post-Coronavirus era? How significant are they going to be in the future, after the enormous pressure that the Coronavirus pandemic has exercised on key political, legal, and ethical values? Must the voice of bioethicists -compared to the 'hard' scientific data- be louder in the future concerning decisions about emergency social and medical measures? Is there a hope that public empowerment will support robust, global public engagement and meaningful deliberation? How much does Roberto Andorno's view on human dignity reveal a supposed commitment to moral realism? The massive deaths of elderly people living in hospices of Sweden, Spain, and Italy, based on an implicit 'fair innings' view, has recently posed certain questions on the moral unacceptability of such practices. The same questions arise in the case of the legalization of euthanasia grounded on the implicit acceptance of the view that life is not worth living under certain circumstances. Is it possible that the human rights bodies worldwide will acquire executive power, and how could this become possible? How influential the 'precautionary principle' can become regarding clinical and research ethics in the future? How urgent is the importance of the introduction of bioethical education in the curricula of 'hard' empirical studies? Roberto Andorno discusses with us all these controversial and under heated public debate issues, giving sometimes provocative answers.

Keywords: *global bioethics; biolaw; coronavirus pandemic; human dignity; moral realism; public engagement; precautionary principle; bioethical education*

George Boutlas: During the COVID-19 pandemic we witnessed the growing impact of public health related issues on public life. But even before that, the growing political impact of bioethics during the last decade has revealed the emerging new profile of global bioethics.[1] In your view, how significant will bioethics and bio-law be for social life in the future?

Roberto Andorno: I would say that the COVID-19 pandemic made bioethics more relevant than ever. Many bioethical questions that were until recently only known by experts began to be discussed by the general public: Who should get a ventilator or a vaccine if we do not have enough for everyone? How can we protect the most vulnerable people from discrimination when we face difficult triage decisions? How to balance the measures aimed at controlling the pandemic with considerations of privacy? Has the government the power to make a vaccine mandatory for all, or at least for some categories of individuals? More in general, what is the right balance between public health interests and individual rights? Given the global nature of the COVID-19 pandemic, these difficult ethical questions have also acquired global relevance. As result of this exceptional situation, bioethics and biolaw have received a new and strong impulse that will increase in the next decades. Besides all the public health issues related to the pandemic, I am convinced that the ethical and legal challenges posed by emerging technological developments (Artificial Intelligence, Big Data, neuroscience, gene editing, etc.) are likely to increase in the future. This will make bioethics and biolaw even more significant for social life than they are today.

George Boutlas: The COVID-19 pandemic has put under enormous pressure key political, legal, and ethical values of ours. Sometimes it may seem difficult even to imagine which the day-after will be, and how any possible *new normality* will look like. For one thing, fundamental moral principles – such as autonomy, self-governance, and privacy – have been ferociously challenged due to the prevalence of totally diverse policies. In your view, should human dignity be still relevant in emergency situations during which common goods – such as public health – are at stake? And if yes, why, and to what extend? In a word, will human dignity emerge out of the crisis stronger or weaker?

Roberto Andorno: The values and the deriving rights that you mention (autonomy and privacy) have acquired paramount importance in modern legal systems. However, it is important to point out that those rights are not absolute, but relative. International human rights law declares very explicitly

[1] Erick Valdés, "Towards a New Conception of Biolaw," in *Biolaw and Policy in the Twenty-First Century: Building Answers for New Questions*, eds. Erick Valdés, and Juan Alberto Lecaros, 41-58 (Cham: Springer, 2019).

