

***Defending Human Personhood:
Some Insights from Natural Law***
by Dennis M. Sullivan

His life was gentle, and the elements So mix'd in him that Nature might
stand up And say to all the world 'This was a man!' (Shakespeare, c. 1599)

Introduction

Human personhood is the central issue of ethics, for any theory that purports to explain how man should act towards his fellow man must begin with what man is. The term "personhood" connotes the idea that human beings are members of a moral community, that they have moral rights and privileges as a result, and that there is an inherent value to this status.

An elevated view of human life is a common instinct. Unconfined by geography, it has been held during most periods of history, and has never needed overt justification; it has always seemed self-evident. Wars, pogroms, and ethnic cleansing are all unique exceptions due to particular circumstances. Though cultural relativism would claim that human societies have no common moral values, this cannot be true for the valuing of life, as a matter of mere prudence.¹ In other words, the statement: "human life has no value" seems incoherent, since it forms a poor basis for the continuation of society.

The Christian affirmation of human personhood goes far beyond this prudential sense, however, to a philosophical and theological honoring of human beings made in the image and likeness of a Creator-God. This has been the traditional anthropology of the Church over the centuries, expounded on by such diverse writers as Augustine of Hippo, Thomas Aquinas, Martin Luther, and John Calvin. In the past century, during the rise of the modern bioethics movement (1965-1980), a number of respected writers such as John T. Noonan, Harold O.J. Brown, and Francis Schaeffer have affirmed this traditional Christian theological position, while adding additional philosophical reasoning to it.

¹ James Rachels, *The Elements of Moral Philosophy*, Fourth ed. (Boston: McGraw-Hill, 2003).

The modern debate over the value of humanity is a relatively new phenomenon. The Enlightenment rationalism of the Eighteenth-Century caused no immediate challenge to traditional thinking, since it presupposed a high view of rational human beings even as it deemphasized God. Yet the gradual influence of Cartesian skepticism has shaken the foundations for such value. In our present day, pluralistic and secular views compete with older concepts, and one can no longer claim a unique, protectable, intrinsic human nature as a societal given.

Ethics and morality refer to the norms by which moral agents live and treat each other.² Few would disagree that the phrase “moral agent” should include adult rational human beings. The controversy arises when we try to decide who else to include in the moral community, especially with regard to human beings who cannot act as moral agents, such as the unborn, the mentally challenged, or the persistently unconscious. Furthermore, modern technological advances in genetics, embryology, and human reproduction have called into question traditional understandings, forcing a re-examination of what it means to be human, and what it means to be a person.

This discussion is further complicated by postmodernism and religious pluralism. These forces have combined with technological advances and the legal permissions of the 1973 *Roe v. Wade* decision to allow a shift from traditional notions of human value and dignity during the past generation. At the beginning of life, we now have abortion on demand, experimentation on human fetuses, the selling of fetal body parts, embryonic stem cell research, and human cloning. At the end of life, we are faced with the devaluation of the elderly and infirm, as well as physician-assisted suicide and both voluntary and involuntary euthanasia. In the arena of genetic technology, medicine is moving beyond the traditional focus on healing to an exploration of human enhancement. This may open the door to tinkering with our DNA, the very blueprint that genetically defines us.

A Christian response to these assaults on human dignity has lagged behind the technology. Christian voices have done an admirable job in defining the anti-abortion debate, but have not responded as forcefully and

² John S. Feinberg and Paul D. Feinberg, *Ethics for a Brave New World* (Wheaton: Crossway Books, 1993).

effectively to the newer challenges. Nigel Cameron has divided the contemporary bioethics discourse into three eras or phases. Bioethics 1 focused on “taking” life, with abortion and euthanasia as the main issues. Bioethics 2 deals with “making” life, and responds to the new reproductive technologies, pre-implantation genetic diagnosis, and the possibility of human cloning. Bioethics 3 is the newest arena, mostly yet in the future, and involves “faking” life, the possibility that developments in genetic technology, nanotechnology, and neurotechnology will not only lead to new cures for disease (a very desirable goal), but also to true human enhancement or the redesigning of humanity (much more dubious goals). In the emerging areas of Bioethics 2 and 3, Christians must develop more thoughtful strategies to cope with increasingly complex ethical concerns.³

A Christian defense of life must therefore be nuanced, thoughtful, and led by the Spirit. It must also truly engage postmodern culture. This paper will describe three possible strategies to respond to the assaults on human personhood, favoring the third as a middle ground between the first two. It will then discuss the theoretical content that such a strategy may entail, drawing on some insights from natural law. Finally, some practical applications of these ideas will be presented.

