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PETER SINGER'S PROPOSED VALUE OF THE "PERSON"

IN *RETHINKING LIFE AND DEATH*:

A CRITICAL EVALUATION

A Dissertation

Presented to

the Faculty of

The Southern Baptist Theological Seminary

In Partial Fulfillment

of the Requirements for the Degree

Doctor of Philosophy

by

Jerry Allen Johnson

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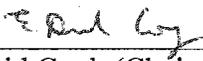
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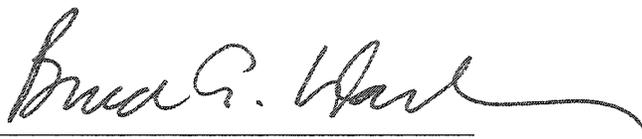
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PREFACE

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I especially want to thank my family. My parents and in-laws supported this effort in many ways. More than anyone else, I am grateful to my loving wife Rhonda. With me, she saw the goal from the beginning and sacrificed much for this dissertation.

May God be praised.

Jerry A. Johnson

Louisville, Kentucky

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CHAPTER 1

INTRODUCTION

Somewhere in Australia there was an old woman with Alzheimer's. The degenerative disease had reduced her mental capacity to the point where she could no longer recognize her children or grandchildren. Before, she had led an active intellectual life. Eventually she could not reason or remember. Her name was Cora.

When she was not able to live alone anymore, a costly health care team took care of Cora at the request of her children. This was in spite of the fact that "She always said," according to her medical executor, "When I can't tie my shoes and I can't read, I don't want to be here."¹ It is not as if Cora did not know what she was talking about. She used to be a doctor.

Cora's situation was not unlike thousands of cases today. For people like Cora, some ethicists are currently debating whether society should provide special care, allow a natural death, or actively facilitate euthanasia. In the recent past, mainstream ethicists would not have challenged the sanctity of Cora's life or the sanity of those who wish to take care of her. Few would have questioned whether Cora's children were justified in spending so much money for her care, even considering her deteriorating condition. Perhaps no one would have argued that Cora was becoming less and less a

¹Michael Specter, "The Dangerous Philosopher," *The New Yorker*, 6 September 1999, 55. Cora was a real person. See the end of this dissertation for the rest of her story.

person with an ever-decreasing right to life. It is no longer safe to make this assumption, especially for those in Cora's condition.

Euthanasia and abortion have been at the forefront of ethical controversy for some time. More recently, infanticide, cloning, and stem cell research have also come to the fore. In the past Western society debated these kinds of life and death issues assuming, as common ground, the sanctity of innocent human life. The critical question was, "When does human life really begin, and end?" However, a new right to life question has been developing for some time. Instead of focusing on the "when" of human life, it asks, "Who, what, and when is a person?" Now the status and value of human life, from its very beginning to the final end, is increasingly being debated with reference to this notion of personhood. Peter Singer argues for this kind of new ethic, based upon the value of the "person," in *Rethinking Life and Death: The Collapse of Our Traditional Ethics*.²

According to the front cover of his text, Singer proposes a "Copernican Revolution" in moral philosophy "which challenges the basic precepts and code of ethics that have previously governed life and death."³ He rejects the traditional ethic, which is based upon the sanctity of human life. In its place, Singer's book recommends a new system built around the valuation of the "person." Utilizing this new framework, he advocates the normalization and legalization of abortion, infanticide, euthanasia, and assisted suicide.

²Peter Singer, *Rethinking Life and Death: The Collapse of Our Traditional Ethics* (New York: St. Martin's Griffin, 1994).

³Ibid. Also see pp. 235-36 for Singer's adoption of the "Copernican" model for his proposal.

This dissertation will critically evaluate the text of Singer's *Rethinking Life and Death*, especially his emphasis on the moral worth of the "person." This introductory chapter will introduce both the context and the content of Singer's publication and its key proposals. In addition, this chapter will present a methodology for evaluating Singer's recommendations, incorporating Singer's own fundamental tests for truth. It concludes with a thesis statement.

Context

The context of Singer's *Rethinking Life and Death* serves not only as background for the dissertation, but also its justification. Singer intends to address the growing number of current ethical dilemmas surrounding life and death, which seems to be increasing at a pace parallel with advances in modern medicine. The present debates about the beginning and end of life are the playing field on which Singer appears, and this provides an important context for his work.

Furthermore, the moral weight alone of Singer's recommendations on abortion, infanticide, euthanasia, and assisted suicide merit a critical evaluation of his ideas. The ramifications of Singer's proposals on these topics make Singer a good choice for investigative research. These life and death issues raise not merely ethical concerns, but also political, legal, medical, and theological questions. They are questions that ought to be asked, and answered. On one level, this kind of dissertation is needed merely because of the topics Singer is discussing. He is addressing life and death, weighty matters indeed. On another level, this dissertation is needed because of what he is saying. He is advocating the abandonment of the sanctity of human life ethic, and arguing for abortion, infanticide, euthanasia, and assisted suicide.

Another important point of context for *Rethinking Life and Death* is the author himself. In terms of public appeal, Singer is in a category all by himself. The quality and quantity of his work has resulted in almost celebrity status for Singer. This is certainly an unusual level of popularity for a philosopher. *Philosophy Now* magazine states that “Peter Singer has emerged as the most important and influential philosopher of this generation and, with respect to philosophical ethics, of several generations.”⁴ Ranked amid his philosophic peers, *The New Yorker* counts Singer “certainly among the most influential.”⁵ His *Animal Liberation* was a catalyst for the animal rights movement, with over 500,000 copies in print. Singer’s *Practical Ethics* text is reported to be the most successful philosophy book ever published by Cambridge University Press (over 120,000 in print).⁶

At the same time, Singer stands alone among philosophers as an object of criticism. “The Dangerous Philosopher” is the title of *The New Yorker* piece, which also claims that “Peter Singer may be the most controversial philosopher alive.”⁷ The same magazine article mentions the fact that, due to protests, Singer has not been able to give public lectures in Austria, Germany, or Switzerland. Both the *Wall Street Journal* and *The New York Observer* have labeled him with the epithet “Professor Death.”⁸ When Princeton University hired Singer, there was ongoing opposition from large groups of

⁴Richard Taylor, “The Singer Revolution,” *Philosophy Now*, August/September 2000, 10.

⁵Specter, “Dangerous Philosopher,” 46.

⁶Ibid.

⁷Ibid.

⁸Naomi Schaefer, “Professor Pleasure—or Professor Death?” *Wall Street Journal*, 25 September 1998, sec. A, p. 14. Stephen Metcalf, “Ethical Shock Therapy Courtesy of ‘Professor Death,’” *The New York Observer*, 11 December 2000, 16.

students, alumni, and donors. The wrangling and strife included fourteen reported arrests.⁹ At the same time, multi-millionaire presidential primary candidate and Princeton trustee Steve Forbes threatened to withdraw his financial support from the Ivy League school, if Singer's appointment was not rescinded.¹⁰ No doubt Singer is a controversial figure in the current debate about personhood. When all of this praise and protest for Singer is added together, it is fair to conclude that he may be the key spokesman for one side of the aisle. Therefore, this research project is needed because of who Singer is.

One other important context for this dissertation is the interaction by other scholars with Singer's ideas in *Rethinking Life and Death*. In spite of all the above controversy surrounding Singer, critical work on the precise subject of this dissertation has been minimal to this point. Many have written on "personhood," from both secular and Christian perspectives.¹¹ Others have written short, popular, expose-type pieces on

⁹Norm Allen, "The Intrepid Ethicist," *Free Inquiry*, 20:4 Fall 2000, 44.

¹⁰Specter, "Dangerous Philosopher," 52; Metcalf, "Ethical Shock Therapy," 16.

¹¹For secular examples, see: Mary Ann Warren, "On the Moral and Legal Status of Abortion," *The Monist* 57 (1993): 43-61; Baruch Brody, *Abortion and the Sanctity of Human Life: A Philosophical View* (Cambridge, MA: MIT Press, 1975); James W. Walters, *What Is a Person? An Ethical Exploration* (Urbana and Chicago: University of Illinois Press, 1997); Edward J. Larson, "Personhood: Current Legal Views," *Second Opinion* 14 (July 1990): 40-53; Charles A. Gardner, "Is an Embryo a Person?" *The Nation*, 13 November 1989, pp. 557-559. For "Christian" examples, see: J. P. Moreland, "Humanness, Personhood, and the Right to Die," *Faith and Philosophy* 12:1 (January 1995): 95-112; Christoph Schwobel and Colin Gunton, eds., *Persons, Divine and Human* (Edinburgh: T&T Clark, 1991); John T. Chirban, ed., *Personhood: Orthodox Christianity and the Connection Between Body, Mind, and Soul* (Westport, CT: Bergin & Garvey, 1996); Peter Kreeft, "Human Personhood Begins at Conception," *Journal of Biblical Ethics in Medicine* 4:1 (Winter 1990): 8-13; Harriet A. Harris, "Should We Say That Personhood is Relational?" *Scottish Journal of Theology* 51 (1998): 214-234; Paul D. Simmons, "The 'Human' as a Problem in Bioethics," *Review & Expositor* 78 (1981): 91-108.

Singer's more sensational views.¹² Several dissertations have featured Singer, but not with the detail or approach undertaken here.¹³

In addition, three books have appeared in criticism of Singer. First, *Rethinking Peter Singer: A Christian Critique* is a collection of essays that offers wide-ranging critiques of Singer on many of his views, especially the more controversial ones like infanticide and animal rights.¹⁴ As the title indicates, the contributors write from a Christian perspective. However, none of the chapters focus in detail on Singer's proposal regarding the "person." None of them contain anything approaching this dissertation's four-point analysis and critique of Singer's recommended ethical standard for personhood. Nevertheless, some of the essays contain valuable insight on Singer and overlap at some points with this project.

Second, Susan Lufkin Krantz has written *Refuting Peter Singer's Ethical Theory: The Importance of Human Dignity*.¹⁵ While the subtitle of this text appears promising on the theme of this dissertation, there is only a small section devoted to the

¹²Richard John Neuhaus, "A Curious Encounter With a Philosopher from Nowhere," *First Things* 120 (February 2002), 77-82; "A Princetonian's Defense of Bestiality," *The Weekly Standard*, 19 March 2001, 2; Jenny Teichman, "Dr. Jekyll & Mr. Hyde," *The New Criterion* 19:2 (October 2000), 64-67; Michael Specter, "The Dangerous Philosopher"; Naomi Schaefer, "Professor Pleasure—or Professor Death?"

¹³Deborah Slicer, "Your Daughter or Your Dog?: Against the Singer-Regan Approach to Deciding our Moral Obligations to Animals" (Ph.D. diss., University of Virginia, 1989); John Paul Safranek, "Preference Utilitarianism and Euthanasia" (Ph.D. diss., The Catholic University of America, 1997); Brian Alexander Luke, "From Animal Rights to Animal Liberation: An Anarchistic Approach to Inter-Species Morality" (Ph.D. diss., University of Pittsburgh, 1992); Gary Francis McCarron, "Animals as Moral Others: Obligation in the Context of Animal Emancipation" (Ph.D. diss., York University, 1998). As the titles indicate, these dissertations contain only limited critique of Singer and even less in common with this dissertation.

¹⁴Gordon Preece, ed., *Rethinking Peter Singer: A Christian Critique* (Downers Grove: InterVarsity, 2002).

¹⁵Susan Lufkin Krantz, *Refuting Peter Singer's Ethical Theory: The Importance of Human Dignity* (Westport, CT: Praeger, 2002).

subject of “human dignity.”¹⁶ There is very little about the debate between “human” based, versus “person” based ethical standards. Besides this, there is no detailed analysis as in this dissertation, which looks at the four dimensions of Singer’s proposal: the foundation, the substance, the criteria, and the consequences. In spite of these limitations, Krantz’s book critiques Singer in helpful ways. Some of her points are relevant for this study.

Third, more essays appear in “critique” of Peter Singer in the book *Singer and His Critics*.¹⁷ However, for the most part, that collaborative project is comprised of articles by Singer’s supportive colleagues, and is so sympathetic that one writer has characterized it as a *Festschrift*.¹⁸ There are, however, several valid criticisms of Singer in this text. Some of them are paralleled in this dissertation, but the overall approach of *Singer and His Critics* is completely different from this thesis.

Notwithstanding these book length critiques, or the popular responses of protest or praise for Singer, no one has provided the kind of critical evaluation that this dissertation will undertake. Even Stanley Rudman’s substantial effort entitled *Concepts of Person and Christian Ethics*, which has a section on Singer, does not attempt the depth and breadth of this research project.¹⁹ This study is needed because no one has identified

¹⁶Ibid., 119-24. The chapter on “Human Dignity” is barely six pages in length, the shortest in the book.

¹⁷Dale Jamieson, ed., *Singer and His Critics* (Oxford: Blackwell, 1999).

¹⁸Jenny Teichman, “Dr. Jekyll & Mr. Hyde,” *The New Criterion*, 19:2 October 2000: 65. Teichman has classified this book as belonging in the class of *Festschriften*, “the aim of which is to praise someone’s life work.” She laments that “the ‘criticisms’ included are never seriously hostile; indeed they are sometimes quite groveling.”

¹⁹Stanley Rudman, *Concepts of Person and Christian Ethics* (Cambridge, UK: Cambridge University Press, 1997). See pp. 42-59 for Rudman’s chapter “Moral Personhood in M. Tooley and P. Singer.”

the key elements of Singer's arguments in *Rethinking Life and Death*, analyzed his use of sources, and explored the practical consequences of his proposals.

These various contexts for Singer's *Rethinking Life and Death* justify the dissertation topic in an interrelated way. In spite of the importance of his subject matter in *Rethinking Life and Death*, and in spite of Singer's professional stature, no one has offered a substantial critique of his proposed ethical standard of the "person." This dissertation seeks to provide that critique. In the process, it will attempt to do justice to what Singer is saying, who he is, and the need for some response.

Content

The first step in critical evaluation of Singer's proposal in *Rethinking Life and Death* must begin with a general outline and summary of the text itself. After the introduction, Singer's book is divided into three parts. A precis of these three sections will cover the high points of his presentation, especially emphasizing those themes that deal with his proposed ethical value of the "person."

Part One: Doubtful Endings

In Part One, "Doubtful Endings," the author discusses a number of prominent life and death cases which reveal the inconsistencies of the status quo ethic. Singer reports in his opening sentence, "After ruling our thoughts and our decisions about life and death for nearly two thousand years, the traditional western ethic has collapsed."²⁰

The cases of Karen Quinlan, Tony Bland, Baby Doe, and even Roe vs. Wade compromised the Western doctrine of the sanctity of human life, according to Singer. To

²⁰Singer, *Rethinking Life and Death*, 1.

some degree, abortion, infanticide, pulling the plug, and withdrawal of feeding have all been affirmed by Western courts in these cases. Because of these legal rulings in the United States and the United Kingdom, Singer contends that western society has already replaced a sanctity of life standard with a quality of life judgment.

At the beginning of human life, Singer sees an ambiguity and inconsistency with the current ethic. It is illegal to “kill a baby” outside the womb, although it is legal to “abort the fetus” inside the womb, even if both may be the same gestational age.²¹ But also at the end of human life, Singer detects a similar ambiguity and inconsistency with the current ethic. For instance, he sees the acceptance of passive euthanasia as inconsistent with rejection of active euthanasia.²² Singer laments, “Confused and contradictory judgements are the result” of these inconsistencies concerning the beginning and end of human life.²³

Singer attempts to expose the inadequacies of the current ethical system by looking at the situation of anencephalic or “cordically dead” infants. He thinks it is a shame that it is illegal to take their organs. However, Singer does not propose that society pretend that these infants are “dead.” Instead, he hints that there may still be another way to justify taking their lives. Singer writes:

We need to find another way of responding to human beings who can never be conscious If it is not possible to find a tenable basis for declaring people to be dead who have irreversibly lost—or never had—consciousness, we may still be able to find a justification for ending their lives.²⁴

²¹Ibid., 2-3.

²²Ibid., 79-90.

²³Ibid., 19.

²⁴Ibid., 55.

For Singer, these inconsistencies and inadequacies of the current ethic show the need to re-examine the basis for the traditional ethic that is based upon the sanctity of human life.

Part Two: Crumbling at the Edges

Part Two of *Rethinking Life and Death* is entitled “Crumbling at the Edges.”

Here, Singer begins a re-examination of the sanctity of human life ethic by looking at abortion. In order to clarify his case against the sanctity of human life position, he arranges the pro-life case against abortion as a logical syllogism:

First premise: It is wrong to take innocent human life.

Second premise: From conception onwards, the embryo or fetus is innocent, human and alive.

Conclusion: It is wrong to take the life of the embryo or fetus.²⁵

Abortion advocates may be surprised that Singer admits the technical validity of this syllogism. He concedes, “As a matter of formal logic, the argument is valid.”²⁶ Singer first states the strength of the syllogism in the positive, “If we accept the premises, we must accept the conclusion.”²⁷ As if to emphasize the point, he next restates it in the negative, “Conversely, if we want to reject the conclusion, we must reject at least one of the premises.”²⁸

Singer then sets out to argue against one of the premises. However, he does not reject the second premise that “the embryo or fetus is innocent, human or alive,” which the pro-choice movement typically attacks. Singer criticizes their approach, which

²⁵Ibid., 100.

²⁶Ibid. In fact, this should not be surprising because philosophers acknowledge the difference between the form and the substance of premises in a syllogism.

²⁷Ibid.

²⁸Ibid.

is to “deny that a new human life comes into existence at conception, and suggest instead some other point, at or before birth, when a new human life comes into existence.”²⁹ He reviews a range of “other points” for the beginning of human life that have been proposed, from standards like viability, to measurements of brain-stem activity. Singer concludes that at least as early as fourteen days after conception, “there exists an individual being who is alive and human.”³⁰ For this reason, Singer believes that the arguments about the different beginning points of life call into question the first premise.

The maxim of the first premise, “it is wrong to take innocent human life,” is the vulnerable point according to Singer. He concludes, “we should recognise that the fact that a being is human, and alive, does not in itself tell us whether it is wrong to take that being’s life.”³¹ Singer’s prescription for settling the abortion debate is to challenge premise one of the pro-life syllogism:

To unlock the abortion deadlock, we have to turn our attention to the first premise of the argument against abortion, and ask: why is it wrong to take human life? The key to a resolution of the whole abortion debate is the recognition that it is both possible and necessary to question this first premise. What, in the end, is so special about the fact that a life is human?³²

Singer answers this question with a frontal attack upon the notion of the sanctity of human life and its origins.

Singer believes that premise one is wrong because it is based upon a false, two-dimensional notion: (1) that human life was created in the image of God, and (2) that as

²⁹Ibid., 101.

³⁰Ibid., 105.

³¹Ibid., 105.

³²Ibid.

sacred, human life should be protected.³³ While there may be other arguments for the special protected status of humans, besides their being created in the *imago Dei*, for the most part Singer does not engage them.³⁴ For Singer, the strength of the status quo ethic in the Western tradition, is that if humankind was created in God's image, the sanctity of all innocent human life follows. Likewise, if humankind was not created in the *imago Dei*, Singer insists that the status quo ethic informed by the Western tradition is "undermined," to say the least.³⁵

Singer believes there is no longer any question as to if humankind was created.