that those rights can be limited in the interest of public health, insofar as such restrictions are necessary and proportionate to the purpose of protecting public health (see for instance Art. 14, § 3, of the *International Covenant on Civil and Political Rights* of 1966). Of course, the difficult question is to determine if limiting those rights can be justified in a particular situation. This is a matter of prudential judgment of each government and can vary from country to country. The severity of the disease in one particular country may justify certain restrictive measures that would be disproportionate in another country. But the principle of respect for human dignity operates differently than privacy and autonomy. Dignity has an unconditional, non-negotiable value and cannot be balanced with other interests or subject to proportionality assessments. The notion of dignity refers to the intrinsic worthiness of human beings, who should always be treated as ends in themselves and never merely as means to something else, according to the famous Kantian imperative. The reason is simple: dignity is not just one right among others but the foundation and ultimate source of all rights. Being the cornerstone of the entire human rights system, dignity can never be disregarded or violated. This is clear, for instance, in the provisions that unconditionally prohibit practices such as torture and inhuman or degrading treatments, which constitute a direct attack on human dignity. Unfortunately, during the COVID-19 pandemic some countries adopted certain measures that, in my opinion, involved a violation of human dignity. One example is the decision made in Spain and Italy to completely isolate elderly individuals living in hospices, many of whom died alone and without any contact with their relatives during the final moments of their lives. That was disproportionate and unjustified.

George Boutlas: During the COVID-19 pandemic the voice of bioethicists has not been as strong as that of, let's say, immunologists; in most cases the measures that were implemented were based upon 'hard' scientific data, and statistical evidence. Should the discussion be more focused on the ethical aspects of the issue? Could this be a reason that these measures were ineffective in most cases on the one hand, and didn't have wide public acceptance on the other?

Roberto Andorno: It is true that insufficient efforts have been made to promote awareness of the common interests that are at stake in this exceptional context. The different measures imposed by authorities to prevent the dissemination of the virus (lockdown, the use of face masks, social distancing, tests, vaccines, etc.) would have been better accepted if the population had understood that this is a matter of solidarity that transcends the satisfaction of individual wishes. This is particularly important if we consider that we, in the West, live in extremely individualistic societies; we are not very much used to think in terms of the social interest and solidarity. Precisely the pandemic

has reminded us in a brutal way that we all are vulnerable and exposed to sickness and death. The pandemic was a wake-up call about our common membership to the same family (the human family), and about the strong interdependence between all of us.

George Boutlas: During the pandemic people entrusted serious decisions about their political and personal freedom, dignity, and future to governmental policies. In the Geneva Statement on "Heritable Human Genome Editing: The Need for Course Correction" you argued in favor of fostering public empowerment that "will support robust, global public engagement and meaningful deliberation" concerning heritable human genome editing.[2] Do you believe public entanglement and fostering appropriate institutions would make us better prepared to cope successfully with major biomedical crises in the future?

Roberto Andorno: Today we are more conscious than in the past of the need of a public involvement in promoting the common good of society, including public health issues. At present, one of the areas where public empowerment is more urgently needed is the discussion on whether human germline gene editing – the creation of genetically modified children – should be allowed or not. The Geneva Statement, which I contributed to develop with a group of scholars, aims to draw attention to the need of real public involvement in this discussion. So far, only a few academies of scientists have proposed policies in this area, based on the assumption that human germline alterations do not pose any intrinsic ethical issues and that the only question to be discussed is how to minimize the possible side-effects of the technique on the health of the children conceived by this procedure. The Geneva Statement claims that this position is based on a very narrow view of the issues at stake in this area, both for us and for future generations. Among those issues of concern I can mention, for instance, the commodification of future children and the risk of opening the door to a new and radical form of eugenics. The Statement calls for a truly open and transparent public debate, so that decisions in this crucial area are not left in the hands of scientists, who do not have the democratic representativeness to decide alone on behalf of the whole of humankind.

George Boutlas: The unavoidable involvement of political institutions with bioethical issues brings in mind Giorgio Agamben's discussion on biopolitics (with a negative connotation) in the sense that the state violently interferes with the "bare life" of citizens; Agamben relates the concept of biopolitics with the Nazi regime and the eugenics and racial laws during this period.[3] In my

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[2] Roberto Andorno, et al., "Geneva Statement on Heritable Human Genome Editing: The Need for Course Correction," *Trends in Biotechnology* 38, no. 4 (2020): 351-354.