Defending Human Personhood: Three Strategies

The modern bioethics era began in the mid-1960s, partly as a religiously grounded response to the debate over abortion. The defense of human life was the province of religious leaders and theologians, with the Roman Catholic Church at the forefront (evangelical Protestants would actively enter the debate a decade later). The initial foundations were principles of the sanctity of human life, drawn from scriptural and theological sources.^{4,5}

³ Nigel M Cameron, "Christian Vision for the Biotech Century," in *Human Dignity in the Biotech Century*, ed. Charles Colson and Nigel M. Cameron (Downers Grove: InterVarsity Press, 2004).

⁴ Gilbert Meilaender, *Bioethics: A Primer for Christians* (Grand Rapids: William B. Eerdmans, 1996).

⁵ Wendy Murray Zoba, "Abortion's Untold Story," *Christianity Today*, April 27, 1998.

The strategy of this period coincided with Cameron's Bioethics 1, and could be dubbed the Absolutist Approach. This approach attempted to convict and convince the American public of the evils of abortion on the basis of pure truth claims, using scriptural and logical arguments. A principle champion was the late Francis Schaeffer, whom David Hopkins called "the last of the relevant and the truly great modern theologians."⁶ His strong stand made it difficult to accommodate competing views, for the nature of truth itself demands an uncompromising fidelity.

This view may imply that there is only one correct way to think. As columnist Paul Greenberg put it, "Some questions will not be answered until they are answered right."⁷ In this way, the Absolutist Approach does not always acknowledge the plurality of ideas characteristic of postmodern society. Some have claimed that Schaeffer has erred in this regard, attempting to use Modernist (Enlightenment) methods, creating a rigid, divisive clash of competing absolute truths.^{8,9} The resulting culture wars have reinforced opinions on both sides of the debate, while making it more difficult for pro-life and pro-choice forces to consider the strengths and weaknesses of each other's point of view.

This adversarial state of affairs has led some to conclude that the Absolutist Approach to defend human personhood has been a failure. One reason, of course, is that it is not universally accepted as "right." Hollinger has summarized the problem well: "It is one thing to say that Christianity must have a legitimate voice at the table of public debate . . . but it is quite another to say that Christianity must have the privileged voice."¹⁰ Another reason for pessimism is the lack of impact of such arguments in the legal arena, with the broadest possible liberalization of abortion by the courts.¹¹

⁶ David Hopkins, "Francis Schaeffer: The Last Great Modern Theologian," *The Words Online* (2007), <http://www.thewords.com/articles/schaefferdave.htm>.

⁷ Frederica Mathewes-Green, "The Abortion Debate Is Over," *Christianity Today*, December 6, 1999.

⁸ Robert C. Greer, *Mapping Postmodernism: A Survey of Christian Options* (Downers Grove: InterVarsity Press, 2003).

⁹ Alister McGrath, "Evangelicals and Postliberals: Pitfalls and Possibilities" (Keynote Address to Wheaton College, April 21, 1995).

¹⁰ Dennis P. Hollinger, *Choosing the Good: Christian Ethics in a Complex World* (Grand Rapids: Baker, 2002), 247.

¹¹ Paige Cunningham, "Learning from Our Mistakes," in *Human Dignity in the Biotech Century*, ed. Charles Colson and Nigel Cameron (2004).

A second strategy has therefore developed, representing a radical rejection of absolute truth, and favoring a capitulation to religious plurality. Borrowing a term from Hollinger,¹² this might be called the Privatization Approach. One proponent of this idea has been H. Tristram Engelhardt, in his landmark work *The Foundations of Bioethics*, where he pessimistically refers to “the irremedial plurality of postmodernity.” Our dialog with society, on his view, cannot hold any moral content with which some members of society might disagree:

Morality is available on two levels: the content-full morality of moral friends, and the procedural morality binding moral strangers. As a consequence, much must be allowed in large-scale secular states that many, including the author, know to be grievously wrong and morally disordered. This circumstance will disappoint those who hope that the general society or a large-scale state would constitute *the* moral community, which could be guided by *the* content-full secular bioethics. Their hope is socially ungrounded and, in terms of the possibility of a secular morality, unjustifiable.¹³

A diversity of moral opinions is hard to deny, but Engelhardt uses such diversity as a club to drive any normative theory away from public ethical discourse. His response to pluralism is to impose a radical limitation on secular moral authority, calling this a “content-less” secular bioethics. Those who would hold to even such bioethical basics as beneficence, autonomy, and justice, Engelhardt dismisses as moral fanatics.¹⁴ This assumes, of course, that the application of common moral norms is somehow odious, that the imposition of beneficence itself (for example) is not beneficent. Implied in all of this is a low view of moral agents, that they cannot be trusted to serve anything but a highly suspect fundamentalist agenda.