Both notions about man, that he was created and bears God's image, are rejected in

Rethinking Life and Death:

No intelligent and unbiased student of the evidence could any longer believe in the literal truth of Genesis. With the disproof of the Hebrew myth of creation, the belief that human beings were specially created by God, in his own image, was also undermined. So too was the story of God's grant of dominion over the animals.³⁶

Citing *The Origin of Species* and *The Descent of Man*, Singer says that Charles Darwin "undermined the foundations of the entire western way of thinking on the place of our species in the universe."³⁷ On the basis of Darwinian evolution, Singer categorically rejects creation in the image of God.

With this rejection of the *imago Dei*, "Who is homo?" is an open and proper question for Singer. Again, Singer bases his inquiry on Darwin and uses one of the

³³Ibid., 165-66; cf. Gen 1:24-28, which Singer quotes.

³⁴Ibid., 168. There is brief reference in this regard to Kant, whom Singer faults for being under the dual influence of Aristotle and Christian doctrine.

³⁵Ibid., 171.

³⁶Ibid.

³⁷Ibid.

evolutionist's quotes from his *Notebooks*, "Man in his arrogance thinks himself a great work, worthy of the interposition of a deity. More humble and, I believe true, to consider him created from animals."³⁸ Darwin "taught us that we too were animals," writes Singer.³⁹ Consequently, for the argument in *Rethinking Life and Death*, the implications of Darwinian evolution on the status of humankind can hardly be overestimated. "The difference Darwin makes is more momentous than many people appreciate," according to Singer.⁴⁰

From Darwin, Singer invokes the authority of science. He says "science" shows that the traditional view has drawn the wrong lines between humankind and animals, i.e., lines that separate. Instead science shows a fundamental link between man and animals. Singer explains:

Science has helped us to understand our evolutionary history, as well as our own nature and the nature of other animals. Freed from the constraints of religious conformity, we now have a new vision of who we are, to whom we are related, the limited nature of the difference between us and other species, and the more or less accidental manner in which the boundary between 'us' and 'them' has been formed.⁴¹

From this "scientific" basis, Singer makes the move to ethics.

The new vision leaves no room for the traditional answer to these questions, that we human beings are a special creation, infinitely more precious, in virtue of our humanity alone, than all living things. In the light of our new understanding of our place in the universe, we shall have to abandon that traditional answer, and revise the boundaries of our ethics.⁴²

³⁸Ibid., 169-70.

³⁹Ibid.

⁴⁰Ibid., 171-72.

⁴¹Ibid., 182-83.

⁴²Ibid., 183.

Once the move from Darwin, to science, to ethics has been made, Singer concludes that the proper end result will be to abandon the ethical value of the “human.”

Singer describes the revised ethic:

One casualty of that revision will be any ethic based upon the idea that what really matters about beings is whether they are human. This will have dramatic effects, not only on our relations with nonhuman animals, but on the entire traditional sanctity of life ethic.⁴³

If true, what follows for Singer is a rejection of the old ethical paradigm built upon the concept of human creation in the *imago Dei*, and a proposal for some new scheme built upon the notion of human evolution from animals.

For Singer, one key element of that new ethic has direct bearing on animals. Since we have evolved from animals, to emphasize the sanctity of human life amounts to speciesism. Speciesism must be jettisoned along with any sanctity argument based on the value of being human.⁴⁴ This rejection of speciesism, and the rejection of the unique worth of the “human,” make way for Singer’s proposed replacement value of the “person.”

Once “Who is homo?” is answered, the follow-up question for Singer is “Who is a Person?”⁴⁵ To amplify his proposal, Singer emphasizes the idea of “person” in contrast to the term “human.”

We often use ‘person’ as if it meant the same as ‘human being’. In recent discussions in bioethics, however, ‘person’ is now often used to mean a being with

⁴³Ibid.

⁴⁴Ibid., 173-79.

⁴⁵Ibid., 180.

certain characteristics such as rationality and self-awareness. There is solid historical basis for this use.⁴⁶

As to the “certain characteristics” of personhood being identified as “rationality and self-awareness,” they seem to be Singer’s short list, here and elsewhere. Singer’s long list of “qualities” possessed by persons includes the following: rationality; reason; intelligence; consciousness; the capacity for physical, social and mental interaction with other beings; conscious preferences for continued life; enjoyable experiences; awareness of her or his existence over time; and the capacity to have wants and plans for the future.⁴⁷

Singer uses the “rationality and self-awareness” standard for personhood to illustrate two kinds of non-human persons. The first kind of these non-human persons are two members of the Christian Godhead, the Father and the Holy Spirit. Singer cites the attribution of personhood to God by early church councils and Christian thinkers:

It was then taken up by early Christian thinkers grappling with the problem of understanding the doctrine of the trinity—what was the relationship between God the Father, God the Son, and the Holy Ghost? In 325 the Council of Nicea settled the issue by saying that the trinity is one substance and three persons. But what was a person? Since neither God the Father nor the Holy Ghost were human beings, it was evident that a person did not have to be a human being.⁴⁸

After documenting the ascription of personhood to God (Father and Spirit), Singer makes a move to the second kind of non-human person. He transfers the use of nonhuman God-personhood, to nonhuman animal-personhood. Singer asks the rhetorical question:

⁴⁶Ibid.

⁴⁷Ibid., 180, 191, 197, 205, 207, 210, 218.

⁴⁸Ibid., 180.

So a person is not by definition a human being. But the only nonhuman persons Boethius and Aquinas contemplated were spiritual beings like God and the Holy Ghost. Are there other more tangible persons who are not human?⁴⁹

And then, Singer answers:

There are other persons on this planet. The evidence for personhood is at present most conclusive for the great apes, but whales, dolphins, elephants, monkeys, dogs, pigs and other animals may eventually also be shown to be aware of their own existence over time and capable of reasoning. Then they too will have to be considered as persons.⁵⁰

Given this prescribed ethical value replacement of “human,” by “person,” what then follows?

Singer sets out in Part Three to discuss what kind of difference would be made by his proposed ethic based on the value of the “person.” From the above conclusion that some persons are not human, Singer moves his presentation toward a separate assumption, that some humans are not persons.

Part Three: Towards a Coherent Approach

Given the above two-fold rejection of creation in the *imago Dei* and the sanctity of human life, along with his new proposed value of the “person,” Singer outlines the change that this “Copernican” revolution should bring about in ethics. He begins the presentation around a comparison and contrast between what he calls the “Old Commandments” (based upon the creation in the *imago Dei*/sanctity motif), and the “New Commandments” (based upon the evolution/personhood theme). They are:

1. *First Old Commandment:*
Treat all human life as of equal worth.
- First New Commandment:*
Recognize that the worth of human life varies.

⁴⁹Ibid., 181.

⁵⁰Ibid., 182.

2. *Second Old Commandment:*
Never intentionally take innocent human life.
Second New Commandment:
Take responsibility for your decisions.
3. *Third Old Commandment:*
Never take your own life, and always try to prevent others taking theirs.
Third New Commandment:
Respect a person's desire to live or die.
4. *Fourth Old Commandment:*
Be fruitful and multiply.
Fourth New Commandment:
Bring children into the world only if they are wanted.
5. *Fifth Old Commandment:*
Treat all human life as always more precious than any nonhuman life.
Fifth New Commandment:
Do not discriminate on the basis of species.⁵¹

Singer provides commentary on the five Old and New Commandments.

Repeating his main theme, he explains the importance of the "person." Here, Singer emphasizes that the "third new commandment recognizes that every person has a right to life."⁵² His rationale is, "We have seen that the basic reason for taking this view derives from what it is to be a person, a being with awareness of her or his own existence over time, and the capacity to have wants and plans for the future."⁵³ John Locke is cited as one source for defining personhood:

John Locke, as we saw, defined a 'person' as a being with reason and reflection that can 'consider itself, the same thinking thing, in different times and places.' This concept of a person is at the centre of the third new commandment.⁵⁴

⁵¹Ibid., 189-206.

⁵²Ibid., 218.

⁵³Ibid.

⁵⁴Ibid., 197.

For Singer, this definition of a “person” not only has the effect of including God and animals, it also has the effect of excluding some humans. This explains how Singer’s statement above that “every person has a right to life” can be qualified elsewhere as “only a person has a right to life.”⁵⁵

From Singer’s earlier understanding that some persons are not human, he shifts to a reverse claim that some humans are not persons. He explains:

The right to life is not a right of members of the species *Homo sapiens*; it is—as we saw in discussing the third new commandment—a right that properly belongs to persons. Not all members of the species *Homo sapiens* are persons, and not all persons are members of the species *Homo sapiens*.⁵⁶

Singer does not hesitate to say which *Homo sapiens* are not persons. For instance the fetus, and even the infant, are not persons:

Although the fetus may, after a certain point be capable of feeling pain, there is no basis for thinking it rational or self-aware, let alone capable of seeing itself as existing in different times and places. But the same can be said of the newborn infant. Human babies are not born self-aware, or capable of grasping that they exist over time. They are not persons.⁵⁷

In application, Singer’s proposed “personhood” ethic is two-dimensional, negative and positive. Negatively, according to his standard for personhood, some humans are not persons, and these human non-persons have no right to life. According to Singer this includes human embryos, fetuses, infants, PVS patients, and the elderly with advanced Alzheimer’s. In writing “only a person has a right to life,” Singer appeals to Michael Tooley’s argument for abortion, infanticide, and euthanasia.⁵⁸

⁵⁵Ibid., 198. See Michael Tooley, *Abortion and Infanticide* (New York: Clarendon, Oxford University Press, 1983).

⁵⁶Singer, *Rethinking Life and Death*, 206.

⁵⁷Ibid., 210.

⁵⁸Ibid., 198.

Positively, according to Singer's standard for personhood, some non-humans are persons, including a variety of animals. Among the non-human persons that have a right to life are apes, dogs, dolphins, and pigs. Possessing the "relevant characteristics" of a person, "Koko" the ape has a "right to life," because it is a right that properly belongs to persons.⁵⁹

Singer follows the commentary on the five new commandments with a section titled "Some Answers." The question topics are: (1) Brain death, anencephaly, cortical death, and the persistent vegetative state; (2) Abortion and the brain-dead pregnant woman; (3) Infants; and (4) People. Singer's intent here is to address specific kinds of ethical cases regarding human life and death. His first discussion is regarding "Brain death, anencephaly, cortical death and the persistent vegetative state."⁶⁰ For Singer, "the decision to end the life" of these kinds of patients is "more manageable" under the new commandments.⁶¹ He explains,

To cease to support the bodily functions of such people is normally a justifiable ethical decision, in accordance with the first and fifth new commandments, for the most significant ethically relevant characteristic of human beings whose brains have irreversibly ceased to function is not that they are members of our species, but that they have no prospect of regaining consciousness."⁶²

Regarding the dilemma of "Abortion and the brain-dead pregnant woman," Singer concludes that a pregnant woman who is brain dead should not be kept alive until her child is delivered. Even though Singer admits the fetus may have consciousness

⁵⁹Ibid., 205-06.

⁶⁰Ibid., 206-07.

⁶¹Ibid., 207.

⁶²Ibid.

“around the tenth week of gestation when brain activity can be detected,” he compares it to the “brain activity and capacity to feel pain even in vertebrates with small brains, like frogs and fish.”⁶³ He concludes “Since neither the actual characteristics of the fetus, nor its potential, are a reason for keeping it alive, such women can normally be allowed to become dead in every sense.”⁶⁴

Regarding “Infants,” based upon a test of consistency in his standard for personhood, Singer sees “only two possibilities: oppose abortion, or allow infanticide.”⁶⁵ He opts for the later because there is “no basis for thinking” the infant, much less the fetus, “is rational or self-aware.”⁶⁶ He argues in defense of infanticide for Baby Doe or other “Down syndrome babies.”⁶⁷

Singer admits a “problem” in “the lack of any clear boundary between the newborn infant, who is clearly not a person in the ethically relevant sense, and the young child, who is.”⁶⁸ Nevertheless, Singer repeats and defends his earlier proposal “that a period of twenty-eight days after birth might be allowed before an infant is accepted as having the same right to life as others.”⁶⁹

Regarding “People,” Singer advocates euthanasia and assisted suicide, appealing to the example of The Netherlands. Singer restates “every person has a right to

⁶³Ibid., 208.

⁶⁴Ibid., 210.

⁶⁵Ibid.

⁶⁶Ibid.

⁶⁷Ibid., 212.

⁶⁸Ibid., 217.

⁶⁹Ibid.

life.”⁷⁰ However, “a right is something one can choose to exercise or not to exercise.”⁷¹

He concludes, “recognition and protection of every person’s right to life also supports the right to medical assistance in dying when this is in accordance with a person’s persistent, informed and autonomous request.”⁷²

In his final four pages, Singer recaps “The Basis of the New Approach to Life and Death.”⁷³ Singer reiterates his new value of the “person” by upping the ante on his earlier comparison between the fish and the human embryo. Now he extends the argument to the infant. “Since neither a newborn infant nor a fish is a person, the wrongness of killing such beings is not as great as the wrongness of killing a person.”⁷⁴

Singer reminds readers of the “five key ethical commandments” but then concludes that “the case for a drastic change to the old ethic is even simpler and more rationally compelling than that.” He reasons that “changing two ethical assumptions,” which are based on the Judeo-Christian tradition, “is enough to bring about a complete transformation of the old ethic.”⁷⁵

The first assumption which must change is that there is some moral difference between passive versus active euthanasia. Singer writes of the first idea that must be rejected:

The first of these assumptions is that we are responsible for what we intentionally do in a way that we are not responsible for what we deliberately fail to prevent. . . .

⁷⁰Ibid., 218.

⁷¹Ibid.

⁷²Ibid., 219.

⁷³Ibid., 219-22.

⁷⁴Ibid., 220.

⁷⁵Ibid., 220-21.

The roots of the first lie in the Judeo-Christian idea of the moral law as set down in simple rules that allow for no exceptions Can doctors who remove the feeding tubes for patients in persistent vegetative state really believe that there is a huge gulf between this, and giving the same patients an injection that will stop their hearts beating?⁷⁶

The second assumption which must change is the assignment of special protected status for humans because of creation in the *imago Dei*. Singer identifies the “false” assumption:

that the lives of all and only members of our species are more worthy of protection than the lives of any other being the second springs from the same tradition’s idea that God created man in his own image, granted him dominion over the other animals, and bestowed an immortal soul on human beings alone of all creatures . . . what I have already said should be sufficient to show that it is not rationally defensible.⁷⁷

After his prescription of rejection, Singer concludes his text with a prediction: “without its two crucial but shaky assumptions, the old ethic cannot survive.”⁷⁸

Four Key Ideas

The above precis of *Rethinking Life and Death* contains at least several key points and presuppositions which are absolutely essential to Singer’s overall proposal and its credibility. To evaluate Singer’s scheme, it will be necessary to identify these major concepts and examine them. For the purposes of this dissertation, four of these pivotal themes will be identified and explored in detail. They are: (1) the presuppositional foundation of his program; (2) the substance of his plan; (3) the criteria for his proposal; and (4) the consequences of his agenda. While Singer does not always signal these points

⁷⁶Ibid., 221.

⁷⁷Ibid.

⁷⁸Ibid., 222.

by outline or emphasis, these are the main ideas of his text and thesis. In one way or another, all four topics are crucial to Singer's proposed ethical value of the "person." They are briefly identified here and will each be examined in turn, in subsequent chapters of the dissertation.

The Foundation of Singer's Proposal

The first big move necessary to Singer's strategy is one of rejection; specifically, he rejects creation in favor of undirected evolution. This rejection motif serves as the foundation for his overall proposal and is fundamental to all that follows. According to Singer, the sanctity of human life doctrine is to be rejected because it is based upon the false belief of human creation in the image of God. Singer believes instead that humankind evolved from animals. Therefore, humans are not special because they were not created in the *imago Dei*. So society must find another basis for recognizing the kind of life which should enjoy special protected status.

As to context, Singer is reacting against the traditional ethic of the sanctity of innocent human life. He faults this ethic as inconsistent in its application in areas like abortion and euthanasia. Additionally, he is concerned that this Western ethic supports speciesism, which has been a target of Singer's disapproval since he began popularizing the animal rights movement with *Animal Liberation*. However, his primary criticism of the sanctity of human life ethic points to the content of the foundation for his proposal. His main objection is that he views any "sanctity" motif as based upon the assumption of the image of God according to the Judeo-Christian worldview. According to Singer,

Darwinian evolution is the source for his rejection of the old ethic.⁷⁹ It also provides the underlying rationale behind Singer's proposal for something new.

The Substance of Singer's Proposal

The first move of rejection is naturally followed by a second strategic move of replacement. The second key idea in Singer's scheme serves to fill the void, left by his rejection of creation/*imago Dei*, with some alternative content. Here, Singer replaces the value of "human" with the value of "person." One context for this point is Singer's reaction against an ethic that recognizes the value, by virtue of being human, of the life of the fetus, infant, or Alzheimer's patient. The previous key point also provides some context. From his assumption that humans are evolved from animals, Singer contends that the sanctity of human life ethic amounts to speciesism, and must be rejected as such. This rejection of "human" value paves the way for something better.

For Singer, "person" is a better term because it recognizes the most valuable traits which human beings might possess. Also, the term "person" applies here not only to qualified humans, but also to qualified animals, and to any other being that might measure up to the standard. This replacement of "human" by "person" is the substance of Singer's proposal. Singer argues from the Council of Nicea that "all persons are not human."⁸⁰ Obviously, the church councils considered God the Father and Spirit persons, although neither was considered human. From *some persons are not human*, Singer infers that *some humans are not persons*.⁸¹ In addition, he cites Boethius' definition of

⁷⁹Ibid., 169-72.

⁸⁰Ibid., 180.

⁸¹Ibid., 210.

“person” as “an individual substance of a rational nature.”⁸² The most influential source seems to be John Locke, who defined a person as a rational being with self-awareness over time.⁸³ This opens the door to his third key idea.

The Criteria of Singer’s Proposal

Singer’s third key notion provides the criteria for his proposal. The context for this flows from the previous point; namely, if Singer is going to replace the category of “human” with “person” he needs to propose the criteria for personhood as well. To measure up to the status of “person,” Singer requires that a human or animal must possess and exhibit relevant characteristics such as self-awareness, reasoning, and planning for the future. The content of Singer’s idea here is one of identification. He uses “indicators” and “relevant characteristics” to identify the kinds of beings who qualify as “persons.”

Singer appeals to the *Oxford English Dictionary* for support of his idea that certain “qualities or attributes” are indicative of personhood.⁸⁴ In an earlier work, *Practical Ethics*, Singer has also noted a dependence on Joseph Fletcher for this notion.⁸⁵ Like Fletcher, Singer proposes both long and short lists of indicators for personhood.⁸⁶ Singer’s long list of “qualities” which indicate personhood includes: rationality; reason;

⁸²Ibid., 180.

⁸³Ibid., 162.

⁸⁴Ibid., 204.

⁸⁵Peter Singer, *Practical Ethics*, 2nd ed. (Cambridge, UK: Cambridge University Press, 1993), 86-87.

⁸⁶Joseph Fletcher, “Indicators of Humanhood: A Tentative Profile of Man,” *The Hastings Center Report* 2:5 (November 1972): 1-4. This early work contains Fletcher’s long list. Also see Fletcher’s short list in his later proposal, “Four Indicators of Humanhood – The Enquiry Matures,” *The Hastings Center Report* 4:6 (December 1974): 4-7.

intelligence; consciousness; the capacity for physical, social and mental interaction with other beings; conscious preferences for continued life; enjoyable experiences; awareness of her or his own existence over time; and the capacity to have wants and plans for the future.⁸⁷ From this long list, Singer's most repeated short list of "relevant characteristics" for identifying personhood seems to be the Lockean standard of rationality and self-awareness over time.