[3] Giorgio Agamben, *Homo Sacer. Sovereign Power and Bare Life*, trans. Daniel Heller Roazen

view, though, one could easily see that there is a difference between Agamben's account of biopolitics and contemporary bio-law. In many writings of yours, you seem to be concerned about the advances in the field of genetics. Is it that you fear the emergence of biopolitics, in the sense Agamben means it, that is, the uncontrolled expansion of genetic manipulation and unprincipled experimentation?

Roberto Andorno: I do not share the pessimistic view of Agamben about the involvement of the State in the regulation of biomedical issues. On the contrary, I think the lawmaker has a crucial, positive role to play in this area to promote respect for human dignity and human rights. Of course, the possibilities of a misuse of the emerging technological powers over human beings (for instance, in the field of genetic engineering, as I have just mentioned) is a matter of concern. But the task of biolaw, as least if we conceive it as an extension of human rights law, is precisely to prevent the worst misuses of biotechnological powers, not to facilitate them. The role of biolaw is not to subject people and their bodies to the interests of the State, but on the contrary to promote human freedom and dignity.

George Boutlas: How realistic is the proposal of global public involvement, considering the dramatic rise in socioeconomic inequality,[4] the existing status quo in decision-making and its overlapping with the interests of powerful minorities (political, financial, or even scientific)?

Roberto Andorno: Before answering your question, I would like to point out that, as science becomes increasingly global, the responses to the ethical challenges posed by science should also be global. Aware of this, some international organizations (UNESCO in particular) have worked hard over the past few decades to develop some global bioethical standards.[5] Certainly, due to the cultural diversity between countries, a global consensus on these sensitive issues is only possible at the level of certain minimal, general principles. As a matter of fact, international biolegal instruments are sufficiently flexible to be compatible with respect for cultural diversity. Having said that, how realistic is the possibility of a global public involvement in this area? Undeniably, this is a tremendous challenge. If it is already difficult to promote a public involvement in bioethical issues at the local level, how could it be easy to do the same at the global level? However, some attempts have been made in this area. In the 2000s I was a member of UNESCO International Bioethics Committee, and had the

(Stanford, CA: Stanford University Press, 1998).

[4] Rui Nunes, "Fair Equality of Opportunity in Healthcare," *Conatus – Journal of Philosophy* 3, no. 2 (2018): 83-97.

[5] See Roberto Andorno, "Global Bioethics at UNESCO. In Defense of the Universal Declaration of Bioethics and Human Rights," *Journal of Medical Ethics* 33, no 3 (2007): 150-154.

opportunity to be directly involved in the elaboration of the *Universal Declaration on Bioethics and Human Rights*, that was finally adopted in 2005. I remember that the first draft declaration was submitted to a global consultation with non-governmental organizations, academic institutions, and different associations from around the world. The responses from all these instances were taken into account in the decision about the principles to be included in the Declaration.

George Boutlas: When it comes to bio-law, is legislation in need of robust philosophical justification, or public consensus alone would suffice for establishing biopolitical norms? John Stuart Mill has famously argued that socially dominant views on what is good impose certain rules on fully developed human beings 'in the maturity of their faculties,' intervening so to the choices they make about their bodies.[6] Is there any way that the 'tyranny of the majority'[7] could be avoided?

Roberto Andorno: Your question concerns not only the development of biolegal norms but the lawmaking process in general, and ultimately the democratic system itself. The question is: how can we ensure that the laws adopted by the Parliament (i.e., by the majority of its members, which ideally represents the dominant views in a particular society) are the best ones to promote the common good? We know well by experience that this is not always the case. Obviously, majorities can make mistakes. Some laws can be more harmful than helpful. But democracy itself offers some mechanisms that may reduce the harm resulting from the lawmaker's mistakes. A robust and independent judicial system is one of them. Another corrective mechanism is the inclusion of some fundamental principles into the Constitution (such as respect for human dignity and basic human rights).