In fairness to Dr. Engelhardt, he has since repudiated such an extreme position, as he himself has converted to Christianity. His later work, *Foundations of Christian Bioethics*,¹⁵ lays claim to a complete “content-full” bioethics from a Christian perspective. His work is of great benefit among moral friends, but it

¹² Hollinger, *Choosing the Good*.

¹³ H. Tristram Engelhardt, *The Foundations of Bioethics*, Second ed. (Oxford: Oxford University Press, 1996). 9-10.

¹⁴ *Ibid.* 79.

¹⁵ Engelhardt, *The Foundations of Christian Bioethics* (Lisse, Netherlands: Swets & Zeitlinger, 2000).

relegates his voice to just one of many among the plurality of moral strangers at the postmodern table.

Furthermore, his earlier work remains emblematic of the Privatization Approach held by many secular writers.

As presented here, the Absolutist Approach and the Privatization Approach are equally unsatisfactory extremes: one holds to such a priority to truth that it has no sway over those who do not share its presuppositions; while the other despairs of any commonality, with bioethics not much more than a procedural set of rules for regulating a diversity of opinions. And so the debate has reached an impasse, with armed camps slinging their rhetorical weapons across a philosophical no-man's land from behind the bulwarks of their presuppositions.

To enter the no-man's land requires a more optimistic stance, called by this author the Common Ground Approach. Such an approach must acknowledge a diversity of moral viewpoints while holding an epistemic commitment to absolute truth. For this to work there must be a shared body of moral knowledge upon which all participants can agree. To Engelhardt's "moral friends" and "moral strangers," a third category seems possible: that of "moral acquaintances." For these acquaintances to get along together, especially in discussing human personhood, they must share some common anthropological preconceptions. This may be possible through the application of natural law.

At the onset, it should be clear that some evangelical Christians might be uncomfortable with the idea of agreeing on some things and "agreeing to disagree" on others. Yet the moral stakes are high, since our culture is in danger of sacrificing its commitment to any fundamental human nature. This may require (in some arenas) the temporary setting aside of evangelism in favor of moral influence. Our moral voice can open up a dialogue that will help us find areas of agreement that allow us to live (for a while) in the no-man's land. As a way of proceeding, we may appeal to a God-given impulse within all men for the rational use of logic, common decency, and civil discourse. Our moral acquaintances may find so much to their liking that the culture is changed. Yet we must step lightly in this no-man's land, for there are many landmines along the way.

Natural Law and Personhood

Natural law looks at the *telos* (end or purpose) of human beings in an attempt to derive moral guidelines. In his *Nicomachean Ethics*, Aristotle saw the ethical implications of *telos* as self-evident: “[T]his [*telos*] must be the good and the chief good. Will not the knowledge of it, then, have a great influence on life? Shall we not, like archers who have a mark to aim at, be more likely to hit upon what is right?”¹⁶

A robust understanding of *telos* implies an order to the universe and a Creator behind it. Thomas Aquinas, in his *Summa Theologica*, argues that the created nature of human beings bestows upon them a “special natural habit,” which he calls *synderesis*. After Augustine, he affirms the presence of certain “rules and seeds of virtue, both true and unchangeable” within human nature. Such rules are acquired through reason.¹⁷

Natural law, then, is the rational understanding of certain moral truths that are common to all moral agents. It is essentially theistic, for it derives its force from the *telos* built into men by their Creator. Since God creates all men with the same purpose, it follows that all men can know such shared moral truths. Furthermore, there is nothing relativistic, arbitrary, or subjective about such knowledge. Budziszewski has called it *What We Can't Not Know*, the title of his recent book on natural law.¹⁸

Protestant evangelicals have sometimes neglected natural law, inasmuch as they have emphasized the faulty nature of human reasoning. The natural law theorist would respond in two ways. First of all, Scripture teaches that certain moral principles are truly known by all men. Though their understanding may be partial, these commonly held truths are clear enough to the unregenerate that they are “without excuse” (Romans 1:20). Secondly, the fall has guaranteed that though men may understand moral truth, they may suppress it. It is not a problem of knowledge, but of the will.