The Consequences of Singer's Proposal

The fourth key theme in *Rethinking Life and Death* is consequences. The application of the three previous points leads Singer to promise repeatedly a "Copernican Revolution" in ethics as the result of his new value of the "person." The context for this theme is Singer's criticism of the current application of the sanctity of human life ethic. He believes the traditional ethic is inconsistent and impractical at both the beginning and the end of human life. Stressing application, Singer predicts that ethical decision making on issues of life and death will result in a different kind of society, once we replace the sanctity of human life with the value of the person.

Singer's content here begins with five proposed ethical commandments, which are to replace the traditional sanctity of human life ethic.⁸⁸ They are based upon his belief that only "persons" have a right to life. The commandments are: (1) Recognize that the worth of human life varies; (2) Take responsibility for your decisions; (3) Respect a person's desire to live or die; (4) Bring children into the world only if they are wanted; (5) Do not discriminate on the basis of species. Applying the five new

⁸⁷Singer, *Rethinking Life and Death*, 180, 191, 197, 205, 207, 210, 218.

⁸⁸Ibid., 189-206.

commandments according to a system of utilitarian ethics, Singer argues for the termination of human life when the predictive results merit it. He advocates the legitimization and legalization of abortion, infanticide, euthanasia and assisted suicide.

Singer argues that the human fetus and infant are not persons because they are not rational.⁸⁹ In contrast, he asserts that some non-human animals are persons, such as apes, dogs and pigs, because they are “aware of their own existence over time and capable of reasoning.”⁹⁰ According to Singer’s scenario, “only a person has a right to life.”⁹¹ His conclusion is that some humans do not have a right to life and that some animals do.⁹²

Singer anticipates the slippery slope argument of his critics who claim, “we will end up with a state that, like Nazi Germany, kills all those whom it considers to be unworthy of life.”⁹³ He responds by appealing to the example of the Netherlands. He defends the legalization of euthanasia by claiming that “the heavens have not fallen” even though “Dutch doctors can directly, intentionally and openly kill their patients.”⁹⁴

Methodology

Chapter 2 through Chapter 5 of this dissertation will critique the above four key themes identified from Singer’s *Rethinking Life and Death*, respectively. Chapter 2

⁸⁹Ibid., 208-11.

⁹⁰Ibid., 182.

⁹¹Ibid., 198.

⁹²Ibid., 198, 206.

⁹³Ibid., 150.

⁹⁴Ibid., 157.

will critique the foundation of Singer's proposal, where he rejects creation for evolution. Chapter 3 will critique the substance of Singer's proposal, where he replaces the value of "human" with the value of "person." Chapter 4 will critique the criteria for Singer's proposal, where he uses "indicators" and "relevant characteristics" to identify the kinds of beings who qualify as "persons." Chapter 5 will critique the consequences of Singer's proposal, where he promises a resulting "Copernican revolution" from his ethical paradigm. Chapter 6, "Summary and Conclusions," will recapitulate the findings of the research project.

The research methods used to critique the four key Singer ideas in each chapter will be straightforward. First, each key Singer idea will be placed in context. This brief section will try to answer two questions. Looking backward, what is Singer reacting against with this idea, and why? Looking forward, where does he want to go with this idea, and why? This two-dimensional view should put the Singer idea in an accurate setting so that the critique will not be done out of context.

Second, each chapter will explore the content of the respective Singer idea. Several questions will be asked. What is Singer's point with this idea, where does he get it, and how does it work in his overall system? How does he express it, defend it, or justify it? What significance does he think it has? Answering these questions requires several steps. Here, each key Singer idea will be retraced in *Rethinking Life and Death*. Then parallel passages will be referenced from Singer's other works, which provide additional insight as to his view on each subject. After this, particular emphasis will be given to Singer's use of sources. This section will note if the outside authorities and references cited by Singer are used as illustrations, justification, evidence, or proof.

Besides all this, this section will note other kinds of arguments that Singer makes to support his idea. The presentation on content will finish with a restatement of Singer's key idea and his main argumentation for it.

Third, each chapter will seek positively to evaluate the key idea from Singer. This segment will highlight the features of Singer's notion that might appear persuasive, and why. Here, his emphasis on three tests for a valid and true ethic will be noted. They are logical coherence and consistency, empirical correspondence, and practicality.⁹⁵ Other points of common ground will be noted as well.

Fourth, a negative critique will be presented. In this section, each chapter will examine presuppositions, grounds, logic, alternatives, and options which may have been overlooked or not given sufficient weight. Several questions will be explored. What problems plague Singer's proposal, and why? Particular emphasis will be given to Singer's use of sources. Where he cites other authorities as a basis for his idea, this chapter division will look at these sources carefully, to see if Singer gets them right. Does he overlook or ignore other sources that bear negatively on his arguments? Also, there will be specific evaluation of the Singer idea according to his own criteria of logical coherence and consistency, empirical correspondence, and practicality.⁹⁶ Each chapter will then end with a conclusion as to whether or not Singer's idea is valid.

⁹⁵In the next section, "Singer's Tests for Truth," these three truth tests are noted as points of common ground between Singer and Christian thinkers.

⁹⁶It should be noted that all the questions above may not be relevant for every chapter; however, each one of them will be considered in preparation of all the chapters, and included where applicable.

Singer's Tests for Truth

Given Singer's apparent rejection of the Judeo-Christian worldview, it is important to see what, if any, common ground exists between him and Christian thought. This common ground would be especially helpful in terms of critique; in a sense, it would ensure, at least to some extent, that Singer's critics would engage him on his own terms. Such an opportunity exists in what amounts to Singer's three tests for truth. These truth tests are logical coherence and consistency, empirical correspondence, and practicality. Seeing how Singer uses these tests, and how Christian thinkers do as well, provides a mutual standard for the critique of Singer's work.

The Logical Test

Throughout his text *Rethinking Life and Death*, Singer appeals to the standard of logical coherence and consistency. Singer critiques the logic of the sanctity of life ethic early on. In his "Prologue" he compares the traditional ethic to a jigsaw puzzle with pieces that do not fit together. It "breaks apart" when its pieces are "forced into place." Singer contends, "There is a better way. There is a larger picture, in which all the pieces fit together."⁹⁷ As he points ahead to the rest of his book, Singer is painting a word picture of what coherence looks like. Even more so, he shows what it does not look like.

For the most part, Singer's book uses the logician's law of non-contradiction in a negative way. That is, he faults others for making inconsistent claims. For example, Singer talks about doctors who support abortion and oppose infanticide, and remarks that you cannot hold these two positions "without contradicting yourself."⁹⁸ Singer points out

⁹⁷Singer, *Rethinking Life and Death*, 6.

⁹⁸*Ibid.*, 2. Also see pp. 84-85.

that current ethics are in a “contradictory mess”⁹⁹ and wants to guard against “contradictory judgements.”¹⁰⁰ Singer also reports with some incredulity a survey of doctors and nurses which “found that the majority did not use a coherent concept of death in a consistent way.”¹⁰¹

The standard of coherence goes beyond the issue of non-contradiction. As to coherence, Singer seems concerned that arguments obtain in a formal sense, that conclusions follow premises, and that arguments contain no formal or informal fallacies. “Unfortunately,” Singer laments, “the classical definition of death is circular.”¹⁰² At another point he presents a pro-life syllogism, with two premises and a conclusion. He concludes, “As a matter of formal logic, the argument is valid. If we accept the premises, we must accept the conclusion.”¹⁰³ Singer continues, “Conversely, if we want to reject the conclusion, we must reject at least one of the premises.”¹⁰⁴

In a similar vein, Singer emphasizes the need for coherence in terms of consistency:

What coherent ethic can accommodate our different practices regarding the born and the unborn? Not, certainly, the sanctity of life ethic. Conservative moralists like Pope John Paul II are absolutely right to see the acceptance of abortion as a threat to a wider moral order.¹⁰⁵

⁹⁹Ibid., 17.

¹⁰⁰Ibid., 19.

¹⁰¹Ibid., 34.

¹⁰²Ibid., 21.

¹⁰³Ibid., 100.

¹⁰⁴Ibid.

¹⁰⁵Ibid., 84.

Of course, Singer's point here is not to agree with the pro-life position of the Pope. What Singer is saying is that there is a relationship between ideas, and that the standard of consistency means they must cohere, or fit together. The interconnection of ideas means that moral judgments are not isolated. For example, Singer says the "acceptance of abortion" logically affects the sanctity of life ethic in such a way as to "put the entire structure in jeopardy."¹⁰⁶

Singer also shows the inadequacy of false arguments by pushing them to their logical end. In a move that may surprise many, Singer faults abortion rights advocates for employing "pro-choice" arguments.

They prefer the term 'pro-choice', thus presenting the issue as one about a woman's right to choose whether to remain pregnant or not. They try to avoid taking a position on when a developing human being first has a right to life. This may be good politics, but it is poor philosophy. To present the issue of abortion as a question of individual choice (like sexual behaviour between consenting adults) is already to presuppose that the fetus does not really count. No-one who thinks that a human fetus has the same right to life as other human beings could see the abortion question as a matter of choice, any more than they would see slavery as a matter of the free choice of slaveholders.¹⁰⁷

Singer pushes the pro-choice rhetoric to its logical end with the parallel of slavery.

Political arguments notwithstanding, Singer contends that good philosophy must employ arguments which can withstand the scrutiny of their logical implications.

In Singer's conclusion he reiterates that "our standard view of the ethics of life and death is incoherent."¹⁰⁸ He reminds his readers that it is not "rationally

¹⁰⁶Ibid., 85.

¹⁰⁷Ibid., 85.

¹⁰⁸Ibid., 220.

defensible.”¹⁰⁹ These conclusions, mixed with the other citations from Singer, show that logical consistency is a truth test for him. Singer wants the pieces of the puzzle to fit together in a cohesive way. Ethical truth claims must not conflict or contradict one another. Moral reasoning cannot be circular and must be projected out to its logical end. While the logical test is important for Singer, there is more.

The Empirical Test

For Singer, it is not only important that ethical truth claims make sense, they must also fit the facts. *Rethinking Life and Death* is packed with references arguing that valid moral judgements must be based upon scientific evidence. From the start, Singer says in his “Prologue” that the “traditional ethic crumbles” partly due to a “decline in religious authority,” and also partly due to “the rise of a better understanding of the origins and nature of our species.”¹¹⁰

Singer sustains an argument for several pages regarding the importance of scientific evidence, as fact, in determining the validity of ethical truth.¹¹¹ As with his test of logical consistency, in the main these standards are used in a negative sense. Singer uses scientific claims to undermine what he views as mistaken notions. As Copernicus showed through science that the earth was not the center of the universe, so Darwin by science revealed the truth that man was not created in the image of God, but instead evolved from animals. This is Singer’s view. Elsewhere, he writes, “Science has helped

¹⁰⁹Ibid., 221.

¹¹⁰Ibid., 4.

¹¹¹Ibid., 169-180. The argument in these pages is the foundation for his proposal, using the evidence of “science” to clear the way of creation/*imago Dei*, and replacing it with Darwinian evolution.

us understand our evolutionary history, as well as our own nature and the nature of other animals.”¹¹² For Singer, Darwinian evolution is scientific fact, and this fact is viewed as empirical evidence which undercuts the sanctity of human life and lays the foundation for his proposal on personhood.

Besides Singer’s emphasis on Darwinian evolution, he turns to other kinds of medical, scientific, and factual evidence to make various points. Singer uses DNA¹¹³, brain waves and functions¹¹⁴, animal research¹¹⁵, and medical treatments to argue his case.¹¹⁶ Singer also sees a larger role played by science in the debates, in terms of medical technology. He explains, “At the beginning of life, as at the end of it, the advance of science and technology has sharpened some of the old issues, and forced us to face new ones.”¹¹⁷ There can be no doubt, for Singer the facts of science serve as empirical evidence which argue either for, or against, ethical truth claims. This is Singer’s empirical test for truth. Having noted Singer’s logical and empirical truth tests, there is still yet another.

The Practical Test

For Singer, a valid ethic must not only make sense and fit the facts, it must additionally work in life and experience. It must be existentially viable. In other words,

¹¹²Ibid., 182.

¹¹³Ibid., 177.

¹¹⁴Idid., 43-44; 49; 51; 104

¹¹⁵Ibid., 174-75; 181.

¹¹⁶Ibid., 31.

¹¹⁷Ibid., 93.

it must be practical. Singer signals at the outset in his “Prologue” to *Rethinking Life and Death* that his proposal will be about what works, and what does not. “I am not interested in continuing to patch and adjust the traditional approach so that we can pretend it works when it plainly does not.”¹¹⁸

In this same introductory section, Singer’s writing is loaded with “practical” terminology reflecting this view. He writes, “the traditional ethic has failed.”¹¹⁹ Singer warns that the logical contradictions “have direct consequences for human beings at the most deeply significant moments in their lives.”¹²⁰ Here also, Singer points ahead to the rest of his book and his proposed “ethic that is more compassionate and more responsive to what people decide for themselves, an ethic that avoids prolonging life when to do so is obviously pointless.”¹²¹ He is going to propose “practical solutions”¹²² because the old ethic “simply cannot cope.”¹²³

The main body of his book continues this “practical” theme. In general, Singer’s early and repeated use of actual case studies shows an affinity for the practical. There are explicit references as well. When endorsing euthanasia, Singer denies any slippery slope concerns and commends the “Dutch experience,” exclaiming that in the Netherlands “the heavens have not fallen.”¹²⁴

¹¹⁸Ibid., 4.

¹¹⁹Ibid.

¹²⁰Ibid., 3.

¹²¹Ibid., 4.

¹²²Ibid., 6.

¹²³Ibid., 4.

¹²⁴Ibid., 157.

In a different twist, Singer mixes practicality with his science theme. Because of increases in medical technology, the fetal viability standard for abortion is increasingly impractical. It is ironic that “recent advances in caring for premature infants mean that human life now begins two weeks earlier than it did when *Roe v. Wade* was decided.”¹²⁵ For Singer, this points to the insufficiency of that legal-ethical standard.

Singer’s entire exercise in writing the “five new commandments” is intended to offer a practical blueprint for ethical decision-making regarding issues of life and death.¹²⁶ In a following section, “Some Answers,” he offers additional practical advice on how to apply the five new commandments in real life dilemmas.¹²⁷ All of this presupposes that Singer’s proposed ethic will work in life and experience, and that it can be applied.

Some of Singer’s more controversial proposals appeal to what he views as practical. For instance, he argues “in the case of infanticide, it is our culture that has something to learn from others, especially now that we, like them, are in a situation where we must limit family size.”¹²⁸ In perhaps Singer’s strongest endorsement for practicality, he may startle readers with the statement that “bringing medical practice into line with the definition of death does not seem to be a good idea.” Instead, he reverses the usual relationship. “It would be better to bring the definition of brain death into line with current medical practice,” Singer concludes.¹²⁹ It would be hard to find a higher view of

¹²⁵Ibid., 102.

¹²⁶Ibid., 189-206.

¹²⁷Ibid., 206-19.

¹²⁸Ibid., 215.

¹²⁹Ibid., 37.

practicality, as a value, than this. If there is any doubt concerning the importance of the “practical” standard for Singer, it should be dispelled by remembering the title of his popular ethics textbook, *Practical Ethics*.

While Singer utilizes every kind of argument that might help his case, like every other moral philosopher, almost all of his arguments fit into one of the above three categories. Positively, Singer believes an ethic should be built upon truth claims that make sense, fit the facts, and work in life and experience. Negatively, Singer discredits ethical systems that contradict themselves, scientific evidence, or practical experience. His truth tests can be summed up as the logical test, the empirical test, and the practical test.

Common Ground

One of the challenges faced when comparing conflicting truth claims, including ethical ones, is establishing some common ground upon which to argue the merits of the case. This is particularly so when the competing truth claims are based upon different epistemologies, or appear to be. Especially is this true of the Judeo-Christian worldview versus a naturalistic-atheistic (or agnostic) worldview. Fortunately, in the case of this dissertation, Singer’s three tests for truth are not entirely foreign to Christian thought. While his conclusions and proposals may not provide much common ground, if any, his standards for truth do.

This thesis will examine Singer’s proposals in light of his own standards or truth tests. As stated, these truth tests include logical coherence and consistency, empirical correspondence, and practicality. Throughout the dissertation, these tests for truth will be treated as points of common ground between Singer and Christian thought.

Several Christian philosophers are in agreement that any valid truth claim ought to show correspondence with reality, or empirical evidence. In addition, they affirm that any legitimate truth assertion should be coherent and consistent, both externally and internally. Added to this, they agree that any ethical truth claim must be existentially viable, or practical.

The Oxford medical ethicist David Cook has proposed using these same three tests for examining competing worldviews in *Blind Alley Beliefs*.¹³⁰ Cook writes, “The first test of any view is whether or not it is consistent. Does it makes sense on its own terms?”¹³¹ This parallels Singer’s logical emphasis on consistency/contradiction and coherence. Cook is explicit about this point, “If it is incoherent we can do nothing with it. It can only be thrown away into the dustbin.”¹³²

For Cook there is a second test, “That is to ask whether or not the view corresponds with the facts.”¹³³ Cook refers here to “the picture theory of facts” where the words used “to describe something are seen as a picture.”¹³⁴ The truth claim is the picture. Then, Cook continues, “We hold up a picture and a compare it with reality—what it is supposed to represent.”¹³⁵ Empirical evidence is that reality. The good or true picture will match reality. The bad or false picture will not. This is analogous to

¹³⁰David Cook, *Blind Alley Beliefs* (Leicester, UK: InterVarsity, 1979), 4-7.

¹³¹*Ibid.*, 4.

¹³²*Ibid.*

¹³³*Ibid.*

¹³⁴*Ibid.*, 5.

¹³⁵*Ibid.*

Singer's emphasis on scientific evidence and his insistence that any ethical system not go against the facts.

Cook's third test is about "what actually works."¹³⁶ As a Christian, Cook puts his own truth claim on the line, "If Christian belief is true, it must work better than the alternatives."¹³⁷ Of course, this kind of language mirrors Singer's emphasis on practicality and what actually works. With one exception, Singer could agree with another statement by Cook when he says, "we must compare different beliefs to see which makes the biggest difference and best difference to humankind."¹³⁸ Instead of "humankind," Singer would no doubt say "persons," excluding disqualified humans and including qualified animals.

Cook is a contemporary example of Christian common ground with Singer on the truth tests. He is certainly not alone. Cook is actually indicative of a long line of recent thinkers who have affirmed this three-fold test for truth. In *Testing Christianity's Truth Claims*, Gordon Lewis cites several twentieth century Christian apologists who held to these same truth tests, notably E. J. Carnell, Francis Schaeffer, and C. S. Lewis.¹³⁹

¹³⁶Ibid.

¹³⁷Ibid., 6.

¹³⁸Ibid.