George Boutlas: In your "Four Paradoxes of Human Dignity" you recognize the partial grounding of human dignity[8] on practical demands, but you insist on the need of some theoretical grounding at the same time, arguing that contractualist explanations of dignity and rights are "superficial, if not wrong."[9] Does this mean that you are committed to moral realism? And if so, is your version of moral realism somehow connected to Kant's *Factum der Vernunft* as the consciousness of moral law?

Roberto Andorno: Yes, I am committed to moral realism, if you understand by this expression the position holding that we, as rational beings, have in principle the capacity to distinguish between right and wrong. This position is also called "moral cognitivism." Of course, our moral knowledge is

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[6] John Stuart Mill, *On Liberty* (Kitchener: Batoche Books, 2001), 14.

[7] Ibid., 8.

[8] Filimon Peonidis, "Making Sense of Dignity: A Starting Point," *Conatus – Journal of Philosophy* 5, no. 1 (2020): 85-100.

[9] Roberto Andorno, "Four Paradoxes of Human Dignity," in *Menschenwürde und moderne Medizintechnik*, ed. Jan Joerden, 131-140 (Baden-Baden: Nomos, 2011), 135.

affected by a higher degree of uncertainty than the knowledge we may have for instance in physics or mathematics. Human actions cannot always be straightforwardly labelled as "right" or "wrong." Very often, the answers to ethical questions are not black or white but may depend on the particular circumstances of the case, the agent's intention, and other factors. In other words, ethics is not an exact science; it is the result of an approximate form of reasoning. As Aristotle points out, in ethics we must be happy if we are able to provide "a broad outline of the truth."[10] But, in spite of its inherent limitations, moral knowledge is indeed a form of knowledge. From this perspective, contractualism is not only a simplistic, but also a flawed position as it involves claiming that morality (and law) are merely the result of a social construct, no matter what the content of the consensus could be. My opinion is that certain practices or behaviors (let's say, for example, torture, slavery or murder) are wrong not just because we, or the majority of us, have agreed on declaring them illegal, but it is the other way round: we have agreed on declaring them illegal because we know they are wrong. In other words, we do not "invent" ethical principles from nothing. As a matter of fact, contractualism is a counterintuitive position, since it contradicts our everyday life intuitions and behavior. Certainly, it is easy to be contractualist because you do not need to provide any substantive considerations about right and wrong; you can comfortably remain at the level of a purely formal logical structure à la Kelsen. But in case you want to come to some substantive propositions, you have to resort to some artificial notions, such as the famous Rawlsian "veil of ignorance." Concerning the philosophy that inspires me, although I admire Kant, I consider myself closer to Aristotle. I prefer the Aristotelian bottom-up, realistic, modest approach to ethics than the Kantian top-down, and excessively formalistic ethical theory.[11]

George Boutlas: During the pandemic we were faced with something in a way resembling the Holocaust[12]: in several European countries people in nursing homes were denied any treatment other than morphine injections, as well as access to hospitals and intensive care units. Cases as such especially in Sweden, Spain and Italy were brought to justice by the relatives of the deceased, who stigmatized the death of the elderly people as genocide, as a morphine-based euthanasia program aiming to relieve the overstressed

[10] Aristotle, *Nicomachean Ethics*, trans. H. Rackham (Cambridge, MA: Harvard University Press, 1982), 1094b.

[11] See my essay on our knowledge of moral principles: "Do Our Moral Judgments Need to Be Guided by Principles?" *Cambridge Quarterly of Healthcare Ethics* 21, no. 4 (2012): 457-465.

