

## CHAPTER 4

### THE PERSON

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Medical science concerns humans, a human. But what is this human; what is this person? Today the progress made in biological research provides us with two definitions of personhood.

#### 1. GENETIC PERSONHOOD

The first definition of personhood is genetic. It was inspired by the discoveries of Jean Doucet, and the knowledge of hundreds of millions of combinations of the system of human leucocytes antigens (HLA) tissue groups. The genes of the system of HLA groups were localized upon a fragment of VI<sup>th</sup> chromosome. This chromosome VI<sup>th</sup> fragment offers a biological definition of a person. It is responsible for the implementation of the means of defense of the self against the non-self. It is both the master of the civil state and of the army.

Three important insights about personal identity arise here. First, the self's defense against the non-self. We are beginning to learn about and understand the defense methods employed, the armies and fortifications. Or more precisely, the cells, the antibodies and the membranes.

Second, diversity. Poets noticed it long before biologists. La Fontaine, for example, writes:

This diversity which is spoken about so much,  
My neighbor the leopard only has it on his body,  
But I have it in my mind.<sup>1</sup>

Today we know from the study of blood groups and genomes that, since there have been and as long as there will be humans (save for identical twins), there never has been nor ever will be two the same. Every human is unique, irreplaceable. This unity is a function of diversity. It is made up of the addition of very numerous and diverse characters.

Finally death, where we discover these apparently contradictory findings: Firstly, the loss of identity caused by death, as shown by Marcel Bessis' experiments on "necrotactism" (Bernard, Bessis, Bonet 1992). The organism no longer recognizes a dead cell as belonging to itself and devours it like a foreign cell. Secondly, the persistence of blood groups for a

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<sup>1</sup> *Le singe et le léopard, Clivire IX, fable 3*

long period after death, a very long time. The analysis of the Nakht weaver mummy who was alive at the time of Ramsés II, 33 centuries ago, revealed that he belonged to blood group B (Bernard, Bessis and Bonet 1992).

## 2. PERSONHOOD AND THE NERVOUS SYSTEM

The second definition of personhood is based upon the nervous system. The death of a person is the death of the brain. And it is by the brain that man distinguishes himself from animals. Man can be defined by his ability to learn and create. An animal did not write *Hamlet* nor paint the *Mona Lisa*.

Yet, it is not easy to pass from these general statements to precise facts; however, the study of identical twins has provided useful information. Identical twins are identical beings, although their brains can be different. Genes control the main lines of the nervous systems' organization, but enable variations between these lines that express the term of genetic envelope suggested by Jean-Pierre Changeux. Important questions also arise here:

1. Do the self and non-self also depend upon education and experience? Does the environment instruct the brain in the same way that a bronze seal leaves its imprint on a piece of wax? Or, on the contrary, does it only selectively stabilize neuronal and synapse combinations little by little as they appear by successive waves during development?
2. How can we conceive the relationship between the number of genes and the number of neurons when there are hundreds of millions of genes and billions and billions of neurons and synapses? Concepts of organization in space and time have been suggested, but serious doubts remain.
3. A majority of the work in this area concerns inferior animals and the joint integration of man and animals. "What we would like to explain are the superior functions of the cortex and the highly refined cognitive processes of man. Molecular genetics tells us nothing about the molecular mechanism of superior cognitive functions, functions that separate man from animal and that are essential in the definition of the self."
4. Is this absolute priority given to molecular genetics reasonable? Are there other possible methods capable of helping us examine the relationships between the self and man's nervous system? (Changeux 1978)

Personhood raises important questions about the issues of birth and death under the nervous system being explored here. The chronic vegetative state is very different from cerebral death, with which it is sometimes confused. The former either occurs following a chronic illness or, and more often, following a serious cranial trauma. Important functions of the brain have been lost, but others still remain. One can observe, if not consciousness, at least a certain vigilance. These states are chronic, can last several months, and sometimes many years. It is exceptional but not totally impossible to return to normal health and normal consciousness. Usually, however, death occurs after a few months.

These unfortunate invalids have previously been considered as experimental models and used like laboratory animals for experiments that have nothing to do with the cerebral state overwhelming them. Such experiments must be formally condemned. The invalid in a chronic vegetative state remains a person even if the cerebral functions are altered in a

significant way. The patient must be respected. The only studies that should be authorized are those aimed at improving the patient's condition, at re-establishing life.

### 3. PERSONHOOD OF THE EMBRYO

Let us now turn to the embryo. We must recall two simple and certain facts. Life does not begin at birth, but at conception. The newly formed human egg, resulting from fertilization of the ovum by the sperm, contains the complete being that it will become in time – its heart, liver and brain. Modern biology, in a certain sense, joins middle age theology in justifying an embryo as a potential person.

This very general definition is occasionally disputed. There are two principle forms of disagreement: arguments of a chronological nature and of a fundamental nature. The sheer diversity of a chronological nature is evidence of the weakness of their arguments. There are some who claim that the person is present in the embryo from its conception, and others who believe that one can only speak of a person at a later stage. Certain teams have suggested, not without hypocrisy (consciously or unconsciously), terms like pre-embryo and proto-embryo to designate the first stage of life, in which the person does not yet exist and medical intervention is permitted. The arguments of a fundamental nature are based upon interpretation of the adjective "potential." In fact, the necessary conditions for the development of the complete diverse states of biological organization are present in the individual's genome from conception; conditions that are insufficient, but absolutely necessary. The embryo is a potential person, which is to say that from conception a potential or virtual person exists.

Thus, an embryo must be considered as a being whose possible future sets the limits of the power of others. Returning now to the person, it must be stated that there is a fundamental duty to respect the person. The scandalous experiments Nazi doctors conducted upon those held in concentration camps must never be forgotten. It is an unconditional obligation to respect every human. This obligation must be maintained in the face of the perils of the present age. It is not a question of monopolizing responsibilities, but of federating vigilance.

To respect a person means that, in my conduct, I give as much consideration to his or her liberty as I do to my own. A remarkable analysis of this moral priority was made by Lucien Séve in the National Advisory Board of Ethics report on the person (1991). The best way to fully respect the human person is to consider his or her liberty in the fullest sense of the word; as the essential criterion. However, this notion is subject to limitations and it is necessary to supplement it. Moral language provides us with a well known term – "dignity." It is important to respect human dignity.

It is true that the idea of dignity is inseparable from liberty. It is not acknowledgment of dignity that is restricted, but the value that is recognized. This value is not, however, restricted to the limits of the person, but carries respect to everything that concerns humans. Dignity is the light that liberty, of the moral subject, projects upon every human being from behind the horizon for a long time before its birth, and long after its death. It is this

incorporeal quality that must be rigorously attached to man's physical self if we want see, in all that concerns him, the rising light of humanism.

I would like to conclude by citing the words of Kant:

What has a price can equally be replaced by something else of an equivalent value. What is superior to any price, however, and what, therefore, has no equivalent is what has dignity.

It is this dignity that, ethically, defines and justifies the respect of the person.

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