¹³⁹Gordon R. Lewis, *Testing Christianity's Truth Claims: Approaches to Christian Apologetics* (Lanham, MA: University Press of America, 1990). For Carnell, see 176-84; for Schaeffer, see 296-300; for C. S. Lewis, see 331-39. Gordon Lewis' work focuses on Carnell, who viewed competing truth claims as hypotheses to be tested by logical consistency, empirical evidence, and existential viability, 38-39. Also see Edward John Carnell, *An Introduction to Christian Apologetics: A Philosophical Defense of the Trinitarian-Theistic Faith* (Grand Rapids: Eerdmans, 1948). As a Christian, he did not view the truth or the tests as standards imposed from the outside, independent of God. Instead, Carnell wrote, "Since the mind of God perfectly knows reality, truth is a property of that judgement which coincides with the mind of God," 47. Likewise, for Carnell the law of non-contradiction is rooted in God's character and "has final meaning only in relation to God," 60. For similar themes see E. J. Carnell, *The Case for Orthodox Theology* (Philadelphia: The Westminster Press, 1959); idem, *Christian Commitment: An Apologetic* (New York: The MacMillan Company, 1957).

For these defenders of the faith, Christianity is true because it makes sense, it fits the facts, and it works practically in life and experience.

From Cook to Carnell, the point in showing this common ground is that Peter Singer's work may be critiqued using his own truth tests, yet without any Christian compromise. Obviously, Singer would not agree with the Christian notion that the three truth tests are grounded in the nature of God. But that does not prevent Christian critics of Singer from taking advantage of the fact that there is common ground, and perhaps attributing this to general revelation.

Having said that, comparing Singer's understanding of the three tests for truth with the views of Cook, Carnell, or other Christians reveals some other important points of disagreement. While there may be harmony on the logical test, there is dissonance on how to interpret the empirical and the practical truth tests. This difference is not just a matter of spin, but of substance, and therefore cannot be ignored in the dissertation. The contrasting views become an important point of comparison. These divergent interpretations on the empirical and practical tests will be explored respectively in Chapter 2 and Chapter 5. In spite of these differences, the three truth tests in principle serve as common ground between Singer and Christian thought, and will be pivotal in the methodology of the critical evaluation.

Summary and Thesis Statement

In *Rethinking Life and Death*, Peter Singer uses his proposed ethical value of the "person" to argue for abortion, infanticide, euthanasia, and assisted suicide. Given the serious nature of these issues and his proposed ethic, a critical evaluation is merited. His proposal consists of four key points. First, there is the foundation for his proposal—

rejecting creation for evolution. Second, there is the substance of his proposal—replacing the value of the “human” with the value of the “person.” Third, there is the criteria for his proposal—using “indicators” and “relevant characteristics” to identify the kinds of beings who qualify as “persons.” Fourth, there are the consequences of his proposal—promising an ethical “Copernican Revolution.”

The next four chapters will critically evaluate the four key ideas from Singer above. The evaluation of the respective key idea in each chapter will cover five steps: (1) the context of Singer’s proposal; (2) the content of Singer’s proposal; (3) positive evaluation; (4) negative critique; and (5) conclusion. The research methodology for the dissertation will be to treat Singer’s ethical proposal on the “person” as a hypothesis to be tested by his own truth standards of logical consistency, empirical evidence, and practicality. Following the four main chapters, a final chapter will provide “Summary and Conclusions.”

If Singer’s proposed ethic based upon the value of the “person” is shown to be valid, current ethical thinking and practice could undergo momentous change, as Singer indicates. If Singer gets his sources right, if he has answered all counter-arguments, and if his proposals pass his own three truth tests, then he is well on his way to producing the desired “Copernican Revolution.” On the contrary, if Singer misuses the primary sources for his proposal, if he has not answered the key challenges to his ideas, or if he violates his own standards for truth, then his revolution is ill-advised. If his proposal is weighed and found wanting, society might not be so ready to abandon the traditional sanctity of human life ethic when it come to issues of life and death.

Beginning this process of evaluation and critique, the dissertation project now turns in Chapter 2 to the foundation for Singer's ethical proposal in *Rethinking Life and Death*. In a ground-clearing operation to make way for his proposed ethical value of the "person," Singer rejects the traditional ethic that is based upon the sanctity of innocent human life.

CHAPTER 2

SINGER'S PROPOSAL—THE FOUNDATION: REJECTING CREATION FOR EVOLUTION

Peter Singer's proposed "Copernican Revolution" in ethics is based upon a new foundation. To make room for the new foundation, he must first engage in a ground clearing operation. Singer's first move is one of rejection. He rejects the notion of creation, especially human creation in the image of God. More specifically, Singer wants the sanctity of human life doctrine to be jettisoned because it is based upon the false belief of human creation in the *imago Dei*. Singer believes instead that humankind evolved from animals. Singer's second move is one of replacement. He replaces the idea of humankind created in the image of God with a Darwinian understanding of human evolution. Because humankind does not possess the *imago Dei*, but instead is evolved from animals, human life is not necessarily to be valued above animal life. Therefore, society must rethink what kinds of beings should enjoy special protected status, and on what basis that status should be recognized. This chapter is about this rejection and replacement, and how Singer believes this merits a rethinking of life and death ethical questions.

This first move of rejection is absolutely critical for Singer's proposal. With it, the way is clear for a new ethical standard regarding life and death for humans and animals. Without it, in Singer's mind the traditional ethic remains based upon the idea that human beings are created in the image of God, and therefore should enjoy special

protected status. This chapter will critically evaluate this key Singer idea in five steps: (1) context; (2) content; (3) positive evaluation; (4) negative critique; and (5) conclusion.

Context

Singer's recommendations did not just appear in a vacuum. The historical context from which his ethical proposal arises is at least three-dimensional. Taken in chronological order, each point of context provides an important introduction to Singer's program. The first context is ancient. For thousands of years the Judeo-Christian tradition has affirmed the sanctity of innocent human life. Singer acknowledges the history of this idea, and locates the traditional ethic in the biblical notion that humankind was created in the image of God. The *imago Dei* motif teaches that humans alone, among all of earth's creatures, are made in the image of God. For Singer, this doctrine serves as the foundation of the ethical evaluation of human life as sacred. As such, human life is not to be taken without good reason. The traditional exceptions are just war, self-defense, or capital punishment.

A second point of reference began to develop in the later 1800s. Some suggest evolution had been developing as a philosophical concept from Lucretius to Lamarck.¹ However, in modern times, it was Charles Darwin who first popularized the idea of evolution with force. Darwin's theory was both unique and appealing for at least

¹Ronald E. Latham, "Lucretius," in *The Encyclopedia of Philosophy*, ed. Paul Edwards (New York: Macmillan, 1972), 99-101. Latham actually uses phrases like "Darwinian lines," "survival of the fittest," and "evolutionary approach," to describe the philosophy of Lucretius, 101. Also see Benjamin Wiker, *Moral Darwinism: How We Became Hedonists* (Downers Grove: InterVarsity, 2002). One of Wiker's chapters is entitled "Lucretius, the First Darwinist," 59-74. Wiker also mentions the well-known fact that various kinds of "evolutionary theory" were espoused by others "prior to Darwin," including Lamarck, 216. Wiker locates the beginning of evolutionary thought in Epicurus (pp. 31-58), but one could make the case for its introduction as far back as Anaximander of Miletus (c. 610 - c. 547 B.C.).

two reasons. First, it was based upon his own travels and research. Second, Darwin's theory provided an explanatory mechanism (natural selection) for evolution. These two factors enabled Darwinian evolution to dominate the academic scene.² Singer sees Darwin as the turning point in modern man's understanding of himself and his origins. From a controversial theory in the last half of the nineteenth century, Darwinian evolution gained momentum in the twentieth century and became the accepted scientific paradigm for human origins. Indeed, Darwinism may be the only grand metanarrative remaining in the postmodern era. In spite of this, Singer notes that the traditional sanctity of human life ethic continues to influence many legal and moral standards. Singer's aim is to show that the traditional sanctity of human life ethic is outmoded, because it is based upon a belief in human creation in the image of God, which is unwarranted in light of evolution.

Singer himself provides a third background against which his proposal should be viewed. His 1975 work *Animal Liberation* proved to be the catalyst that launched the animal rights movement, of which Singer has been called the "father," and even the "Godfather."³ As such, his method of promoting animal rights should be noted. It is not so much that he seeks to lift animals up to the level of humanity, as it is that he intends to

²For a typical description and defense of Darwinism's rise in popularity, see Niles Eldredge, *The Triumph of Evolution and the Failure of Creationism* (New York: Henry Holt and Company, 2000), especially his chapter "What Drives Evolution? The Evolution of Evolutionary Theory," 62-89.

³Joyce Howard Price, "Princeton Bioethicist Argues Christianity Hurts Animals," *The Washington Times*, 4 July 2002 [on-line]; accessed 13 July 2002; available from <http://www.washtimes.com/national/2002070468157493htm>; Internet.

bring humankind down to the level of animals. Hence, his chapter in *Animal Liberation* is entitled “Man’s Dominion . . . a short history of speciesism.”⁴ Borrowing from the Oxford psychologist Richard Ryder, Singer popularized the term “speciesism” to describe the harmful attitude fostered by the mistaken notion that humans alone, among all creatures, are made in the image of God. Of course, for the purposes of *Animal Liberation*, the related ideas of *imago Dei* and man’s dominion put animals in double jeopardy. For the sake of animal rights, as early as the mid 1970s Singer opposed the twin biblical concepts of *imago Dei* and dominion in *Animal Liberation*. As part of denying the human right to life, Singer opposed both ideas again in *Practical Ethics*, and more emphatically in *Rethinking Life and Death*.

The dominance of the traditional sanctity of human life ethic, the growing influence of the theory of evolution, and Singer’s earlier animal rights agenda all provide an important sense of context to his later work in *Rethinking Life and Death*. Each of these contextual points of reference resurfaces in Singer’s book, especially as he argues about the ethical foundations for moral questions and answers surrounding life and death.

Content

It is difficult to overestimate how important this rejection of creation, in favor of evolution, is for Singer’s proposal. Singer hints at this rejection early on in the prologue of his text:

The traditional ethic is still defended by bishops and conservative bioethicists who speak in reverent tones about the intrinsic value of all human life, irrespective of its nature or quality. But, like the new clothes worn by the emperor, these solemn

⁴Peter Singer, *Animal Liberation: A New Ethics for our Treatment of Animals* (New York: Random House, 1975), 185-212.

phrases seem true and substantial only while we are intimidated into uncritically accepting that all human life has some special dignity or worth. Once challenged, the traditional ethic crumbles. Weakened by the decline in religious authority and the rise of better understanding of the origins and nature of our species, that ethic is now being brought undone by changes in medical technology with which its inflexible strictures simply cannot cope.⁵

This quote introduces Singer's overall thought on the topic, showing how he rejects the idea that "all human life has some special dignity or worth," and foreshadows his rejection of creation and his acceptance of evolution.

While Singer has an engaging narrative style throughout *Rethinking Life and Death*, sprinkled with human interest stories, much of his argument is not organized with clarity. There is one special section in his text that focuses on the creation and evolution issue.⁶ But this subject and related themes are also scattered throughout the text. Added to this, Singer's argument on this point is spread across a number of years and sources. While Singer's thoughts on this point may not be clearly ordered in *Rethinking Life and Death* or in his other texts, they can be outlined with clarity. For this reason, organizing Singer's thoughts on the ethical ramifications of creation and evolution is the next step in this research project. The research base will begin with *Rethinking Life and Death* and then draw extensively from his other key works.

With the above approach in mind, the structure of this content analysis will follow a simple outline. Singer's view on the contrasting ideas of creation and evolution will be explored, along with their moral implications. First, this section will present

⁵Singer, *Rethinking Life and Death: The Collapse of our Traditional Ethics* (New York: St. Martin's Griffin, 1994), 4.

⁶Ibid., 165-80.

Singer's outlook on the idea of creation and its ethical implications. For Singer, the idea of creation can be traced to a certain source and communicates certain themes. As to the moral implications of creation, Singer contends that both human and animal ethics are involved. Second, this summary will look in the same way at Singer's presentation regarding evolution. As with creation, Singer writes about evolution as an idea, including not only its origins, but also its ethical implications for both animals and humans. The next section follows this approach of tracing his argument.

The Idea of Creation and Its Implications

In his evaluation of the sanctity of human life ethic, Singer begins at the beginning—creation. Because the “starting point is the Hebrew view of creation,” Singer reproduces Genesis 1:26-28 in *Rethinking Life and Death*.

And God said, Let us make man in our image, after our likeness: and let them have dominion over the fish of the sea, and over the fowl of the air, and over the earth, and over every creeping thing that creepeth upon the earth.

So God created man in his own image, in the image of God created he him; male and female created he them.

And God blessed them, and God said unto them, be fruitful and multiply, and replenish the earth, and subdue it; and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.⁷

Singer explains how this biblical passage is to be credited for the fact that the “western tradition is unusual in its emphasis on the sanctity of every human life, but only of human

⁷Ibid., 165-66. This is Singer's block quotation verbatim, which he references as being from “Genesis 1:24-28, Authorised Version,” 234. However, a careful reading shows that his quotation contains only vv. 26-28 and is missing 24-25 altogether. He also omits the words “and over the cattle” from v. 26. Likewise, he omits the word “all” from v. 26, in “over all the earth.”

life.”⁸ For Singer, there are two essentials flowing from the Genesis text. First, “Human beings are here seen as special because they alone of all living things were made in the image of God.”⁹ Second, the dominion motif indicates that “God gave them power over all the other living things.”¹⁰ Singer notes a third Judeo-Christian doctrinal development that must also be factored into the origins of the sanctity of human life ethic of the West. It is “the belief that humans, alone of all living things, have immortal souls, and so will survive death.”¹¹

Singer believes that Jesus reinforced these views by his silence on “our relations with nonhuman animals.”¹² Jesus’ cursing of the fig tree is one of “two examples of his indifference to nonhuman life.”¹³ The second example, according to Singer, is when “Jesus casts out devils and makes them go into a herd of pigs, who then hurl themselves into the sea and drown.”¹⁴ Singer shows how these scriptural stories influenced the way Christians viewed the value of human life and animal life. He cites Augustine who thought the fig and pig stories showed that “to refrain from the killing of

⁸Ibid.

⁹Ibid., 166.

¹⁰Ibid.

¹¹Ibid.

¹²Ibid.

¹³Ibid.

¹⁴Ibid.

animals and the destroying of plants is the height of superstition, for judging that there are no common rights between us and the beasts”¹⁵

In order to follow Singer’s later critique of the sanctity of human life ethic, it is important to note his emphasis on creation as an idea, as well as its ethical implications. As to the idea of creation, its origins are “religious,” “Hebrew,” “Jewish,” and “Christian.”¹⁶ From his use of scriptural sources it is fair to say that Singer also views the source for the creation-sanctity motif as biblical. There is also a brief reference to philosophers such as Aristotle, Descartes, and Kant who all viewed human life as superior to animal life.¹⁷ Nevertheless, the main source for the Western sanctity of human life ethic is religious, specifically Judeo-Christian. This can be documented as well in other Singer works such as *Animal Liberation*, *Practical Ethics*, and *A Darwinian Left*.¹⁸ For Singer, the sanctity of human life ethic is built upon a biblical, three-fold foundation of human creation in the *imago Dei*, human dominion over the animals, and the idea that humans alone have souls.

¹⁵Ibid. Singer’s quotation is from Augustine, *The Catholic and the Manichean Ways of Life*, trans. D. A. Gallagher and I. J. Gallagher (Boston: The Catholic University Press, 1966), 102.

¹⁶Singer, *Rethinking Life and Death*, 4, 165-69.

¹⁷Ibid., 167-69.

¹⁸Singer, *Animal Liberation*: the sources are “religious” (185), “Christian Thought” (189), “the biblical story of creation” (186), the “Bible” (187), “Genesis” (188), “Christianity” (189, 191, 192), the “Old Testament” (191), “Jesus” (191-92), “Augustine” (191-92), “Aquinas” (193-96); Idem, *Practical Ethics*, 2nd ed. (New York: Cambridge University Press, 1993): here the sources are “Christianity,” “theological,” “Christian,” “Christian doctrine,” “Thomas Aquinas,” “the Bible,” “Genesis,” and “Christian domination of European thought” (88-89); also “the biblical story of creation,” “Paul,” “Christian thinkers,” “Old Testament,” “New Testament,” “Jesus,” “Augustine,” and “Christian theology” (265-67); Idem, *A Darwinian Left: Politics, Evolution and Cooperation* (New Haven: Yale University Press, 2000): the source is still the biblical account of creation in Genesis (16); elsewhere referred to as “the Christian account of divine creation,” (20) and “Christianity” (28).

As to what this Judeo-Christian tradition communicates in terms of moral implications, Singer presents a dual message. Positively, it is pro-human rights; negatively, it is anti-animal rights. Examining the pro-human rights half of the equation, Singer asks the question, “Why does our ethic draw so sharp a distinction between human beings and all other animals?”¹⁹ The answer is found in “the Christian view of the special status of human beings.”²⁰ At the earliest stages of *Rethinking Life and Death*, Singer links “religious authority” and notions of “the intrinsic value of all human life, irrespective of its nature or quality.”²¹ Toward the conclusion of the same book, Singer explains the origin of the idea that “the lives of all and only members of our species are more worthy of protection than the lives of any other being.”²² This belief originates from the Judeo-Christian “tradition’s idea that God created man in his own image, granted him dominion over the other animals, and bestowed an immortal soul on human beings alone of all creatures.”²³

This pro-human rights dimension of the Judeo-Christian worldview explains why the traditional sanctity of human life ethic is opposed to abortion, infanticide, euthanasia, and assisted suicide. “To end a human life is to end the life of a being made in the image of God.” Singer continues, “It is also to consign a being to his or her

¹⁹Singer, *Rethinking Life and Death*, 165.

²⁰ Ibid., 167.

²¹ Ibid., 4.

²² Ibid., 221.

²³ Ibid.

immortal destiny—that is, to heaven or hell for all eternity.”²⁴ Under this view, “our reckoning is to God.”²⁵ He gave life; he alone has the right to take it.

In *Practical Ethics*, Singer traces how the biblical concept of the soul argues against taking innocent human life:

Our present attitudes date from the coming of Christianity. There was a specific theological motivation for the Christian insistence on the importance of species membership: the belief that all born of human parents are immortal and destined for an eternity of bliss or for everlasting torment. With this belief, the killing of Homo sapiens took on a fearful significance, since it consigned a being to his or her eternal fate.²⁶

Then Singer goes on to expound upon the other two themes of *imago Dei* and dominion, and their combined ethical implications:

A second Christian doctrine that led to the same conclusion was the belief that since we are created by God we are his property, and to kill a human being is to usurp God’s right to decide when we shall live and when we shall die. As Thomas Aquinas put it, taking a human life is a sin against God in the same way that killing a slave would be a sin against the master to whom the slave belonged. Non-human animals, on the other hand, were believed to have been placed by God under man’s dominion, as recorded in the Bible (Genesis 1:29 and 9:1-3). Hence humans could kill non-human animals as they pleased, as long as the animals were not the property of another.²⁷

²⁴Ibid., 168-69.

²⁵Ibid.

²⁶Singer, *Practical Ethics*, 88-89.

²⁷Ibid., 89. In this section of *Practical Ethics*, there is no discussion of the important distinction that many Christians would want to make between ownership and stewardship, when it comes to the idea of dominion. Stewardship would not allow for “killing non human animals as they pleased” without any qualification. While Singer acknowledges the “Christian debate” of such a distinction elsewhere, he dismisses it because there is “little justification in the text itself for such an interpretation” and because of “the example God set when he drowned almost every animal on earth in order to punish human beings for their wickedness,” 266.