[12] Dimitra Chousou, D. Theodoridou, G. Boutlas, A. Batistatou, C. Yapijakis, and M. Syrrou, "Eugenics between Darwin's Era and the Holocaust," *Conatus – Journal of Philosophy* 4, no. 2 (2019): 171-204.

health-care system from the burden these elderly citizens would add up; the lives of aged people were considered to be expendable. Can the 'fair innings' view be valid during this pandemic, as well as in other emergency situations when the resources are limited; or is it morally unacceptable in any case?

Roberto Andorno: As I mentioned before, during exceptional situations, like the COVID-19 pandemic, certain rights (for instance, the freedom of movement) can be restricted in the interest of public health. However, there are limits to these restrictions. Ultimately, respect for human dignity marks a red line that should never be crossed, not even in exceptional situations like this one. The notion of dignity emphasizes that every individual has an intrinsic and irreducible value, which does not depend on the age or health condition or any other particular feature of that person. Even in the difficult triage decisions that had to be made in some countries to determine who should have access to the ventilator, the argument used was not that the oldest people have "less value" than the youngest ones, but that the treatment would be more effective for some patients than for others, and this, independently of their age. Therefore, the notion of "futility" of the treatment was at the core of the triage decision, and not the notion that the lives of the oldest patients is not valuable.

George Boutlas: Those who oppose the legalization of euthanasia usually argue on the basis of slippery slope arguments. Evidence from recent research show that there is growing demand for euthanasia, and that the list of reasons provided by people gets broader and broader, including 'being tired of living.'[13] What is your opinion concerning the legalization of euthanasia, and the possibility that it would become the thin edge of the wedge for devaluing human life? Would the legalization of euthanasia be the implicit acceptance of the view that life is not worth living under certain circumstances?

Roberto Andorno: The experience with the legalization of euthanasia in Belgium and the Netherlands shows well that the slippery slope is a real phenomenon and not just an argument for theoretical debates. As you might know, the practice of euthanasia in those countries was initially restricted to adult competent individuals. Later on, it was extended to people with dementia and even minors. Cases of euthanasia practiced without the individual consent (the so-called "involuntary euthanasia") are also regularly reported, without any serious legal consequence for the authors of those homicides. But my main objection to euthanasia is not just based on the slippery slope that follows the legalization of this practice. The more fundamental reason is that we should not kill people; or, more concretely, that doctors should

[13] Barron Lerner, and Arthur Caplan, "Euthanasia in Belgium and the Netherlands: On a Slippery Slope?" *JAMA Internal Medicine* 175, no. 10 (2015): 1640-1641.

not take the lives of their patients. The imperative that patients should not be intentionally killed, even when they "freely" consent to it, is one of the foundational principles of medical ethics since Hippocrates. According to the French writer Michel Houellebecq, a society that legalizes euthanasia loses its self-respect, as it denies thereby the intrinsic value of some of its members' lives. Generally, the introduction of euthanasia in a particular country is justified appealing to "autonomy." However, I think that the real (although implicit and maybe unconscious) reason for legalizing euthanasia is not autonomy, but the consideration that certain lives are not "worth living." Indeed, if autonomy were the real justification for this practice, why requiring a particular condition (serious suffering, terminal disease, etc.)? Why not extending the access to euthanasia to everyone, including perfectly healthy individuals? I think this step is not taken because proponents of euthanasia and assisted suicide (implicitly) divide individuals into two categories, depending on whether their lives are regarded as "worth living" or not.

George Boutlas: Those who oppose euthanasia often argue that palliative care would be a possible answer to euthanasia's tide,[14] while at the same time care for the conditions of living of the third age is a right.[15] The fact that the population is aging rapidly in most developed countries is probably a good reason to prioritize palliative care; otherwise, according to many, ageism would unavoidably be accepted, and human dignity would be compromised. Do you agree that palliative and societal care for the elderly could be the answer to the growing demand for euthanasia?