¹⁶ Aristotle, "Nicomachean Ethics, Book I," The Internet Classics Archive, <http://classics.mit.edu/Aristotle/nicomachaen.1.i.html>.

¹⁷ Thomas Aquinas, "Summa Theologica," Christian Classics Ethereal Library, <http://www.ccel.org/a/aquinas/summa/FP/FP079.html#FPQ79OUTP1>.

¹⁸ J. Budziszewski, *What We Can't Not Know* (Dallas: Spence Publishing, 2003).

So natural law, though partial and incomplete, may begin a common dialogue, and can help form a common source of moral values. To illustrate this, we turn to one of its greatest twentieth-century proponents.

Near the end of World War II, Clive Staples Lewis, a relatively unknown academic at Magdalen College in Oxford, published a short book entitled *The Abolition of Man*.¹⁹ With its obscure subtitle, *Reflections on education with special reference to the teaching of English in the upper forms of schools*, it has been overlooked or ignored by a great many scholars. And yet Budziszewski has called *Abolition* “perhaps the greatest work on natural law in the Twentieth Century.”²⁰ The premise of this tiny volume is simple: teachers in modern society must not only teach facts but values as well. Lewis complains of the attempt to remove the underpinnings of moral values from education. The result is a kind of virtue without value. In other words, it is an attempt to make men moral without any basis. Lewis claims that there is indeed a basis for common morality through a concept of objective value he calls the *Tao* (his synonym for natural law). The *Tao* is not intuition, instinct, or emotion, but something greater. According to Lewis, it is “not one among a series of possible systems of value. It is the sole source of all value judgments. If it is rejected, all value is rejected.”²¹

Applying this specifically to human personhood, Lewis warns that we dare not “step outside the *Tao*.” If we do, we will “decide for ourselves what man is to be and make him into that: not on any ground of imagined value, but because we want him to be such.”²² As technology advances, man will be tempted more and more to meddle with his own nature, leading to the final outcome: “Man’s final conquest has proved to be the abolition of Man.”²³

In arguing for a human nature based in the *Tao*, Lewis presciently envisioned the future in which we now find ourselves more than sixty years later. Indeed, technological advances have led some authors to despair of the concept of a unique human nature, even as they admit that we need such a view now more than ever.

¹⁹ C. S. Lewis, *The Abolition of Man* (New York: MacMillen, 1944; reprint, 1974).

²⁰ Budziszewski, *What We Can't Not Know*, 13.

²¹ *Ibid.*, 43.

²² *Ibid.*, 51.

²³ *Ibid.*, 64.

One writer in this vein is Francis Fukuyama, who strikes a warning note about the dangers to humanity of recent technological advances.²⁴ A thoroughgoing evolutionist, he is generally optimistic about biotechnology. Yet Fukuyama argues that developments in neuropharmacology and the prolongation of life, coupled with genetic engineering (he prefers this to the more-loaded term “eugenics”), will present unique challenges to our self understanding. He argues for a strong affirmation of human nature and human dignity, claiming that “Denial of the concept of human dignity . . . leads us down a very perilous path.”²⁵

With naturalistic evolution as his foundation, Fukuyama has rather weak warrant for this. Excluding religion, on what basis does he make any such claim for the dignity of human beings? He does not derive this view; he merely assumes it, or more properly, he says that it is a good idea. For all of his general optimism about technology and evolution, Fukuyama cannot justify any defense of human dignity without a philosophical basis for doing so.

Some are not as concerned about this problem as Fukuyama. Many scientists seem resigned to the denial of human nature, or may even welcome it. Provine cheerfully admits that if the theory of evolution by random chance is true, then the implications for human society are enormous: there is no God and no foundation for human behavior, no foundation for law, no unique human nature, and no free will.²⁶

Defining human nature via natural law therefore remains a pressing need. Mortimer Adler called the denial of human nature one of the great “philosophical mistakes” of our age.²⁷ This mistake is seen, for example, in the ethical debate over human cloning. Leon Kass has written that cloning is “a major violation of our given nature as embodied, gendered and engendering beings.”²⁸ Such an appeal to a given nature is based on a traditional notion of human valuing with great normative power and a long history.

²⁴ Francis Fukuyama, *Our Posthuman Future: Consequences of the Biotechnology Revolution* (New York: Picador, 2002).

²⁵ *Ibid.*, 160.

²⁶ William Provine, “Darwinism: Science or Naturalistic Philosophy?,” Access Research Network, http://www.arn.org/docs/guides/stan_gd1.htm#3a.