This explanation of the pro-human rights agenda of the sanctity of human life tradition introduces what Singer views as the other side of that same tradition—an anti-animal rights mindset.

For humankind, the themes of *imago Dei*, dominion, and souls make a positive claim that human life is at least special in comparison with animals, if not sacred. For animals, Singer believes the same ideas carry a negative connotation. In essence, the Christian tradition is anti-animal rights. Although the focus of *Rethinking Life and Death* is the ethics of human life and death, the animal rights theme is implicit at this point and serves as the backdrop to his presentation on the sanctity of human life position. Singer explains that “western ethical thinking singled out *human* life as sacrosanct, and paid little attention to the lives of nonhuman animals.”²⁸ Contrasting the different views toward humans and animals, Singer remarks that “to kill a nonhuman animal is to kill a being over whom God has already given us dominion.”²⁹ Because of this,

He will not call us to account for the death, as he would for the death of a human being. To kill a nonhuman animal is to kill a merely material thing, a being that is not even conscious, or at least not self-conscious, and whose role in life is to serve as a means to our ends, including our needs for food and clothing—not, in other words, anything to worry about.³⁰

Ever since *Animal Liberation*, Singer has criticized the negative implications of this Judeo-Christian tradition toward animals. In that earlier book Singer quotes Genesis 1:24-28, whereas in *Rethinking Life and Death*, he only cites Genesis 1:26-28.

²⁸Singer, *Rethinking Life and Death*, 168.

²⁹*Ibid.*, 169.

³⁰*Ibid.*

The two extra verses tell about the creation of animals, and Singer must want the reader to see the biblical understanding of humankind in contrast to that of animals:

And God said, Let the earth bring forth the living creature after his kind, cattle and creeping thing, and beast of the earth after his kind: and it was so.

And God made the beast of the earth after his kind, and cattle after their kind, and every thing that creepeth upon the earth after his kind: and God saw that it was good.³¹

For Singer, the passage which follows about the *imago Dei* “allots human beings a special position in the universe, as beings that, alone of all living things, are God-like.”³² The dominion theme is added to this, and Singer notes that after the fall, “killing animals clearly was permissible,” if not before. Besides this, Singer quotes Genesis 9:1-3 again and surmises as the teaching of the text that “God blessed Noah and gave the final seal to man’s dominion.”³³ Not only are beasts, the fowl, and the fishes to dread humankind, every moving thing that lives is to be meat for man. Singer acknowledges the “intriguing hint” from the Bible that pre-fall man ate of “the green herb,” and that this vegetarian state of affairs could be some kind of human ideal. Additionally, Singer notes other Old Testament allusions of “kindliness towards animals” which might imply some limitations to the idea of absolute human dominion over the animals.³⁴ In spite of these caveats, Singer concludes “there is no serious challenge to the overall view, laid down in Genesis,

³¹Singer, *Animal Liberation*, 186. Singer simply references the entire quotation as “Genesis 1:24-28,” which appears to be taken from the Authorized Version. As with the similar quotation from *Rethinking Life and Death*, in v. 26 Singer omits the words “and over the cattle” and “all” in “over all the earth.”

³²Ibid., 187.

³³Ibid.

³⁴Ibid., 188. Again, Singer acknowledges the possible understanding of dominion as stewardship, instead of ownership. However, as before, it is rejected.

that the human species is the pinnacle of creation and has God's permission to kill and eat other animals."³⁵

In *A Darwinian Left*, Singer views Christianity as an ideology which insists "on the gulf between humans and animals."³⁶ This is a fitting summary statement of Singer's overall view on the Judeo-Christian worldview and the sanctity of human life ethic to which it gave rise. The "gulf" is a chasm that no man can cross, certainly no animal. No matter what the condition of a human life, as long as it is human and alive, that life is sacred because it bears the image of God. Likewise, no matter what the animal, it can never measure up to the worth of any human being. Furthermore, it exists only for the welfare of the human race.

The Idea of Evolution and Its Implications

If Singer is able to trace the beginnings of the traditional ethic in Genesis, he is certainly as ready to locate the origins of its demise in Darwin. Singer's first move is to show that the simple idea of creation was refuted by the scientific idea of evolution, and that this shift is marked by the life and work of Charles Darwin. Throughout the corpus of Singer's works, he cites Darwin or Darwinian evolution as the source for rejecting creation, as well as for the rejection of the related idea of special human status via creation in the *imago Dei*. Based upon the idea of evolution, Singer's argument extends to address the implications of evolution. For Singer, the ethical ramifications of evolution affect the status of both animals and humans.

³⁵Ibid.

³⁶Singer, *A Darwinian Left*, 28.

In *Rethinking Life and Death*, Singer traces the idea of evolution and its ethical implications in a section entitled “The Western Tradition Under Attack.” While Darwin is credited as the main nemesis of the Judeo-Christian view that human life is sacred, others prepared the way. Copernicus put a wedge in the door, albeit a thin one, by showing that “humans were not at the centre of the universe any more, but they were still made in the image of God.”³⁷ Fast forwarding to the eighteenth century, Carl Linnaeus cracked the door slightly with his classification system by “putting human beings and chimpanzees into the same genus.”³⁸ Adding some momentum to this, the Scottish anthropologist Lord Monboddo studied the similarities that apes share with humans and deduced that “they are of our species.”³⁹

Whatever the influence of Copernicus, Linnaeus, or Monboddo, Singer sees Charles Darwin as the final defeater of the ethical notion that human life is sacred because it was created in the image of God. Summarizing Darwin’s *The Origin of Species* and *The Descent of Man*, Singer explains:

Darwin’s theory, embodied in these two great works, undermined the foundations of the entire western way of thinking on the place of our species in the universe. He taught us that we too were animals, and had a natural origin as the other animals did. As Darwin emphasized in *The Descent of Man*, the differences between us and the nonhuman animals are differences of degree, not of kind.⁴⁰

Singer’s claim here, that Darwinian evolution “undermined the foundations” of creation in the *imago Dei*, sounds modest when compared to his other statements. Later he speaks

³⁷Singer, *Rethinking Life and Death*, 169.

³⁸*Ibid.*, 170.

³⁹*Ibid.*

⁴⁰*Ibid.*, 171.

of “Darwin’s devastating blow to the western view of human beings.”⁴¹ Furthermore, after Darwin “the western view of the special status of humans” was no longer valid because “its foundations had been knocked out from under it.”⁴² The post-Darwin worldview has fundamentally changed from the pre-Darwin. According to Singer, “The difference Darwin makes is more momentous than many people appreciate.”⁴³

He quotes Darwin as authoritative where he wrote in his *Notebooks*, “Man in his arrogance thinks himself a great work, worthy of the interposition of a deity. More humble and I believe true, true to consider him created from animals.”⁴⁴ To infer that the phrase “created from animals” implies some kind of theistic evolution misses the point of the Darwin quote. The contrasting phrase to this is the “interposition of a deity,” and this rules out any notion of God, or humankind created in the image of God.⁴⁵

Singer himself is counted by others as a leader in evolutionary thought, according to one of the latest of his own publications. The foreword to his recent book *A Darwinian Left* hails Singer as one of “the leading figures in the field of evolutionary theory.”⁴⁶ *A Darwinian Left* resulted from the Darwin Seminars at the London School of

⁴¹Ibid., 172.

⁴²Ibid.

⁴³Ibid., 171-72.

⁴⁴Ibid., 169-70.

⁴⁵cf. James Rachels, *Created from Animals: The Moral Implications of Darwin* (Oxford: Oxford University Press, 1990), 128. Rachels gets his title from the Darwin quotation and interprets it as Singer does. Rachels writes that “Darwinism forces a retreat” in ethics, to the effect that “we will no longer have a theism that supports the doctrine of human dignity.” Singer refers to Rachels for support on this point in *A Darwinian Left*, 65; *Rethinking Life and Death*, 236.

⁴⁶Singer, *A Darwinian Left*, ix. Singer did not write the foreword. These quotations represent the thoughts of Helena Cronin and Oliver Curry, and refer to Singer and all of the other authors of the *Darwinism Today* series.

Economics, which boasts the venue as “a platform for distinguished evolutionists to present the latest Darwinian thinking and to explore its application to humans.”⁴⁷

Furthermore, these introductory comments about Singer inform the readers that his views on evolutionary thought are “authoritative.”⁴⁸

From Darwin, there is a shift to “science.” Singer believes that Darwin’s theory gained acceptance because of supporting scientific evidence. Also, he explains that the resulting shift from creation to evolution should have prompted an ethical shift concerning the status of both humankind and animals. Singer describes how one idea should lead to the other:

Once the weight of scientific evidence in favor of the theory became apparent, practically every earlier justification of our supreme place in creation and our dominion over the animals had to be reconsidered. Intellectually the Darwinian revolution was genuinely revolutionary. Human beings now knew that they were not the special creation of God, made in the divine image and set apart from the animals; on the contrary, human beings came to realize that they were animals themselves. Moreover, in support of his theory of evolution, Darwin pointed out that the differences between human beings and animals were not so great as was generally supposed.⁴⁹

Supporting this statement, Singer continues to emphasize both the positive and negative impact of evidence. Positively, he adds that resistance from the “Western” view of “creation” was doomed because the “scientific evidence for a common origin of the human and other species” was “overwhelming.”⁵⁰ Negatively, evidence should trump faith. Singer writes, “Only those who prefer religious faith to beliefs based on reasoning

⁴⁷Ibid.

⁴⁸Ibid.

⁴⁹Singer, *Animal Liberation*, 205-06.

⁵⁰Ibid., 206.

and evidence can still maintain that the human species is the special darling of the entire universe, or that other animals were created to provide us with food, or that we have divine authority over them, and divine permission to kill them.”⁵¹

In opposition to faith, Singer says “science” shows that the traditional view has drawn the wrong kinds of lines between mankind and animals, i.e., lines that separate. Instead, science shows a fundamental link between man and animal.

Science has helped us to understand our evolutionary history, as well as our own nature and the nature of other animals. Freed from the constraints of religious conformity, we now have a new vision of who we are, to whom we are related, the limited nature of the difference between us and other species, and the more or less accidental manner in which the boundary between ‘us’ and ‘them’ has been formed.⁵²

The scientific freedom from “religious conformity” is total for Singer. There is an undercurrent of atheism to his assumptions. For instance, in *A Darwinian Left* Singer shows why Marx thought Darwin appealing: “Since the alternative to the theory of evolution was the Christian account of divine creation, Darwin’s bold hypothesis was seized upon as a means of breaking the hold of ‘the opium of the masses.’”⁵³ Likewise, in *Animal Liberation* Singer replaces the notion of Scripture as divine revelation with the idea of the Bible as human projection. He writes, “The Bible tells us that God made man in His own image. We may regard this as man making God in his own image.”⁵⁴ Similarly, in two “Is There a God?” editorial pieces for *The Age*, Singer answers the

⁵¹Ibid., 206-07.

⁵²Singer, *Rethinking Life and Death*, 182-83.

⁵³Singer, *A Darwinian Left*, 20.

⁵⁴Singer, *Animal Liberation*, 187.

question both times in the negative.⁵⁵ Also, in *How are We to Live?* Singer agrees with Frank Ramsey's comment about "Theology and Absolute Ethics," that they "are two famous subjects which we have realised to have no real objects."⁵⁶ Finally, removing any doubt about Singer's disbelief in God, is his 2002 declaration to an audience of one thousand, "I am an atheist. I know that is an ugly word in America."⁵⁷

Singer believes there is no longer any question as to whether humankind was created. Both notions about man, that he was created and bears God's image, are rejected by Singer.

No intelligent and unbiased student of the evidence could any longer believe in the literal truth of Genesis. With the disproof of the Hebrew myth of creation, the belief that human beings were specially created by God, in his own image, was also undermined. So too was the story of God's grant of dominion over the other animals. No wonder that Darwin's theory was greeted with a storm of resistance, especially from conservative Christians.⁵⁸

So humans are not created in the image of God, but evolved from animals. Singer evaluates the current evolutionary situation: "For the first time since life emerged from the primeval soup, there are beings who understand how they have come to be what they are."⁵⁹ He wants to explore the implications of evolution, especially the ethical ones.

⁵⁵Peter Singer, "Is There a God?" *The Age*, 24 December 1993; "Is There a God? (Revisited)" *The Age*, 14 February 1994. Here, Singer's main argument against the existence of God is the problem of evil.

⁵⁶Peter Singer, *How are We to Live?* (New York: Prometheus Books, 1995), 188. Singer's doubt here is about the meaningfulness of religious language, following A. J. Ayer and the logical positivists.

⁵⁷Joyce Howard Price, "Princeton Bioethicist Argues Christianity Hurts Animals."

⁵⁸Singer, *Rethinking Life and Death*, 171.

⁵⁹Singer, *A Darwinian Left*, 63.

The appeal in *A Darwinian Left* is that “It is time for the left to take seriously the fact that we are evolved from animals, and that we bear the evidence of our inheritance, not only in our anatomy and our DNA, but in our behaviour too.”⁶⁰ Evolutionary thought should serve as an ideological filter, according to Singer. He believes evolution should lead to the “debunking or discrediting of politically influential non-Darwinian, beliefs and ideas.”⁶¹ This screening effect means that “All pre-Darwinian political beliefs and ideas need to be examined to see if they contain factual elements that are incompatible with Darwinian thinking.”⁶²

For instance, evolution should be seen as an eliminator of the idea that “God gave Adam dominion over ‘the fish of the sea, and the fowl of the air, and everything that moved upon the Earth.’”⁶³ Singer laments that this “belief still seems to exercise some influence on our attitudes to nonhuman animals, though it is as thoroughly refuted by the theory of evolution as is the doctrine of the divine right of kings.”⁶⁴ In Singer’s mind, Darwin’s authority is absolute on this issue. Singer continues, “By knocking out the intellectual foundations of the idea that we are a separate creation from the animals, and utterly different in kind, Darwinian thinking provided the basis for a revolution in our

⁶⁰Ibid., 6.

⁶¹Ibid., 16.

⁶²Ibid.

⁶³Ibid.

⁶⁴Ibid.

attitudes to nonhuman animals.”⁶⁵ Even more lamentable for Singer, “Sadly that revolution did not occur, and despite some recent progress, it still has not occurred.”⁶⁶ In spite of Darwin’s discovery that should have promoted animal rights, Singer acknowledges a delay in its realization, even for Darwin. Singer believes that Darwin, no vegetarian, was inconsistent in the application of his scientific theory to his treatment of animals. Singer writes of Darwin, “he too retained the moral attitudes to animals of earlier generations, though he had demolished the intellectual foundations of those attitudes.”⁶⁷

According to Singer, in contrast the new proposed Darwinian left would:

Recognise that the way in which we exploit nonhuman animals is a legacy of a pre-Darwinian past that exaggerated the gulf between humans and other animals, and therefore work towards a higher moral status for nonhuman animals, and a less anthropocentric view of our dominance over nature.⁶⁸

The statement above shows the link between Darwinian evolution and Singer’s pro-animal rights agenda.

Noting how Singer makes his pro-animal rights argument in *Rethinking Life and Death* is another way to see how Singer views society’s predisposition to speciesism. He engages in cunning subterfuge to get his reader’s attention, and to make his point. Singer weaves an interesting tale about some “people” confined in a new kind of Dutch institution who had a “special condition” that intellectually handicapped them “well

⁶⁵Ibid., 17.

⁶⁶Ibid.

⁶⁷Singer, *Animal Liberation*, 211.

⁶⁸Singer, *A Darwinian Left*, 61-62.

below the human level.” In spite of their “very limited mental capacities,” these inmates co-operated, solved problems, practiced deceit, engaged in politics, possessed a leader and showed problem solving abilities. Singer even provides their names and several accounts of their various behaviors in specific situations. Once the bait is presented and taken, Singer sets the hook and lets his audience in on the identity of these “people-inmates.” According to Singer, “The ‘special condition’ that these people have is their membership of the species *Pan troglodytes*.”⁶⁹ These are not handicapped *homo sapiens*; they are in fact chimpanzees, not humans. Any predisposition to think these “people” are humans illustrates current speciesist attitudes, and the need for change. This parable serves as Singer’s introduction to an argument about transplanting baboon organs into humans.⁷⁰ Both of these animal arguments provide the introductory context for Singer’s advocating Darwinian evolution over creation.⁷¹

But Singer turns this pro-animal rights motif around to an anti-human rights agenda:

The new vision leaves no room for the traditional answer to these questions, that we human beings are a special creation In light of our new understanding of our place in the universe, we shall have to abandon that traditional answer, and revise the boundaries of our ethics. One casualty of that revision will be any ethic based on the idea that what really matters about beings is whether they are human. This will have dramatic effects, not only on our relations with nonhuman animals, but on the entire traditional sanctity of life ethic.⁷²

⁶⁹Singer, *Rethinking Life and Death*, 159-63.

⁷⁰*Ibid.*, 163-65.

⁷¹*Ibid.*, 165-72.

⁷²*Ibid.*, 182-83.

The traditional sanctity of human life ethic holds that all human life is sacred, by virtue of the fact that it is human. But Singer counters in *A Darwinian Left*, “If Darwinian thinking tells us that we have been too ready to assume a fundamental difference in kind between human beings and nonhuman animals, it could also tell us that we are too ready to assume that all human beings are the same in all important respects.”⁷³

Singer’s anti-human rights view turns on this point, and on no issue is this clearer than when he is discussing abortion and infanticide. For Singer, understanding how the traditional ethic worked logically is essential if he is going to discredit it. Toward that end of refutation, Singer identifies “the case against abortion as a formal argument.” His representation of the pro-life syllogism is:

First Premise: It is wrong to take innocent human life.

Second Premise: From conception onwards, the embryo or fetus is innocent, human and alive.

Conclusion: It is wrong to take the life of the embryo or fetus.⁷⁴

For Singer, analyzing this syllogism is the first step to “unlocking the abortion debate.”

As stated earlier, unlike the typical pro-choice apologist, Singer does not attack the second premise. Instead, Singer points to the vulnerability of the first premise. For Singer, if human life has evolved, it is not created in God’s image. If it is not created in God’s image, then it is not always wrong to take it.

Singer believes this anti-human rights message will correct the speciesism of

⁷³Singer, *A Darwinian Left*, 17.

⁷⁴Singer, *Rethinking Life and Death*, 100.

the traditional sanctity of human life ethic. Like the delayed pro-animal rights agenda, Darwin's corrective to the *imago Dei* motif and the sanctity of human life ethic has not yet been fully realized, but Singer calls for change:

During the centuries of Christian domination of European thought the ethical attitudes based upon these doctrines became part of the unquestioned moral orthodoxy of European civilisation. Today the doctrines are no longer generally accepted, but the ethical attitudes to which they gave rise fit in with the deep-seated Western belief in the uniqueness and special privileges of our species, and have survived. Now that we are reassessing our speciesist view of nature, however, it is also time to reassess our belief in the sanctity of the lives of members of our species."⁷⁵

In summary, Singer seeks to erase the distinction between animals and humankind, and uses Darwin to do it:

That there is a huge gulf between humans and animals was unquestioned for most of the course of Western civilisation. The basis of this assumption has been undermined by Darwin's discovery of our animal origins and the associated decline in the credibility of the story of our Divine Creation, made in the image of God with an immortal soul.⁷⁶

Beyond Darwin, Singer marshals a few other arguments against speciesism based upon current developments in society and scholarly circles. They are: (1) damage to the ecosystem; (2) the animal rights movement and acceptance of the word "speciesism"; (3) the great ape project and Jane Goodall's work; (4) knowledge of non-human animals in terms of DNA and genetics; and (5) the emerging scientific consensus that we are animals. On this last point he references the work of Richard Dawkins and Jared Diamond, that humans are "the third gorilla."⁷⁷ Therefore, Singer's ground-clearing

⁷⁵Singer, *Practical Ethics*, 89.