Roberto Andorno: Yes, I agree that our societies should make more serious efforts in promoting palliative care of high quality. Most countries are still taking their first steps in this area. Palliative care is called to play a crucial role in improving the quality of life of terminally ill patients and in relieving their suffering when there is no prospect of cure. It is interesting to note that, according to some studies, pain is not the primary reason why some terminally ill patients may request euthanasia or assisted suicide, but depression.[16] Personal psychological factors, the loss of body functions, poor family cohesion, and perceiving oneself as a burden to others are often the reasons why some terminally ill patients may become depressed and express a desire

[14] Michael Erdek, "Pain Medicine and Palliative Care as an Alternative to Euthanasia in End-of-life Cancer Care," *Linacre Quarterly* 82, no. 2 (2015): 128-134.

[15] Marisa Aizenberg, "Palliative Cares as Human Rights: A Justification in the Light of Biolaw," in *Biolaw and Policy in the Twenty-First Century: Building Answers for New Questions*, eds. Erick Valdés, and Juan Alberto Lecaros, 299-322 (Cham: Springer, 2019).

[16] See for instance, Maytal Guy, and Theodore A. Stern, "The Desire for Death in the Setting of Terminal Illness: A Case Discussion," *Primary Care Companion to the Journal of Clinical Psychiatry* 8, no. 5 (2006): 299-305; J. H. Brown, P. Henteleff, S. Barakat, and C. J. Rowe, "Is it Normal for Terminally Ill Patients to Desire Death?" *American Journal of Psychiatry* 143, no. 2 (1986): 208-211.

to accelerate their death. Not surprisingly, once depression is adequately treated, many patients feel better, improve their quality of life, and relinquish their desire to hasten death.[17] In my opinion, natural death following appropriate palliative care can be labelled as a "death with dignity." But this term is not appropriate for the intentional death resulting from euthanasia or assisted suicide.

George Boutlas: Although most bio-law committees explicitly refer to vulnerable groups as susceptible to exploitation in research, they do not seem to focus enough on euthanasia and age discrimination, even though during the last years both issues fuel heated debates. Is this because of the need to avoid imposing detailed legal provisions on societies with different socio-cultural and religious backgrounds? And if so, how far should respect for diversity be allowed to reach on such central issues of biomedical ethics without compromising the principle of respect for human dignity?

Roberto Andorno: It is true that, if we compare the requirements for participation in biomedical research and those for euthanasia in the few countries allowing this latter practice, there is a striking disparity of criteria. We are very strict before allowing people to participate in medical research, especially those who are more vulnerable because of their impaired mental capacity, their very young or old age, etc. In contrast, little is required to be euthanized, in spite of the fact that the result of euthanasia is obviously irreversible... This is indeed paradoxical.

George Boutlas: It is a well-known fact that the experiments on people that were executed by the Nazis were against the legal frame that regulated research in Germany at the time. In 2020 Jill Fisher in her book *Adverse Events: Race, Inequality, and the Testing of New Pharmaceuticals*[18] revealed several Phase I trial sites in the US, places that she described as prison-like, that are nevertheless part of the American economy. It seems that no international body has the power, even today, to prevent wide-scale discrimination and the exploitation of vulnerable groups in research. This gives raise to serious questions about the efficacy of human rights bodies worldwide. Do you think that in the future these bodies should also acquire executive power? And how could this become possible?

Roberto Andorno: In reality, after the discovery of the atrocities committed by Nazi physicians in concentration camps, very detailed guidelines on biomedical research involving human subjects were developed by international organizations, such as the World Health Organization and the Word Medical

[17] Guy, and Stern.

[18] Jill Fisher, *Adverse Events: Race, Inequality, and the Testing of New Pharmaceuticals* (New York: New York University Press, 2020).