²⁷ Mortimer J. Adler, *Ten Philosophical Mistakes* (New York: Touchstone, 1985).

²⁸ Leon Kass, “The Wisdom of Repugnance,” in *Ethical Issues in Biotechnology*, ed. Richard Sherlock and John D. Morrey (Lanham: Rowman and Littlefield, 2002), 559.

If C.S. Lewis, Francis Fukuyama, Mortimer Adler, Leon Kass and many others are correct, be they theists or agnostics, we desperately need a robust and commonly-held high moral valuing of human beings. Lewis has suggested one way to make this possible. In an appendix to *Abolition*, he surveys a number of sources to show the moral commonalities across worldviews. He does not try to prove the idea of natural law; he holds it to be self-evident. From his survey, we can extract certain commonly held ideas supporting a high view of human life. For example, consider the following extracts:

I have not slain men (Ancient Egyptian: *Book of the Dead*, Confession of the Righteous Soul).

Do not murder (Ancient Jewish: Exodus 20:13).

Never do to others what you would not like them to do to you (Ancient Chinese: *Analects of Confucius*, xv. 23).

Nature urges that a man should wish human society to exist (Roman: *De Officiis* (Cicero), I. iv.).

By the fundamental Law of Nature Man [is] to be preserved as much as possible (Locke: *Treatises of Civil Government*, ii. 3).

Man is man's delight (Old Norse: *Hávamál* 47).

Do to men what you wish men to do to you (Christian: Matthew 7:12).²⁹

The *Tao* demonstrates that there are universally recognizable truths regarding the value of life, and that these are not restricted to one worldview, philosophy, or religion. The immediate, unstudied recognition of these truths is more than mere custom, for all men agree on them, even if they do not live up to them. Lewis made this clear a few years after writing *Abolition*: “[H]uman beings, all over the earth, have this curious idea that they ought to behave in a certain way, and cannot really get rid of it. [Yet] they do not in fact behave in that way.”³⁰

As just one example of this “curious idea” from the abortion debate, a pro-life ethic is often evident despite efforts to suppress it. Consider the statements of two outspoken pro-choice feminists, Naomi Wolf and Gloria Steinem:

Naomi Wolf:

²⁹ Lewis, *The Abolition of Man*, 83-86.

³⁰ C.S. Lewis, *Mere Christianity* (New York: Harper Collins, 1952), 8.

[What] Americans want and deserve is an abortion-rights movement willing publicly to mourn the evil – necessary evil though it may be – that is abortion. We must have a movement that acts with moral accountability and without euphemism.³¹

Gloria Steinem:

I do think “pro-abortion” was the wrong term – since everyone would like to reduce the necessity of abortion. I prefer reproductive freedom – the freedom to have as well as not to have children . . . And in any case, we could work together for contraception and sex education that would diminish the necessity of abortion.³²

Although Steinem did not herself use the phrase “necessary evil,” both statements imply that the taking of a human life in the act of abortion is simply wrong. Both writers would justify such an evil as necessary, but an evil nonetheless. Their own writings declare that the taking of a human life is something to mourn and for which the necessity should diminish.

A poignant reminder of this comes from the pages of the *National Review*, which describes letters tacked to the wall of an abortion facility in Pittsburgh. The letters, written by women about to undergo an abortion, were addressed *to* the children they were about to abort.³³ The bizarre incongruity of proclaiming love for a baby one is about to destroy, or the need to rationalize such an act to the victim, is an ironic testimony to the law “written on the heart.” Much more could be said on this theme, but the cost of abortion in terms of regret and guilt is well known and documented.^{34,35}

These brief examples show that there is a universal sense of the value of life as a given, even though abortion remains commonplace. One reason, of course, is that other things are going on. Carol Gilligan, in her survey of pregnant women about to undergo abortion, discovered that many women thought that their actions

³¹ Naomi Wolf, “Our Bodies, Our Souls,” *The New Republic*, October 16, 1995.

³² Gloria Steinem, “Ask Gloria,” Feminist.com, <http://www.feminist.com/resources/artsspeech/interviews/steinem.htm>.

³³ “The Week,” *National Review*, September 1, 2003.

³⁴ J R Ashton, “The Psychosocial Outcome of Induced Abortion,” *British Journal of Obstetrics and Gynecology* 87 (1980).