⁷⁶Ibid., 72.

⁷⁷Singer, *Rethinking Life and Death*, 172-80.

operation relies on an earthquake that has Darwin as its epicenter. But Singer also lists this series of related trends as “aftershocks” to the traditional sanctity of human life ethic.⁷⁸ For Singer, these later developments make his proposed Copernican revolution in ethics particularly timely.

If true, what follows for Singer is a rejection of the old and a proposal for something new. Since we have evolved from animals, to emphasize the sanctity of human life amounts to *speciesism*. Because of this, speciesism must be abandoned along with any sanctity argument based on the value of being human.⁷⁹ Singer therefore rejects speciesism and with it, the unique value of the “human.” Another question is also implied in Singer’s rejection of creation for evolution. “Who is homo?” is an open and proper question for Singer.⁸⁰ There was an answer before. Now the question has new force, meaning, and significance. He proposes that it be replaced with a value of the “person.”⁸¹ But before that replacement of “person” can be evaluated, we must first examine his replacement of the foundation, rejecting creation for evolution.

A thorough examination of Singer’s recommended program must evaluate the key elements in the foundation of his proposal. According to Singer, the Western tradition’s sanctity of human life ethic is based upon the false assumption of human creation in the *imago Dei*. Evolution has not only refuted the sanctity notion by eliminating the image of God motif, but evolution has also demonstrated that humans are

⁷⁸Ibid., 172.

⁷⁹Ibid., 173-79.

⁸⁰Ibid., 172-73.

⁸¹Ibid., 180.

no more and no less than animals. The moral implications of Singer's views are pro-animal rights, and anti-human rights. The evaluation of Singer's recommended foundation will turn to these and related themes, noting positives first, then negatives.

Positive Evaluation

Singer's proposed replacement of an ethic based upon creation in the *imago Dei*, with an ethic based upon Darwinian evolution, deserves a balanced evaluation. A fair hearing means that the positive aspects of his recommendation should be viewed first. There are at least three positive points to commend in Singer's proposal, especially in terms of his method and motive. First, most thinkers, Christian or secular, will agree that Singer's search for truth is a worthy quest. This is especially so since Singer seems to want to base any ethical system on that which is objectively true. In contrast to previous ethical notions, Singer claims his proposal is based upon "truth" and "fact."⁸² He claims his sentences are "not only true, but *obviously* true."⁸³ Singer wants to point out the "disproof" of mistaken beliefs that are based upon "myth."⁸⁴

A related emphasis on truth is found in Singer's *Practical Ethics*. He denies the mistaken idea that "ethics is relative or subjective."⁸⁵ Singer uses the categories "true"

⁸²Ibid., 202.

⁸³Ibid., 201. Singer also uses "true," 178, 180.

⁸⁴Ibid., 171.

⁸⁵Singer, *Practical Ethics*, 4.

and “false” in extended arguments against “relativism” and “subjectivism,” especially “ethical relativism” and “ethical subjectivism.”⁸⁶ In *A Darwinian Left* Singer illustrates this rejection of relativism with contrasting lists of what a Darwinian left wing would and would not “accept,” “reject,” “deny,” and “assume.”⁸⁷ The contents of these lists contain belief statements that are either to be accepted or rejected. This approach by Singer presupposes the notion of objective, rather than subjective, truth.⁸⁸

A second positive aspect of Singer’s work builds upon the previous notion of truth. As to how truth is determined, Singer points to empirical or scientific evidence. On his point of replacing human creation with human evolution, Singer’s stated motivation is to propose an ethic that is based on science. Singer holds up empirical evidence as a decisive test for truth.

In general terms, Singer appeals to the authority of “Science,” which “has helped us understand our evolutionary history, as well as our own nature and the nature of other animals.”⁸⁹ In more specific terms, Singer refers to Jane Goodall’s discovery that chimpanzees could use tools.⁹⁰ Likewise, Singer mentions that scientists have trained chimpanzees and gorillas to use sign language.⁹¹ Also, Singer appeals to fields

⁸⁶Ibid., 4-8.

⁸⁷Singer, *A Darwinian Left*, 60-62.

⁸⁸Although Singer claims objectivity here, he is still vulnerable to the charge of subjectivity because of his preference utilitarianism. This ethical system begins with a descriptive account of morality, from which it deduces a prescriptive morality. In spite of the subjectivity inherent in such a process, Singer’s claim to objectivity runs counter to the ethical relativism and subjectivism of postmodern thought.

⁸⁹Singer, *Rethinking Life and Death*, 182.

⁹⁰Ibid., 174-75.

⁹¹Ibid., 175-76.

such as genetics, noting the similarities between human and chimpanzee DNA.⁹² These and other examples demonstrate that Singer accepts some kind of scientific or empirical standard for truth.

A theory should not be accepted as true unless it fits the facts; or at least, it should be rejected if it is contradicted by the facts. Because all truth is God's truth, thinking Christians should eschew any approach that is afraid of scientific understanding, research or investigation. Actually, Christians and all who appreciate the Western tradition should have a high view of science. There is no disagreement on this point, in principle, between Singer and those informed by the Judeo-Christian Western tradition. Granted, there may be disagreement about how to interpret the scientific evidence in a given situation.⁹³ Nevertheless, any truth claim is suspect, including any ethical truth claim which is based upon a belief that is contradicted by agreed factual evidence.

A third concern of Singer builds upon the first two. Once the foundation is tested and established by empirical verification, he is especially keen to make sure it is consistent and coherent. The desired consistency is two-fold. First, Singer desires that the ethical system flow from the truth claims of the foundation. That is, he wants to be able to deduce his ethic logically from his first principles, which are established in his presuppositional base. Second, Singer wants the various points of the ethical system to be coherent with one another and non-contradictory.

⁹²Ibid., 176-77.

⁹³For instance, see the negative critique in Chapter 4 of this dissertation about Singer's interpretation of the evidence concerning Jane Goodall, tools, language, and DNA.

Singer's commitment to logical consistency can be seen in how he treats the aforementioned pro-life syllogism.⁹⁴ Although Singer rejects creation in the *imago Dei* and the sanctity of human life for empirical reasons, in a theoretical way he affirms the logical validity of the pro-life syllogism from several perspectives. In terms of the foundation, Singer traces Western tradition's sanctity of human life ethic to the Judeo-Christian concept of human creation in the *imago Dei*. He cites Genesis 1:26-28 and 9:6. Given Singer's contention that the sanctity of human life ethic is based upon these biblical texts, his concession that the ethic flows logically from this foundation is positive. If the Genesis teaching on creation in the *imago Dei* is true, Singer implicitly accepts that the first premise of the logical argument obtains. "It is wrong to take human life," is a reasonable deduction from the Genesis texts that teach humans are created in God's image, and that because of this, their blood should not be shed.⁹⁵ Of course, Singer does not believe the biblical texts because of Darwinian evolution, and so he rejects the traditional ethic. Nevertheless, his link from Jewish and Christian thought to the sanctity of human life is a valid one. While creation in the *imago Dei* may not be the only argument for special protected status of humans, it probably is the best argument. Singer's recognition of its importance should be explored and appreciated.

In another sense, Singer affirms that point two of the pro-life syllogism is certainly true, "From conception onwards, the embryo or fetus is innocent, human and alive." Singer's position here is absolutely against the conventional wisdom among pro-

⁹⁴See p. 64 for this formal logical argument.

⁹⁵Gen 1:26-28; 9:6.

choice advocates. The most popular pro-choice arguments are cast in language that acknowledges only the rights of a woman, relegating the fetus to “tissue” status. Often the fetus is described as “part of the woman’s body.” Singer, relying on both logic and empirical data, demonstrates without any reservation that the embryo or fetus is “human.” Furthermore, Singer makes the point that the embryo and fetus are certainly “alive.” Here there is a reliance on the law of non-contradiction. Singer will not allow the pro-choice propagandists to get away with saying “human” does not mean human, or that “alive” does not mean alive.

In addition to this, Singer asserts that if one accepts premises one and two, then he or she must accept the conclusion, “It is wrong to take the life of the embryo or fetus.” Singer admits that as a matter of formal logic, the pro-life syllogism is valid; i.e., the conclusion flows from the premises. Positively, Singer writes, “If we accept the premises, we must accept the conclusion.”⁹⁶ Negatively, Singer reinforces, “Conversely, if we want to reject the conclusion, we must reject at least one of the premises.”⁹⁷

Again, Singer does want to reject the conclusion, and he does it by rejecting point one on the basis of Darwinian evolution. Notwithstanding that objection, his overall approval of the pro-life syllogism in theory is a positive. But given his rejection of point one, and therefore the rejection of the pro-life syllogism as a whole, it is now necessary to turn to his denial of human creation in the *imago Dei*. At this point it is important to provide a negative critique of Singer’s reliance on Darwinian evolution,

⁹⁶Singer, *Rethinking Life and Death*, 100.

⁹⁷Ibid.

which he interprets to eliminate the concept of the image of God and its concomitant, the sanctity of human life.

Negative Critique

Peter Singer's proposed foundation for his ethical revolution suffers from several critical flaws. The reason that these flaws disqualify his thesis is that they violate two of Singer's own criteria for truth, logical consistency and empirical evidence. Ironically, both standards boomerang on the proposed base of Singer's project, undercutting his entire proposal.

As to the logical standard, there is a problem with the kind of argument Singer makes. It, in fact, is not logically valid. As for empirical evidence, there is a problem with the kind of science he assumes. The empirical data do not support it. Using Singer's own truth tests as the filter, this section of negative critique will present challenges that prove both logically and empirically fatal to Singer's proposal.

The Challenge of Theistic Evolution

In the course of his argument that Darwinian evolution nullifies the *imago Dei*, Singer assumes that no alternative perspectives are available on the image of God, evolution, and the relationship between the two ideas. For the sake of argument, even if evolution is true, Singer has overlooked at least one alternative to his view that human evolution and humans bearing the image of God are mutually exclusive ideas: the theory of theistic evolution.

Singer's test of logical consistency may debilitate his own argument here. Others have challenged the notion that evolution, *per se*, rules out the *imago Dei*, not to

mention some special status for humankind. From Asa Gray in Darwin's day, to Del Ratzsch today, examples of theistic evolutionists abound.⁹⁸ This acceptance of both evolution and special human status is not limited to the kind of radical evolutionary theology espoused by Pierre Teilhard de Chardin.⁹⁹ Historically, it also has had some adherents among evangelicals. According to Mark S. Noll and David N. Livingstone, "one of the best kept secrets in American intellectual history" is that "B.B. Warfield, the ablest modern defender of the theologically conservative doctrine of the inerrancy of the Bible, was also an evolutionist."¹⁰⁰

Somewhere between Warfield and Teilhard, this complementary view of evolution and the image of God has enjoyed support among a more general scholarship as well. For instance, in his 1978 Bampton Lectures given before the University of Oxford, A.R. Peacocke advocated both the theory of evolution and the theology of the *imago Dei* at the same time. Peacocke, then Dean of Clare College at Cambridge, proclaimed that humankind evolved and that the species bears the image of God.¹⁰¹ In the printed version of these lectures, Peacocke writes about evolution, "Man has emerged as a natural product of this process," but adds "with his advent 'evolution' . . . takes on a new

⁹⁸Del Ratzsch, *The Battle of Beginnings: Why Neither Side Is Winning the Creation-Evolution Debate* (Downers Grove: InterVarsity, 1996)

⁹⁹Pierre Teilhard de Chardin, *Man's Place in Nature* (New York: Harper & Row, 1966); Idem, *The Future of Man* (New York: Harper & Row, 1964); Idem, *The Phenomenon of Man* (New York: Harper & Row, 1959).

¹⁰⁰B. B. Warfield, *Evolution, Science, and Scripture*, ed. Mark A. Noll and David N. Livingstone, (Grand Rapids: Baker, 2000), 14. It is important to note that Warfield distinguished "evolution" from "Darwinism." While open to "evolution," Warfield rejected "Darwinism" as atheistic.

¹⁰¹A. R. Peacocke, *Creation and the World of Science: The Bampton Lectures, 1978* (Oxford: Oxford University Press, 1979). Peacock was later based in Oxford.

form.”¹⁰² That new form means not only that “man is created from ‘the dust of the ground,’” but equally that “he is also created ‘in the image of God.’”¹⁰³

Contra Singer, Peacocke says that although the human race has evolved from animals, humankind is qualitatively different from animals.¹⁰⁴ Peacocke links the *imago Dei* motif with the unique human ability to respond responsibly to God, positively or negatively.¹⁰⁵ Peacocke’s perspective is most evident when he discusses the fall, or sin in general.¹⁰⁶ Of course, this kind of talk about sin or responsibility before God does not apply to animals. Other “distinctively human attributes . . . between man and the rest of the animal world” include “man’s intelligence,” “curiosity in the exploration of his environment,” “self-consciousness,” “the ability to act rationally, to make moral choices and set long-term ends,” “creativity in the arts,” and “the ability to worship and pray, that is, man’s openness to God.”¹⁰⁷

While Singer views science and Christianity at odds, Peacocke sees the two as consonant. Peacocke believes that the “Judeo-Christian tradition . . . provided the fertile

¹⁰²Ibid., 169.

¹⁰³Ibid., 189.

¹⁰⁴This distinction is seen when Peacocke speaks against the naturalistic reductionism of Jacques Monod, who taught “that the existence and development of life were ‘due to chance’ in a sense which renders human existence meaningless” (ibid., 51). On the contrary, Peacocke believes in “A Creator Who Communicates Meaning” and that “man is, above all, the one created being who seeks to discern, even to create, meaning in the structures of his existence – natural, personal, and social,” 144.

¹⁰⁵He writes, “So man alone of all creatures has, through the freedom of action his self-awareness allows him, the power not to choose what God intends for him” (ibid., 193).

¹⁰⁶Peacocke describes humankind after the fall as, “Man, as we know him is, as we have elaborated a broken and distorted ‘image of God,’” 213. Again, “Such image as man is of God is clearly a distorted one . . .” because of “Man’s failure to become what God intends him to be . . .,” 190,192.

¹⁰⁷Ibid., 153-54.

seedbed of empirical science itself.”¹⁰⁸ The point of mentioning Peacocke here is neither to affirm his view of evolution, nor to endorse his view of the image of God. The importance of Peacocke for this section is that he is a well-known evolutionist who also affirms the *imago Dei*.¹⁰⁹ In contrast, Singer fails to bring up the notion of theistic evolution altogether. Singer’s foundational argument depends on an automatic rejection of the *imago Dei* motif because of Darwinian evolution. But ever since Darwin, theistic evolutionists have agreed with Alvin Plantinga that Darwin *simpliciter* does not rule out the *imago Dei*.¹¹⁰ Some Christians still argue this today.¹¹¹ Even some Mormons do.¹¹² It is perhaps more interesting to note that some secular non-Christians argue for this as

¹⁰⁸Ibid., 76.

¹⁰⁹Some might cry “foul” when Peacock is cited because he is not only a recognized biochemist, but also a theologian. Dispelling any disqualifying prejudice or bias on the part of Peacocke, leading Harvard University evolutionist Ernst Mayr cites Peacocke’s work not just as evolutionist, but as “Anticreationist.” See Ernst Mayr, *What Evolution Is* (New York: Basic Books, 2001), 4, in Box 1.1. Mayr refers specifically to Peacocke’s Bampton lectures which are published as *Creation and the World of Science*.

¹¹⁰ David N. Livingstone, “Situating Evangelical Responses to Darwin,” in *Evangelicals and Science in Historical Perspective*, ed. David N. Livingstone, D. G. Hart, and Mark A. Noll (New York: Oxford University Press, 1999), 193-219.

¹¹¹ Alvin Plantinga, “Science and Christian Belief: Conflict or Concord?” (audiocassette of session at the annual meeting of the Evangelical Theological Society, Colorado Springs, CO, November 2001). For another theistic evolutionist of Peacocke’s caliber, see John Polkinghorne, *The Faith of a Physicist* (Princeton: Princeton University Press, 1994); idem, *Belief in God in an Age of Science* (New Haven: Yale University Press, 1998); idem, *Science and Theology: An Introduction* (London: SPCK, 1998); idem, *Science and Providence: God’s Interaction with the World* (Boston: Shambhala Publications, 1989). Polkinghorne has taught theoretical physics at Cambridge University, where he has also served as a dean and as president of Queens College. He won the Templeton Prize in 2002, particularly for his work in bridging religion and science. For other examples of theistic evolution, see Eric C. Rust, *Evolutionary Philosophies and Contemporary Theology* (Philadelphia: The Westminster Press, 1969); Ian Barbour, *Religion in an Age of Science* (San Francisco: Harper & Row, 1990); Howard J. Van Till, Robert E. Snow, John H. Stek, and Davis A. Young, *Portraits of Creation* (Grand Rapids: Eerdmans, 1990); Pattle P. T. Pun, *Evolution: Nature and Scripture in Conflict?* (Grand Rapids: Academie Books, Zondervan, 1982).

¹¹² Sterling B. Talmage, *Can Science Be Faith-Promoting?* (Salt Lake City: Blue Ribbon Books, Free Thinker Press, 2001), 113-66. Talmage affirms both evolution and special status for humankind.

well.¹¹³ But whether or not the two ideas are compatible is still not the point of the argument here. Rather, Singer overlooks this option altogether and does not refute it. If Singer expects those in the Western tradition to reject long-held views on the sanctity of human life, because of Darwinian evolution, he will have to counter the claims of theistic evolutionists that the two ideas are logically compatible. He does not.

The Challenge from Logic

Citing theistic evolution above merely illustrates the greater difficulty with Singer's argument. As evolution may not rule out the image of God, it may not logically avail for or against any other particular ethic. Again, assuming evolution is true only for the sake of argument, there are at least three particular logical fallacies in Singer's reliance upon evolution for his ethical foundation.

Singer's first logical fallacy amounts to jumping to a conclusion that does not follow from its premises. While Singer states the pro-life case as a formal argument, and while he scrutinizes the premises and conclusion of that three-point syllogism in detail, it is interesting that he provides no such formal syllogism to represent his own proposal. There is no stated Singer conclusion that really obtains from Darwinian evolution *per se*. Since Singer provided his version of the pro-life proposal, perhaps turnabout is fair play here to demonstrate the point. One can only assume from Singer's broad argumentation that his logical argument would be something like:

First Premise: Special protected status for human life is based upon creation in the image of God.

¹¹³Michael Ruse, *Can a Darwinian Be a Christian?* (Cambridge, UK: Cambridge University Press, 2001). Ruse, a philosopher and evolutionist from Florida State University, allows for some view of special human status. He also sees Christianity and evolution as compatible.

Second Premise: Darwinian evolution disproves creation in the image of God.

Conclusion: Being “human” merits no special protected status.