Association (i.e. the famous *Declaration of Helsinki*). The requirement of free consent for participation in medical research is explicitly included in one of the pillars of international human rights law: the *International Covenant on Civil and Political Rights* of 1966 (Article 7). Several other instruments aim to protect vulnerable people from exploitation in medical and non-medical areas. Specific international bodies, like the UN Human Rights Council (former: Commission on Human Rights) have been created to monitor and evaluate conditions of human rights in countries around the world and to identify major areas of concern. But is true that the mechanisms to enforce international human rights norms are still deficient. There is still a long way to go in this area. Let us not forget that the international human rights system is relatively recent, as it dates back to the aftermath of the 2nd World War.

George Boutlas: All the 14 principles that you refer to as constituting the foundational core of international biomedical law in your *Principles of International Biolaw,*[19] especially the overarching principle of human dignity and the primacy of the human individual over science and society, seem to be of deontological origin in general, and Kantian in particular. How would you respond to this 'accusation'?

Roberto Andorno: As I said earlier, although I do not consider myself a Kantian I do not think that Kantian deontological ethics, in spite of its excessive formalism, is necessarily a bad thing... (smile). Kant made a very valuable contribution to modern ethics and especially to the modern emphasis on the principle of respect for human dignity. His articulation of dignity as a requirement of non-instrumentalization is very helpful to identify when dignity is at risk. Regarding the 14 principles that I propose in my book, I have simply drawn them from the existing intergovernmental biolegal instruments, notably the three UNESCO declarations on bioethics and the European Biomedicine Convention (Oviedo Convention). So, my list of biolegal principles does not have any serious philosophical ambitions. It is just the result of a systematic analysis of the current international biolegal instruments.

George Boutlas: It is a fact that utilitarian ethics enjoy an elevated status with regard to bioethical debates concerning genetic manipulation, euthanasia, infanticide, and other.[20] Several developed countries have recently legislated

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[19] Roberto Andorno, *Principles of International Biolaw* (Brussels: Bruylant, 2013).

[20] See, among others, Julian Savulescu, "Abortion, Infanticide and Allowing Babies to Die, 40 Years on," *Journal of Medical Ethics* 39, no. 5 (2013): 257-259; Helga Kuhse, and Peter Singer, *Should the Baby Live? The Problem of Handicapped Infants* (Oxford: Oxford University Press, 1985); Julian Savulescu, and Evangelos D. Protopapadakis, "'Ethical Minefields' and the Voice of Common Sense: A Discussion with Julian Savulescu," *Conatus – Journal of Philosophy* 4, no. 1 (2019): 125-133.

on euthanasia and infanticide on the basis of the utilitarian view that downplays human dignity. Do you think that utilitarian ethics and the focus on cost-benefit calculations are inconsistent with the idea of an internationally binding biolaw, grounded on principles such as dignity?

Roberto Andorno: My view is that utilitarian ethics is at odds with the efforts to promote human dignity and human rights, not only in the biomedical field, but in all areas of social life. As you know, utilitarianism holds that the 'right' moral action is that which produces greatest possible balance of good consequences. Only the external consequences of an action count, and not the intrinsic goodness of the action itself, or the intention of the subject. In other words, there are no intrinsically good or wrong moral actions. For the same reason, there are no unconditional moral principles, such as human dignity; everything is ultimately 'negotiable'; the end can justify any means. It is not hard to see that utilitarianism is very problematic if we are committed to take human rights seriously.

George Boutlas: Onora O'Neill claims that the 'consumer view' of autonomy as a mere choice turns patients into consumers of health-products in a health-market.[21] In this (utterly utilitarian) context, actions like dwarf throwing or consensual sadism could be acceptable, as they do no harm anybody.[22] Can the notion of human dignity, construed both as a legal and a moral constraint, and based upon principled autonomy, limit the claims of such unconstraint views on individual autonomy?