³⁵ David Reardon, “The Aftereffects of Abortion,” Elliot Institute, <http://www.afterabortion.org/complic.html>.

were morally wrong, even to the point of calling abortion “murder.” Yet they went through with the procedure because of their economic and social circumstances.³⁶

Something more than mere sentiment is causing a strong reaction to the words of Princeton philosophy professor Peter Singer, who teaches that there is no moral distinction between human beings and animals. On Singer’s view, it is permissible, even sometimes “ethically required,” to kill newborn babies less than a month old. Equating moral humanity with mental capacities, he holds that babies have no intrinsic right to life, and that their only value is what is “conferred upon them by their parents.”³⁷ Certainly most people (perhaps excluding philosophers!) find such views offensive and repugnant. This is the power of natural law.

The foregoing has demonstrated a common high view of humanity that is widespread, crosses worldviews, and is difficult to suppress. Further, this is reflected in experience. Geisler and Feinberg have observed that “all persons feel they have intrinsic value and not merely extrinsic value. If so, then one can begin to provide some content from human experience to disclose the meaning of the moral law.”³⁸

It is worth noting here the broader theological context for this discussion, and the widely-held distrust of the natural law tradition by orthodox theologians, especially in the twentieth century. One is reminded of the intense debate between Emil Brunner and Karl Barth in the 1930s. Brunner had outlined a natural theology where the image of God in man was not completely obliterated by the fall, and still could provide some basis for moral knowledge. Barth was skeptical of any appeal to human reason as irrevocably tainted by the fall. He denounced Brunner’s approach, calling it “unbiblical, Thomistic-Catholic, anti-Reformation, and tainted by the Protestantism of the Enlightenment.”³⁹ Barth’s uncompromising rejection of natural law has had a lasting influence on evangelical Protestant theology during the past century.

³⁶ Carol Gilligan, *In a Different Voice* (Cambridge: Harvard University Press, 1982).

³⁷ Peter Singer, “Animal Rights,” in *Animal Rights and Human Obligations*, ed. Tom Regan and Peter Singer (Englewood Cliffs, NJ: Prentice Hall, 1989).

³⁸ Norman L. Geisler and Paul D. Feinberg, *Introduction to Philosophy: A Christian Perspective* (Grand Rapids: Baker Books, 1980).

³⁹ Heinz Zahrnt, *The Question of God: Protestant Theology in the Twentieth Century*, trans. R. A. Wilson (New York: Harcourt Brace Jovanovich, 1969), 60.

Nonetheless, there has been a resurgence of interest in recent years in the limited use of natural law in Protestant theological ethics. In particular, it can be seen as a bridge between Christianity and culture, and can provide a context for a common dialog for a public ethical discourse. The debate over natural law is ongoing, and a full discussion of the theological implications is beyond the purposes of this paper. For a thorough discussion of natural law in Protestant ethics, see Grabill.⁴⁰

Though there are limitations, natural law should allow moral acquaintances to set some modest goals. As discussed earlier, pro-life and pro-choice forces may never agree on the morality of abortion, but a common dialog may allow both sides to agree that it should be less frequent. Eventually, however, there will be a parting of the ways, for Christian conservatives should never compromise scriptural principles for the sake of a culturally acceptable argument. The search for common moral ground must never be an excuse for moral relativism.

Some Applications

The strength of the Common Ground Approach may lie where Lewis originally hoped to apply it in *Abolition*: to public education. The onslaughts of postmodernism and pluralism have caused many ordinary people to doubt their common sense, their shared traditions, and their deep-seated moralities. These ideas may be old-fashioned, but they are not out-of-date. If this approach only resides in the ivory tower of academia, it has not served its purpose. The affirmation of life is common to all people, and does not require a Ph.D.

As an example of this, consider the “partial-birth” abortion debate. This late-term abortion technique (technically known as intact dilation and extraction) creates such an intense emotional reaction that 30 states passed laws against it, and the U.S. Congress has twice outlawed the procedure (the current ban was recently

⁴⁰ Stephen John Grabill, *Rediscovering the Natural Law in Reformed Theological Ethics*, Emory University Studies in Law and Religion (Grand Rapids, Mich.: William B. Eerdmans Pub. Co., 2006).

upheld by the U.S. Supreme Court⁴¹). A recent Gallop poll showed that 70% of Americans oppose the procedure,⁴² which some have called “constitutionally sanctioned homicide.”⁴³ In a local newspaper editorial supporting an Ohio law against partial-birth abortion, this author used a natural law argument: “. . . it is one thing to debate the humanity of a tiny embryo. It is quite another when it comes to a 20-week-old fetus. By then, it sure looks like a baby.”⁴⁴