Of course this is just an attempt to simplify Singer’s proposal in the same way that he presumes to simplify the pro-life argument.

This syllogism, which represents Singer’s argument, suffers from several flaws. First, special human status may not be solely based upon creation in the *imago Dei*. Even Singer manages a brief acknowledgement of this tradition from Aristotle and Kant.¹¹⁴ Second, as noted earlier, evolution does not disprove creation in the *imago Dei* according to the theistic evolutionists.¹¹⁵ Singer overlooks this option entirely. Both premises and the conclusion err in assuming that Darwinian evolution automatically means that there is nothing special about the human race that would accord it special protected status.

While the syllogism above represents Singer’s case against the traditional ethic, he is not content with the negative conclusion that being “human” merits no special protected status. To fill the void, he smuggles in an additional and unexpressed conclusion that presumes the value of the “person.” But the switch to this replacement value of the “person” is not well founded. It certainly does not follow from the first two premises. Likewise, the replacement value of “person” does not logically flow from Singer’s conclusion, which is the devaluation of the “human.” Refuting a human right to life does not automatically lead to a right to life for “persons.” Any introductory logic

¹¹⁴Singer, *Rethinking Life and Death*, 168.

¹¹⁵See pp. 72-76 for this discussion.

textbook would classify this informal fallacy as a fallacy of relevance, particularly a *non sequitur*.¹¹⁶ “It does not follow” is the proper analysis of Singer’s syllogism. The irrelevance internal to Singer’s argument does not justify the argumentative leap that he invites others to take.

The additional conclusion that values the “person” would require separate argumentation. However, there is no positive case to be made from evolution that “persons” deserve special protected status. The logical deficit in Singer’s argument becomes obvious. Even if human evolution is true, he has not demonstrated that any ethical implications necessarily follow. It is strange that Singer does not detect this weakness and anticipate it more in argument. According to Singer’s own words, “Darwin himself rejected the idea that any ethical implications could be drawn from his work.”¹¹⁷ Several contemporary authors agree with Darwin on this. For instance, in Jonathan Howard’s *Darwin*, he concludes that “the theory of evolution has little if anything to do with ethical prescriptions.”¹¹⁸

Even if Darwinian evolution has anything to do with ethics, there is much disagreement as to what kind of ethical system it would support. Entire books, and parts

¹¹⁶For example, see William J. Kilgore, *An Introductory Logic*, 2nd ed. (New York: Holt, Rinehart and Winston, 1979), 27-28.

¹¹⁷Singer, *A Darwinian Left*, 10-11.

¹¹⁸Jonathan Howard, *Darwin* (Oxford: Oxford University Press, 1982), 90.

of books, have been written on the theme.¹¹⁹ On the one hand, one of the most popular interpretations is that Darwinism leads to ethical hedonism.¹²⁰ On the other hand, Singer acknowledges how both the capitalists and the communists used Darwin to argue for their ethical and economic systems. John D. Rockefeller, Jr. said, “The growth of a large business is merely the survival of the fittest.”¹²¹ Karl Marx said to another socialist, “Darwin’s book is very important and serves me a natural-scientific basis for the class struggle in history.”¹²²

Most notably, another interpretive option for Darwinian ethics is shown in Daniel Gasman’s detailed study of the famous evolutionist Ernst Haeckel and his influence on Nazi ideology. Gasman’s demonstrated link between Darwinism and German nationalism is indicated by the title of his book, *The Scientific Origins of National Socialism: Social Darwinism in Ernst Haeckel and the German Monist League*. According to Gasman, “Haeckel’s social Darwinism became one of the most important formative causes for the rise of the Nazi movement.”¹²³

¹¹⁹Antony Flew, *Evolutionary Ethics* (London: Macmillan, 1967); Paul Lawrence Farber, *The Temptations of Evolutionary Ethics* (Berkeley: University of California Press, 1994); Michael R. Rose, *Darwin’s Spectre: Evolutionary Biology in the Modern World* (Princeton: Princeton University Press, 1998); Daniel C. Dennett, *Darwin’s Dangerous Idea: Evolution and the Meanings of Life* (New York: Simon & Schuster, 1995); Larry Arnhart, *Darwinian Natural Right: The Biological Ethics of Human Nature* (New York: State University of New York Press, 1998); Janet Radcliff Richards, *Human Nature after Darwin: A Philosophical Introduction* (London: Routledge, Taylor and Francis Group, 2000); Alexander Rosenberg, *Darwinism in Philosophy, Social Science and Policy* (Cambridge, UK: Cambridge University Press, 2000); Wiker, *Moral Darwinism*; Rachels, *Created from Animals*.

¹²⁰Wiker, *Moral Darwinism*. Wiker’s entire book maintains that hedonism has been the implicit evolutionary ethic, from Epicurus to the present.

¹²¹Cited by Singer, *A Darwinian Left*, 11.

¹²²*Ibid.*, 20.

¹²³Daniel Gasman, *The Scientific Origins of National Socialism: Social Darwinism in Ernst Haeckel and the German Monist League* (London: MacDonal, 1971), xxii.

The point of this critique is not to discredit Singer's program by showing the link between Darwinism and Nazi ethics.¹²⁴ The challenge for Singer here is that historically there has been no single interpretation of how Darwinian evolution should be applied to ethical, economic, or political theory. One overall point emerges from the fact that Darwinism has been cited as the source for hedonism, capitalism, communism, nationalism, racism, and altruism. No one ethical system seems deducible from Darwinian evolution, including Singer's.

Obviously, the failure of Darwinian evolution to commend any single ethical theory is linked to the reason why theistic evolutionists feel they can affirm Darwin and at the same time profess belief in the *imago Dei*. Darwinism *per se* is not, in fact, all-inclusive or exclusive in terms defining what it means to be human, nor in determining how humans should behave. Singer's proposal presumes too much from Darwinian evolution.

Singer's second logical fallacy is an implied reliance on the "is/ought" maneuver in philosophical ethics. The "is/ought" fallacy is to be avoided in moral philosophy, but Singer's syllogism starts with evolution as the way things are, and ends up deducing "the way things ought to be" from "what is." In this regard, Singer's old Oxford mentor R. M. Hare has written critically of the misuse of naturalism in moral philosophy. Hare points out, "what is wrong with naturalist theories is that they leave out the prescriptive or commendatory elements in value-judgements, by seeking to make

¹²⁴See Chapter 1 of this dissertation for information about modern-day German and Austrian protests of Singer. Also see Chapter 5 for more on this, as well as the similarities between Singer's euthanasia recommendations and those practiced by the Nazis; the similarities between Singer's view of infanticide and Haeckel's; and other troubling parallels.

them derivable from statements of fact.”¹²⁵ “Naturalism in ethics,” Hare warns, “will constantly recur so long as there are people who have not understood the fallacy involved.” At this point Hare includes anyone who “claims he can deduce a moral or other evaluative judgement from a set of purely factual or descriptive premises,” such as Singer does.¹²⁶ Singer’s claim that naturalistic evolution says anything for or against any ethical theory is skipping from “is” to “ought,” and ought to be rejected.

The third logical fallacy in Singer’s reliance on Darwinian evolution consists in the circularity of evolutionary argument itself, as noted by Phillip Johnson.¹²⁷ While he has written general textbooks and articles on legal evidence in court, *Darwin on Trial* is the book that catapulted Johnson onto the stage as the most popular and visible critic of evolution in the last decade.¹²⁸

Johnson begins his critique with “The Legal Setting,” examining Darwinism logically. He notes that Darwin’s mechanism of natural selection is flawed because it amounts to a tautology. Johnson summarizes, “In this formulation the theory predicts that the fittest organisms will produce the most offspring, and it defines the fittest

¹²⁵R. M. Hare, *The Language of Morals* (Oxford: Oxford University Press, 1952), 82.

¹²⁶*Ibid.*, 92.

¹²⁷According to the *Oxford Readings in Philosophy* series, for a recent critique of evolution, “the best place to start is with the work by lawyer Phillip Johnson” (David L. Hull and Michael Ruse, eds., *The Philosophy of Biology* [Oxford: Oxford University Press, 1998], 767).

¹²⁸Phillip E. Johnson, *Darwin on Trial*, 2nd ed. (Downers Grove: InterVarsity, 1993). Johnson has taught law for over thirty years at the University of California at Berkeley. He has published several follow-up books that critique evolution: *Reason in the Balance: The Case Against Naturalism in Science, Law and Education* (Downers Grove: InterVarsity, 1995); *Objections Sustained: Subversive Essays on Evolution, Law and Culture* (Downers Grove: InterVarsity, 1998); *The Wedge of Truth: Splitting the Foundations of Naturalism* (Downers Grove: InterVarsity, 2000); *The Right Questions: Truth, Meaning and Public Debate* (Downers Grove, InterVarsity, 2002).

organisms as the ones which produce the most offspring.”¹²⁹ He also documents the fact that this circular nature of evolutionary argument has been acknowledged by neo-Darwinists.¹³⁰

Because of this logical redundancy, Johnson agrees with Karl Popper who “at one time wrote that Darwinism is not really a scientific theory because natural selection is an all-purpose explanation which can account for anything, and which therefore explains nothing.”¹³¹ Likewise, logicians object to any arguments that make faulty assumptions of the point at issue. If the premise is used as evidence to establish a conclusion, and if that same conclusion is used as evidence to establish the original premise, then the argument is circular. Again, any basic logic textbook will identify circular reasoning as a special case of begging the question (*petitio principii*), which is to be rejected along with other informal fallacies.¹³² Because Singer’s evolutionary base relies on this kind of circular argument, it should be rejected.

The Challenge of Philosophy

Assuming *arguendo* evolution to be true, but not reliant on the *imago Dei* motif, there is Alvin Plantinga’s serious philosophical challenge. He asks, “Is naturalism

¹²⁹Johnson, *Darwin on Trial*, 20. Johnson protests later, “When I want to know how a fish can become a man, I am not enlightened by being told that the organisms that leave the most offspring are the ones that leave the most offspring.” 22.

¹³⁰Ibid. This includes Darwinists J. B. S. Haldane, Ernst Mayr, and George Gaylord Simpson. Colin Patterson’s deductive argument for evolution also reveals the tautology (ibid., 23).

¹³¹Ibid., 21.

¹³²Kilgore, *An Introductory Logic*, 15-16.

irrational?”¹³³ Plantinga answers by arguing “not for the falsehood of naturalism, but for the conclusion that it is irrational to accept it.”¹³⁴ The reason it “can’t be rationally accepted” according to Plantinga, is that “it is in self-referential trouble, i.e., is self-refuting.”¹³⁵ Plantinga’s approach to the question is penetrating. How can one know her beliefs (including a belief in evolution) are true when all her mental apparatus is the result of a mindless process of random chance with a bias only toward increased survival? Plantinga explains the weakness of the thinking equipment humans rely upon, according to the Darwinist viewpoint:

These structures were not selected for their penchant for producing true beliefs in us. Instead, they conferred an adaptive advantage or were genetically associated with something that conferred such an advantage. And the ultimate purpose or function, if any, of these belief producing mechanisms will not be the production of true beliefs, but *survival*, of the gene, genotype, individual, species, whatever; evolution is interested, not in true beliefs, but in survival.¹³⁶

The idea that human cognitive equipment arose from Darwinian evolution does not give one confidence in its truth-detecting ability. Plantinga goes on to show his view is consistent with Darwin’s own apprehensions. In a letter to William Graham Down, Darwin expressed his personal misgivings:

The horrid doubt always arises whether the convictions of man’s mind, which has been developed from the mind of lower animals, are of any value or at all

¹³³ Alvin Plantinga, *Warrant and Proper Function* (New York: Oxford University Press, 1993), 216-37. See his chapter “Is Naturalism Irrational?”

¹³⁴ *Ibid.*, 235.

¹³⁵ Plantinga, “An Evolutionary Argument Against Naturalism,” *Religious and Theological Studies Fellowship Bulletin* 11 (March/April 1996): 9. The title and text of this article differ somewhat from “Is Naturalism Irrational?” in *Warrant and Proper Function*. However, the argument is essentially the same.

¹³⁶ Plantinga, “An Evolutionary Argument,” 10.

trustworthy. Would any one trust in the convictions of a monkey's mind, if there are any convictions in such a mind?¹³⁷

So Plantinga calls this “Darwin’s Doubt.” Charles Darwin seemed “to believe that (naturalistic) evolution gives one a reason to doubt that human cognitive faculties produce for the most part true beliefs.”¹³⁸ Plantinga’s verdict is that the consistent evolutionist must doubt the validity of his beliefs, and concludes that “the conjunction of naturalism with evolutionary theory is self-defeating: it provides for itself an undefeated defeater.”¹³⁹

Plantinga’s evolutionary argument against naturalism has been reprinted many times.¹⁴⁰ Noted naturalistic philosophers have recognized the strength of his argumentation and the need to counter it.¹⁴¹ Even mainstream media outlets have acknowledged the force of Plantinga’s work. *Time* magazine has highlighted his

¹³⁷Letter to William Graham Down, July 3, 1881, in *The Life and Letters of Charles Darwin Including an Autobiographical Chapter*, ed. Francis Darwin (London: John Murray, Albermarle Street, 1887), 1:315-16, cited by Plantinga in *Warrant*, 219.

¹³⁸Plantinga, *Warrant*, 219.

¹³⁹*Ibid.*, 235.

¹⁴⁰Alvin Plantinga, under the title “An Evolutionary Argument Against Naturalism,” in *Logos: Philosophical Issues in Christian Perspective* 12 (1991): 27-49; and in *Faith in Theory and Practice: Essays on Justifying Religious Belief*, ed. Elizabeth S. Radcliffe and Carol J. White (Chicago: Open Court, 1993), 35-65. See a later version of this argument as “Is Naturalism Irrational?” in James F. Sennett, ed., *The Analytic Theist: An Alvin Plantinga Reader* (Grand Rapids: Eerdmans, 1998), 72-96.

¹⁴¹Quenton Smith, “The Metaphilosophy of Naturalism,” 4:2 *Philo* (Fall-Winter 2001): 195-215. Smith, himself no theist, appeals to other naturalist philosophers to catch up with the likes of Plantinga. According to Smith, Plantinga’s earlier work displayed that “the realist theists were not outmatched by naturalists in terms of the most valued standards of analytic philosophy: conceptual precision, rigor of argumentation, technical erudition, and an in-depth defense of an original worldview,” 196. Furthermore, Plantinga’s later work “made it manifest that a realist theist was writing at the highest qualitative level of analytic philosophy, on the same playing field as Carnap, Russell, Moore, Grunbaum, and other naturalists,” 196. Smith also shows that because of Plantinga’s work “The justification of most contemporary naturalist views is defeated by contemporary theist arguments,” 200-05.

philosophical work in general.¹⁴² *The New York Times* has featured Plantinga's evolutionary argument against naturalism.¹⁴³ A recent philosophy book, with essays by eleven different philosophers, is entirely devoted to this one argument by Plantinga.¹⁴⁴ But Singer ignores this challenge, never mentions it, and proposes to launch a Copernican revolution in ethics upon a new foundation that cannot hold up its own weight, much less a new ethical superstructure.

Against Singer, the strength of Plantinga's doubt, or "Darwin's Doubt" as Plantinga calls it, is similar to the challenge of theistic evolution. It is not so much that this brief mention of Plantinga's argument decimates Singer's position, although it would seem to do so. If one cannot even believe his beliefs about evolution to be true, how could one be sufficiently confident to base an entire ethical system on such a doubtful basis, as Singer does? That troubling question notwithstanding, the real challenge to Singer's proposal is that it does not engage with Plantinga's arguments at all. Singer

¹⁴²"Modernizing the Case for God," *Time*, 7 April 1980, 65-68. *Time* magazine calls Plantinga "America's leading orthodox Protestant philosopher of God," 66.

¹⁴³Emily Eakin, "So God's Really in the Details" *The New York Times*, 11 May 2002 [online]; accessed 16 May 2002; available from <http://www.nytimes.com/2002/05/11/arts/11GOD.html?today's headlines; Internet>. *The New York Times* credits Plantinga and others with "a range of sophisticated logical arguments" that are "chipping away at the assumption – all but axiomatic in philosophy since the Enlightenment – that belief in God is logically indefensible." More importantly for this dissertation, Plantinga "has suggested that our capacity for true beliefs is proof that a divine creator – rather than Darwinian natural selection – is behind evolution: if human beings evolved by random process from mentally primitive creatures, how could we be sure that any of our beliefs – including our belief in evolution – are true?"

¹⁴⁴James Beilby, ed., *Naturalism Defeated? Essays on Plantinga's Evolutionary Argument Against Naturalism* (Ithaca, NY: Cornell University Press, 2002).

never refers to them.¹⁴⁵ He just says “evolution” and expects that one word to carry the day.

Adding this challenge raised by Plantinga to the challenges posed by theistic evolution and the logical fallacies, Singer’s program initially fails on three counts, according to his own truth test of logical consistency. First, it assumes that evolution logically excludes special status for human beings. However, the theory of theistic evolution shows this is not necessarily the case. Second, Singer’s argument as a formal syllogism does not logically obtain. Instead, it relies on the argumentative leap of a *non sequitur*, the “is/ought” fallacy of naturalism, and evolution’s circular theory of natural selection. Third, Singer’s evolutionary argument is philosophically self-refuting, as demonstrated by Plantinga’s explanation of “Darwin’s Doubt.”

The Challenge from Bio-chemistry

However weak Singer’s position is logically, even if evolution is true, his argument is further undermined by current research trends that indicate that Darwinian evolution may be false. While his appeal to Darwin appears to value scientific evidence, Singer’s silence on recent writing and research reveals that his interest in the empirical facts is selective.

Michael Behe has challenged the Darwinian model of evolution. Behe, a bio-chemist who teaches at Lehigh University in Pennsylvania, has seized upon Darwin’s own admission that his theory of evolution was falsifiable. In his famous text *Origin of*

¹⁴⁵Plantinga’s argument, published as early as 1991, was republished in several venues before the publication of Singer’s *Rethinking Life and Death* (1994) and *A Darwinian Left* (1999).

Species, Darwin conceded:

If it could be demonstrated that any complex organ existed which could not possibly have been formed by numerous, successive, slight modifications, my theory would absolutely break down.¹⁴⁶

Behe demonstrates that just such complexity exists, and that Darwin was unaware of these complex organs because of the relatively primitive science of his day. Now, there can be no doubt. Behe points to several bio-chemical examples of irreducible complexity, which “are composed of several well-matched, interacting parts that contribute to the basic function, wherein the removal of any one of the parts causes the system to effectively cease functioning.”¹⁴⁷ By definition, these “irreducibly complex” biological systems could not have been formed by Darwin’s “numerous, successive, slight modifications.” Behe explains why:

An irreducibly complex biological system cannot be produced directly (that is, by continuously improving the initial function, which continues to work by the same mechanism) by slight, successive modifications of a precursor system, because any precursor system to an irreducibly complex system that is missing a part is by definition nonfunctional.¹⁴⁸

In simpler terms, Behe compares his “irreducibly complex” systems to a mousetrap; the point being that the five parts of the mousetrap (platform, hammer, spring, catch, holding

¹⁴⁶Charles Darwin, *Origin of Species* (1872), 6th ed. (New York: New York University, 1988), 154; cited by Michael J. Behe, *Darwin's Black Box: The Biochemical Challenge to Evolution* (New York: The Free Press, Simon & Schuster, 1996), 39.