Roberto Andorno: The relationship between 'dignity' and 'autonomy' is very intricate. Autonomy (or self-determination) is certainly one of the highest expressions of human dignity. However, dignity and autonomy are not synonymous. Dignity is a much broader, higher and foundational notion than autonomy. This is clear from the mere fact that even people who are not morally autonomous (newborn babies, people with severe mental disabilities, etc.) are regarded as having dignity, in the sense that their lives are considered as intrinsically valuable. It is also important to point out that the notion that individual autonomy can be restricted to ensure respect for human dignity is nothing new and certainly not specific to bioethics. On the contrary, the limitations to self-harming decisions are quite common in law. The well-established notion of *ordre public* rules (i.e., rules that concern a public interest and therefore their application cannot be excluded by private agreement) illustrates this very well. Just to give two common examples: labor laws do not allow workers to waive their basic rights

[21] Onora O'Neill, *Autonomy and Trust in Bioethics* (Cambridge: Cambridge University Press, 2007), 44-48.

[22] Neil Manson, and Onora O'Neill, *Rethinking Informed Consent in Bioethics* (Cambridge: Cambridge University Press, 2008), 20.

or to accept inhuman working conditions; contract laws do not recognize the validity of contracts containing terms that are unfairly burdensome to one party and unfairly beneficial to the other.

George Boutlas: In your writings you suggest the 'precautionary principle' as a *broad guide* for policy makers, a principle in the "rules of indeterminate content."[23] It is obvious that those characteristics leave it loose in the hands of policy makers, who are usually more eager to satisfy the market than to respect vague, non-binding directives by international bodies. The precautionary principle, however, has already earned a privileged position in environmental ethics. In your view, could it become equally influential with regard to clinical and research ethics in the future?[24]

Roberto Andorno: Modern societies are full of uncertainties about the potential negative impact of new technological tools and activities relating to both public health and the environment. The precautionary principle (PP) aims to give an answer to this situation. Basically, the PP is a call to caution in this context of uncertainty. This principle becomes relevant when there are suspicions, based on available scientific data, that certain products or activities may be potentially dangerous but when, at the same time, there is no conclusive evidence of the risk yet. Strangely, while the PP is formally recognized in uncounted international instruments and domestic laws on environmental protection, it still enjoys little explicit legal recognition in the domain of public health. Of course, in spite of this, precautionary measures are in practice implemented for public health purposes. However, the lack of formal recognition is paradoxical, as the promotion of public health is no less relevant than the protection of the environment.

George Boutlas: The top-down establishment of moral principles (such as the precautionary principle) by any international body for the time being seems impossible; could education aiming at political prudence be an effective bottom-up approach?[25] Would it make a difference, in your view, if ethics in general, and bioethics in particular, were introduced as core modules in the curricula of 'hard' empirical studies?[26]

Roberto Andorno: I would not say that the establishment of general ethical principles by international bodies is "impossible." In fact, that is what it is

[23] Roberto Andorno, "The Precautionary Principle: A New Legal Standard for a Technological Age," *Journal of International Biotechnology Law* 1 (2004): 11-19.

[24] Željko Kaluđerović, "Bioethics and Hereditary Genetic Modifications," *Conatus – Journal of Philosophy* 3, no. 1 (2018): 31-44.

[25] "Unesco Ethics Education Programme," accessed April 17, 2021, https://en.unesco.org/themes/ethics-science-and-technology/ethics-education.

[26] George Boutlas, "Bioethics as the 'Third Culture': Integrating Science and Humanities, Preventing 'Normative Violence,'" *Conatus – Journal of Philosophy* 3, no. 1 (2018): 19-31.

actually done, for instance, by UNESCO and other international bodies by means of declarations, statements, guidelines, etc. Both strategies are not opposed but complementary. But it is true that a bottom-up educational effort is more effective in disseminating ethical principles than a top-down approach consisting in the adoption of legal instruments. Educational efforts have already been made in this area. Over the past two decades, the teaching of *bioethics* has become a normal component of medical education in most European countries. In contrast, the inclusion of research integrity in the curricula of hard sciences studies is more recent.

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