Such arguments resonate with a moral nature implanted within each of us. And an appeal to a common view of life does not just apply to certain late-term abortions. Even in the early stages of pregnancy, an ultrasound exam can help a pregnant woman identify with her unborn child as a unique individual. State of the art scanning equipment has been a real boon to pro-life physicians:

[This] high-tech window to the womb also shows the babies moving their limbs at 8 weeks, leaping and turning by 12 weeks, curling their toes and fingers at 15 weeks, and yawning at 20 weeks. Clients’ reactions are overwhelming . . . “especially with fathers, who rarely get involved.”⁴⁵

Perhaps this is why there is such a strong movement to make ultrasound available in more crisis pregnancy centers worldwide. There is a growing body of evidence suggesting that the tangible viewing of life in the womb affects women’s choices. For example, the advent of ultrasound at the Collier Pregnancy Center in Naples, Florida led to a large increase in visits to that center. Before ultrasound, about 10% were considered “abortion vulnerable,” and only 4% of these women carried their pregnancies to full-term. With the introduction of ultrasound, 95% of the “abortion vulnerable” group decided to keep their babies.⁴⁶

As we have seen, the real test of the Common Ground Approach will come from ordinary men and women struggling with real problems. Consider the woman who has had an abortion. Planned Parenthood

⁴¹ *Gonzales V. Carhart Et Al*, (2007).

⁴² "Partial Birth Abortion Act Passes House," *Minnesota Christian Chronicle*, June 11, 2003.

⁴³ Michael Uhlmann, "The Supreme Court 2000: A Symposium," *First Things*, no. 106 (2000).

⁴⁴ Dennis M. Sullivan, "Common Sense Should Rule Debate," *The Dayton Daily News* 2001.

⁴⁵ Michelle Malkin, "The Most Powerful Smiles in the World," TownHall.com, <http://www.vdare.com/malkin/ultrasound.htm>.

⁴⁶ Mark O'Keefe, "Activists Tout Ultrasound Images to Discourage Abortion," NewHouse News Service, <http://www.newhousenews.com/archive/okeefe021903.html>.

claims that “emotional responses to legally induced abortion are largely positive,”⁴⁷ minimizing or denying many of the psychological, medical, and emotional costs.^{48,49} What is such a woman to do if she experiences grief and guilt?

One approach is to deny the symptoms, which only buries the problem if the guilt is real. A better approach might be to openly acknowledge the guilt, for the woman has gone against the moral law written on her heart. She will only be able to grieve and emotionally heal if she can face the moral wrong of her actions and seek the forgiveness of God. Counselors should not feel uneasy about helping a client to cope in this way.

Given the polarization of the debate, is there any way that the Common Ground Approach can bring the two sides closer together? One example comes from the problem of coercive abortions. 30% of women who have abortions have been coerced in some way (by family members or boyfriends). As one author points out, this can be an area of agreement that provides a way to discuss an otherwise contentious issue: “Pro-lifers will support such a defense of women’s rights, and the vast majority of voters who describe themselves as pro-choice would also agree that an effort to stop coerced abortions is reasonable and necessary.”⁵⁰ This approach has a powerful influence on all parties, even among traditional abortion rights advocates. It builds on shared moral values and helps to find common ground in the no-man’s land.

Perhaps the best example of the value of natural law in defending the unborn is that of Samuel, a baby boy afflicted with spina bifida. Fearing a lifetime of disability, physicians advocated termination of the pregnancy while Samuel was yet unborn. His parents refused, and sought specialized reparative surgery on his behalf.

⁴⁷ “The Emotional Effects of Induced Abortion,” Planned Parenthood, http://www.plannedparenthood.org/library/facts/emoteff_010600.html.

⁴⁸ AUL, “Cutting-Edge Bioethical Issues,” Americans United for Life, http://www.unitedforlife.org/hot_topics.htm.

⁴⁹ Reardon, “The Aftereffects of Abortion.”

⁵⁰ David Reardon, “Coerced Abortions Highlight How Abortion Hurts Women,” LifeNews.com, <http://www.lifenews.com/oped14.html>.

When Samuel was only 24 weeks in the womb, he underwent a delicate operation, one of the first of its kind in the world. A surgeon cut through the wall of his mother's uterus to repair Samuel's abnormal spinal column. As he closed the wound, the tiny child reached up and squeezed the doctor's finger, and photographer Michael Clancy was there to capture the moment. The resulting photograph has appeared in newspapers, magazines, and Internet sites, and has galvanized the pro-life movement with its emotional depiction of Samuel's personhood.⁵¹

Three year-old Samuel recently visited Congress with his parents, where Senator Brownback showed him the famous picture and asked him who it was. The child quickly replied: "Baby Samuel." The senator then asked him what had happened at the time the picture was taken. Without hesitation, Samuel said, "They fixed my boo-boo." All this led Pia de Solenni of the Family Research Council to remark, "Perhaps the next time Samuel's visiting in D.C., the Supreme Court justices and many of our congressmen could spend some time with him to better understand the continuum of human dignity. After all, if a three-year-old can get it . . ." ⁵²

Is all of this mere emotional hype, or is there a reality here that carries moral authority? The value of life is immediately evident to even the most jaded in our society, a value that abortion opponents should recognize and use. Some may argue that Samuel was merely influenced by his parents, but even this little three year-old knows who he is, and who he was in the womb.

Conclusion

This paper has attempted to emerge from behind the moral bulwarks of a conservative evangelical bioethics to peer into the "no-man's land," seeking to find a common basis on which moral acquaintances may build a view of personhood. Such a Common Ground Approach might help to confer a dignity upon human beings that all parties inwardly know they possess.

⁵¹ "The Hand of Hope," (2006), <http://freerepublic.com/focus/f-news/1012548/posts>.

⁵² Pia de_Solenni, "Miracles of Life," National Review Online, <http://www.nationalreview.com/comment/solenni200309301002.asp>.

We have examined the insights from a number of writers to demonstrate a commonly-held understanding of human value. Yet this moral sense is fragile, and it can be obscured by postmodernity and pluralism. It cannot bring about true moral change, for it is only a beginning. It is limited by our own ability to understand the *telos* built into the universe, so it must not be stretched beyond its appropriate boundaries. For Christians, Scripture rather than natural law is the final authority.

This discussion has outlined some applications from the Common Ground Approach to the public debate on abortion, or to use Cameron's schema, Bioethics 1. These concepts can and should be extended into other arenas where personhood is the key issue, such as Bioethics 2 (the newer reproductive technologies) and Bioethics 3 (emerging technologies where human enhancement is the goal). These ideas will be explored in subsequent papers.

In the final analysis, the problem we face is not a lack of knowledge; it is a moral unwillingness to act on it:

Most modern ethical thinking goes about matters backwards. It assumes that the problem of human sin is mainly *cognitive* – that it has to do with the state of our knowledge. In other words, it holds that we don't know what's right and wrong and are trying to find out. But natural law theory assumes that the problem is mainly *volitional* – that it has to do with the state of our will. It holds that by and large we know what's right and wrong but wish we didn't, and that we try to keep ourselves in ignorance so that we can do as we please.⁵³

Evangelical Christians can enter the no-man's land to dialogue with moral acquaintances, with the confidence that they will find a shared perspective on human life. But Scripture affirms the fallen nature of all persons, and the corruption of their will. Our ultimate hope and prayer must be that moral acquaintances would one day become moral friends.

⁵³ J. Budziszewski, *Written on the Heart: The Case for Natural Law* (Downers Grove: InterVarsity Press, 1997).

Defending Human Personhood: Some Insights from Natural Law by Dennis M. Sullivan His life was gentle, and the elements So mix'd in him that Nature might stand up And say to all the world "This was a man!" (Shakespeare, c. 1599) Introduction Human personhood is the central issue of ethics, for any theory that purports to explain how man should act towards his fellow man must begin with what man is. James Rachels, *The Elements of Moral Philosophy*, Fourth ed. (Boston: McGraw-Hill, 2003). Defending Human Personhood. 2. The modern debate over the value of humanity is a relatively new phenomenon. By a human's very nature, they are a person. Personhood does not depend on what one can or cannot do; all that matters is that one is a biological human being. Kant's opinions on the world and how it works are confusing. Yet his insights on reason and human knowledge lead us to believe that he views humans as having intrinsic value. Kant believes in transcendental idealism. This means that, "in this world, we do perceive things, but we can only perceive them the way our senses are made. North Carolina Law Review. Legal Personhood for Artificial Intelligences. Legal Personhood for Artificial Intelligences. Volume 70 | Number 4. N. This Comments is brought to you for free and open access by Carolina Law Scholarship Repository. It has been accepted for inclusion in North Carolina Law Review by an authorized administrator of Carolina Law Scholarship Repository. Cognitive science begins with the assumption that the nature of human intelligence is computational, and therefore, that the human mind can, in principle, be modelled as a program that runs on a computer.' Artificial intelligence (AI) research attempts to develop such models.² But even as cognitive science, has displaced behaviorism as.