¹⁴⁷Behe, *Darwin's Black Box*, 39.

¹⁴⁸Ibid.

bar) are each required for the function of catching mice with that system. Without any one of the pieces, the other four pieces of the trap would cease to perform their individual functions, and the entire trap would be useless for the purpose of catching mice.¹⁴⁹

The analogy of the mousetrap applies to Darwinian evolution of irreducibly complex systems. To say that a mousetrap could evolve one piece at a time makes no sense. Until all five pieces are together and properly coordinated, there would be no ability to accomplish the task of catching mice. Hence, there would be no advantage from one piece to two, from two to three, and so forth. Likewise, Behe says that claiming irreducibly complex biological systems have evolved one step at a time, via Darwinian evolution, makes no sense either. Some irreducibly complex biological systems cited by Behe include the cilium of the cell, the flagellum of bacteria, the clotting of blood, the genetic makeup of antibodies, and more. Behe brings modern biochemistry to the task of showing that these irreducibly complex biological systems are like complex machines. They are in fact “literally, molecular machines.”¹⁵⁰ Some are more like outboard motors than mousetraps in terms of their complexity, which only adds to the strength of Behe’s argument. Behe’s contention is that these biological systems are so irreducibly complex that no gradual process of evolved advantageous characteristics could account for their emergence. These are all-or-nothing systems.

This scenario argues for some kind of intelligent design of irreducibly complex systems. More importantly for this critique, it argues against Darwinian evolution by

¹⁴⁹Ibid., 42-43.

¹⁵⁰Ibid., 51.

natural selection. The important point here in critique of Singer is not so much that Behe is right, but that Singer does not acknowledge this line of thought at all. This silence is curious given Singer's insistence that ethical theory be based upon the facts, science, research, and evidence. National Public Radio has featured Behe and his biological case for Intelligent Design.¹⁵¹ Major evolutionists have engaged, or at least have acknowledged, the importance of Behe's work.¹⁵² However, Singer does not.¹⁵³

The Challenge from Mathematics

Looking at more evidence, Behe's biological challenge to evolution is not the only recent development to undermine the foundation of Singer's evolutionary ethic. Mathematician William J. Dembski has demonstrated that probability theory and computational complexity theory eliminate any realistic possibility that life evolved on earth without design, or a Designer.

¹⁵¹"Intelligent Design," *Talk of the Nation*, National Public Radio, 13 February 2002. Behe was interviewed by Melinda Penkava for one hour, along with David Haury, professor of Science Education at Ohio State University. Haury is also Director of the Education Resources Information Center Clearinghouse for Science, Mathematics, and Environmental Education.

¹⁵²See David L. Hull and Michael Ruse, eds., *The Philosophy of Biology* (Oxford: Oxford University Press, 1998), 767; Ruse, *Can a Darwinian Be a Christian?*, 115-22; Kenneth R. Miller, *Finding Darwin's God: A Scientist's Search for Common Ground between God and Evolution* (New York: HarperCollins, 1999), 60, 130-64, 255, 264. Evolutionist David Haury's appearance with Behe on NPR also establishes that Darwinists take Behe seriously.

¹⁵³It might be argued that Singer's *Animal Liberation* and even *Rethinking Life and Death* were written before Behe's work. However, from *Animal Liberation* to the present, Singer has continued to base his ethical proposal upon evolutionary assumptions. This is true in *A Darwinian Left* (2000), and *One World* (2002), as well as recent interviews and debates.

In *The Design Inference*, Dembski traces the historical lineage for the idea of eliminating chance through small probabilities.¹⁵⁴ From Cicero to Laplace, he shows that this notion has enjoyed circulation among philosophers, mathematicians, and others. As a classic illustration of this school of thought, Dembski provides this quote from the Scottish thinker Thomas Reid,

If a man throws dies and both turn up aces, if he should throw 400 times, would chance throw up 400 aces? Colors thrown carelessly upon a canvas may come up to appear as a human face, but would they form a picture beautiful as the pagan Venus? A hog grubbing in the earth with his snout may turn up something like the letter A, but would he turn up the words of a complete sentence?¹⁵⁵

Dembski develops this negative concept of eliminating chance to a more positive step of inferring design. Starting with Emile Borel's "Single Law of Chance," Dembski acknowledges how the French mathematician's maxim eliminates "chance in the simplest case where a pattern is given prior to an event."¹⁵⁶ But Dembski is interested in a principle that might eliminate chance from patterns after an event. So he proposes his own "Law of Small Probability." Here, "specified events of small probability do not occur by chance."¹⁵⁷ At this juncture Dembski builds upon the work of others, noting that "statistical hypothesis testing" has been understood to eliminate "chance because

¹⁵⁴William A. Dembski, *The Design Inference: Eliminating Chance through Small Probabilities* (Cambridge, UK: Cambridge University Press, 1998). Dembski's work resulted from several research projects. His 1988 Ph.D. in mathematics from the University of Chicago was earned with a dissertation about the subject of probability theory. Later research on cryptology and complexity theory led to Dembski's 1996 Ph.D. dissertation, from the University of Illinois in Chicago, which was published by Cambridge University Press as *The Design Inference*.

¹⁵⁵Ibid., 1.

¹⁵⁶Ibid., 5.

¹⁵⁷Ibid.

divergence from mathematical expectations is too great.”¹⁵⁸ Strengthening this approach, Dembski’s “design inference eliminates chance because the fit with mathematical expectation is too close.”¹⁵⁹

Dembski illustrates how this rule works when some detected pattern rules out chance in a variety of situations. He cites a true story of a New York county clerk who conducted supposedly fair and unbiased drawings between Republicans and Democrats to see which party’s candidates would receive the top ballot line in annual elections. Unbelievably, 40 out of 41 times, the clerk pulled the Democrat’s name from the hat (at odds which were less than 1 in 50 billion). After the Republicans filed suit, the court said, “confronted with these odds, few persons of reason will accept the explanation of blind chance.”¹⁶⁰ Other illustrations abound. Intellectual property protection laws and their enforcement are based upon the design inference. Dembski notes design industries such as “patent offices, copyright offices, insurance companies, actuarial firms, statistical consultants, cryptographers, forensic scientists, and detectives” all rely on detecting patterns that argue against chance and for design.¹⁶¹ For instance, the whole premise of the SETI project is based upon searching for extraterrestrial intelligence by listening for signals in space that could not occur by chance, but must indicate intelligence because of their sophisticated pattern.

¹⁵⁸Ibid., 8.

¹⁵⁹Ibid.

¹⁶⁰Ibid., 10.

¹⁶¹Ibid., 20.

In *The Design Inference*, Dembski is focused on explaining this theory and arguing for its philosophical integrity and mathematical probability. Applying that theory directly to the concern of this chapter, there is one brief section in which he looks at the “creation—evolution controversy” as a “case study” for the design inference. Dembski concludes that the “design inference constitutes a valid logical argument” in the creation—evolution debate, and that its relevance is evident even from the writings of leading evolutionists such as Richard Dawkins.¹⁶²

In his follow-up text, *No Free Lunch*, Dembski demonstrates that the complex specified information, which lies at the heart of living systems, cannot be explained by evolutionary algorithms proposed by Dawkins and other Darwinians.¹⁶³ In this book, Dembski applies his work on the design inference to the work of Behe on the irreducible complexity of the cell. If Dembski and Behe are correct, there is no chance that Darwinian evolution through natural selection can explain the complexity of living systems we see in this world. In fact, if the search for intelligence by the SETI project were aimed at this earth instead of outer space, the sequencing of DNA alone would argue for some outside intelligence, against chance and for design.¹⁶⁴

As with Behe, the most important feature of Dembski’s work for this dissertation is very specific. To evaluate Peter Singer’s proposal, it is not actually

¹⁶²Richard Dawkins, *The Blind Watchmaker* (New York: W.W. Norton, 1987). Dawkins’ title and agreement with Paley’s classic argument that living things appear to be designed makes this point, even though Dawkins blocks the design inference by claiming that apparent design does not imply actual design.

¹⁶³William A. Dembski, *No Free Lunch: Why Specified Complexity Cannot Be Purchased without Intelligence* (Lanham, MD: Rowman & Littlefield, 2002).

¹⁶⁴*Ibid.*, 6-15.

necessary to show that Dembski does in fact disprove Darwin, or Dawkins. The main point in critique of Singer is that he naively relies on Darwin as his foundation, apparently oblivious to the serious challenges that are confronting evolutionary theory. Dembski's work has been critiqued by major evolutionists.¹⁶⁵ His proposal has also appeared in an anthology alongside leading evolutionists such as Stephen Jay Gould, Niles Eldredge, Douglas J. Futuyama, Ernst Mayr.¹⁶⁶ Nevertheless, even in his later works Singer does not mention, much less engage, Dembski's serious challenge to the Darwinian paradigm. Singer seems oblivious to these facts in spite of his own emphasis on empirical evidence, science, and research.

The Popular Challenge from Evidence

In addition to the more technical points made by Behe and Dembski, there are many other empirical objections to Darwinian evolution. Phillip Johnson raises the kinds of concerns that continue to resurface. Besides his aforementioned logical objection to evolution, Johnson also stresses the evidence for or against evolution, because of his legal background. For Johnson the evidence is not convincing.¹⁶⁷

¹⁶⁵These scholars acknowledge the work, and interact with the arguments, made by Dembski. Robert Pennock, *Intelligent Design Creationists and Their Critics* (Cambridge, MA: MIT Press, 2002); Elliott Sober, "How Not to Detect Design—A Review of William A. Dembski's 'The Design Inference,'" *Philosophy of Science* 66 (1999): 472-88; Ruse, *Can a Darwinian Be a Christian?*, 120-22.

¹⁶⁶James B. Miller, ed., *An Evolving Dialogue: Theological and Scientific Perspectives on Evolution* (Harrisburg, PA: Trinity Press International, 2001).

¹⁶⁷Johnson, *Darwin on Trial*. Nevertheless, Johnson admits some evolutionary ideas that he can affirm, such as limited natural selection, variation, and mutations. He notes that humans have bred a variety of domestic animals by artificial selection. He acknowledges the adaptations of finches and moths to the environment. He accepts micro-evolution, adaptive changes and variation within a species. However, he rejects macro-evolution, that natural selection could produce new species, *ad infinitum*.

“The Fossil Problem” for Johnson is illustrated in that there is not one “missing link” which has been found. They are all missing. There is no fossil or combination of fossils that shows the proposed evolutionary links from fish to amphibians, amphibians to reptiles, reptiles to mammals, reptiles to birds, or apes to humans. Johnson quips, “Darwin conceded that the fossil evidence was heavily weighted against his theory, and this remains the case today.”¹⁶⁸

Johnson also summarizes problems that center around the notion of common ancestry. The feud over biological classification between the taxonomist and the evolutionary biologist is illuminating. For years taxonomy has classified animals and other organisms “by taxonomic categories such as families, orders, classes, and phyla.” This organization was based upon common body design, reproductive systems, and other “similarities called homologies, that reflect true natural relationship.”¹⁶⁹ But the evolutionists want to manipulate the previous classifications, by forcing animals and other organisms into evolutionary categories that might demonstrate common ancestry. Thus evolutionary pre-commitment in philosophy compromises science, not to mention the known facts. Johnson also comments on another problem with common ancestry: “The molecular evidence . . . fails to confirm either the reality of the common ancestors or the adequacy of the Darwinist mechanisms.”¹⁷⁰

¹⁶⁸Ibid., 87.

¹⁶⁹Ibid., 88.

¹⁷⁰Ibid., 101.

Johnson also challenges Darwinism's concept of "Prebiological Evolution." The required quantum leap from non-life to life has not been shown by the Darwinists. The idea that RNA or DNA could have evolved is so unlikely that even evolutionists like Francis Crick, who co-discovered DNA, discounts any chance of its spontaneous generation. But Crick is so committed to evolution that he proposes a theory called "directed panspermia." The idea is that "an advanced civilization, possibly facing extinction, sent primitive life forms to earth in a spaceship."¹⁷¹ Johnson believes that the field of prebiological evolution has come to a "dead end" when it resorts to theories like Crick's. It is important to note that Crick is not the only scientist to show the implausibility of the spontaneous generation of life from non-life, or chemical evolution theory.¹⁷²

Once again, the key point about Johnson's evolutionary critique for this dissertation is not to show that he is right about all of these observations. Nor is the point Johnson himself. In fact, there is a growing cadre of authors, articles, and books that make the empirical case against Darwinian evolution, from all kinds of different religious

¹⁷¹Ibid., 110.

¹⁷²Charles B. Thaxton, Walter L. Bradley, and Roger L. Olsen, *The Mystery of Life's Origin: Reassessing Current Theories* (Dallas: Lewis and Stanley, 1984). According to the authors, "A major conclusion to be drawn from this work is that the undirected flow of energy through a primordial atmosphere and ocean is at present a woefully inadequate explanation for the incredible complexity associated with even simple living systems, and is probably wrong," 186. Also see Fred Hoyle, *Man in the Universe* (New York: Columbia University Press, 1966); idem, *The Intelligent Universe* (London: Michael Joseph Limited, 1983); Fred Hoyle and Chandra Wickramasinghe, *The Origin of Life* (Cardiff: University College Cardiff Press, 1980); idem, *Why Neo-Darwinism Does Not Work* (Cardiff: University College Cardiff Press, 1982); idem, *Evolution from Space* (London: Granada, 1983).

and philosophical perspectives.¹⁷³ Yet Singer does not consider the kinds of objections raised by Johnson and others. Singer just says “Darwin” and assumes he has a valid basis for his ethic. Considering Singer’s commitment to scientific evidence, and given the empirical evidence against evolution, just saying “Darwin” is not enough.

The Internal Evolutionary Challenge

Behe, Dembski, Plantinga, and Johnson are all theists. In fact, they are Christian theists. Assuming a religious bias toward creation, some evolutionists discount their anti-evolution arguments as flawed from the start. As noted earlier, other key evolutionists have avoided this kind of *ad hominem* argument, and have engaged the claims made by the advocates of Intelligent Design. This is proper and actually speaks to the seriousness of the case against Darwinism. However, in addition to the arguments of the Intelligent Design movement, it is interesting to note at least one trend from within the evolutionary camp itself that undermines its continued dominance.

One fact that bodes ill for the theory of evolution is the growing failure of the major evolutionists to agree on some of the most important features of evolutionary theory. Andrew Brown has written about the passionate disagreement among the evolutionists in *The Darwin Wars*.¹⁷⁴ While the disagreements are several, one is

¹⁷³For a critique of evolution from a philosopher of science, see Richard Spilsbury, *Providence Lost: A Critique of Darwinism* (London: Oxford University Press, 1974); from a Muslim perspective, see Harun Yahya, *The Evolution Deceit: The Scientific Collapse of Darwinism and Its Ideological Background* (Istanbul: OKUR Publications, 1999); from a geologist-journalist, see Richard Milton, *Shattering the Myths of Darwinism* (Rochester: Park Street Press, 1997); from a biologist, see Jonathan Wells, *Icons of Evolution: Science or Myth?* (Washington: Regnery, 2000); from the classic creationist authors, see Duane Gish, *Evolution: The Challenge of the Fossil Record* (El Cajon: Master Books, 1985); Henry Morris, *Biblical Creationism* (Grand Rapids: Baker, 1993).

¹⁷⁴Andrew Brown, *The Darwin Wars: The Scientific Battle for the Soul of Man* (London: Simon & Schuster, 1999).

especially relevant for this section of the dissertation. It is about how evolution is supposed to occur.

There is the fierce controversy between those that Brown calls the “Gouldians and the Dawkinsians,” about how evolution works.¹⁷⁵ Richard Dawkins is Professor of Public Understanding of Science at Oxford University and author of several popular books on evolution, including *The Selfish Gene* and *The Blind Watchmaker*.¹⁷⁶ Those in Dawkins’ camp advocate a theory of gradual adaptationism, due to “gradual changes of genes in the gene pool.”¹⁷⁷ Daniel Dennett is a representative Dawkinsian who argues for the step-by-step “power” of Darwinian “natural selection to produce really complicated things.”¹⁷⁸

Stephen Jay Gould counters that the Dawkinsians are “Darwinian fundamentalists.”¹⁷⁹ Gould, a prolific author and Professor of Zoology and Geology at Harvard University, argues that the fossil record argues against the kind of slow, piecemeal evolutionary advances that Dawkins envisions. Along with fellow paleontologist Niles Eldridge, Gould proposes a theory of “punctuated equilibrium” as a counter theory to Darwinian gradual change through natural selection. According to Brown,

Punctuated equilibrium claimed that there was a problem with the appearance of species in the fossil record: they persist in a largely stable form, for millions of years after their emergence. What is odd about this is that, if the Darwinian process were

¹⁷⁵Ibid., 57.

¹⁷⁶Richard Dawkins, *The Selfish Gene* (Oxford: Oxford University Press, 1989); idem, *The Blind Watchmaker* (London: Penguin, 1991).

¹⁷⁷Brown, *The Darwin Wars*, 63.

¹⁷⁸Ibid., 76. Helena Cronin, E.O. Wilson and John Maynard Smith are also in this group.

¹⁷⁹Ibid., 57. Gould died in 2002.

one of continuous friction-free adaptation, you would expect all species to be constantly evolving into their successors. This does not seem to happen. Instead, the fossil record shows clear breaks between species, which emerge suddenly and from nowhere in geological terms.¹⁸⁰

Gould's punctuated equilibrium suggests that new species arise suddenly in small isolated edges of existing populations.

Gould was viewed by the Dawkinsian John Maynard Smith as the preeminent evolutionary theorist, due only to the popularity of his excellent writing. He takes only limited comfort in the fact that Gould was "on our side against the creationists." This is because Maynard Smith's fellow "Darwinian fundamentalists" see Gould as "a man whose ideas are so confused as to be hardly worth bothering with . . ." and worry that "he is giving non-biologists a largely false picture of the state of evolutionary theory."¹⁸¹

Dawkins agrees with Maynard Smith's criticism here, and quotes this stinging rebuttal of Gould in his own work.¹⁸²

In contrast, the Gouldians "reject" Dawkins' attempt to make the "genes" the beginning and end of the evolutionary process via natural selection.¹⁸³ Brown also notes that "Gould and Lewontin have often used a form of intellectual ju-jitsu which turns the strength of adaptationist argument upon itself" by pointing out that "the weakness of adaptationist argument is that it explains too much."¹⁸⁴ This is almost identical with

¹⁸⁰Brown, *The Darwin Wars*, 62.

¹⁸¹Ibid., 60.

¹⁸²Ibid., 60-61.

¹⁸³Ibid., 74.

¹⁸⁴Ibid., 80.

Phillip Johnson's claim, noted earlier, that evolution by natural selection relies on a circular argument.

The key point to be noted is the fundamental disagreement of the two leading Darwinian scholars, Gould and Dawkins, and their followers. For Dawkins and company, natural selection has produced everything and can produce anything. For Gould, "selection cannot suffice as a full explanation for many aspects of evolution."¹⁸⁵ Hence, the need exists for punctuated equilibrium. According to Brown, the strife between the two tribes is "savage," and not "trivial."¹⁸⁶ Phillip Johnson echoes Brown, "The differing evolutionary theories of Gould and Dawkins cannot be resolved, because the observations that scientists have been making are at odds with the presuppositions of the blind watchmaker thesis."¹⁸⁷ So Peter Singer's proposed "Copernican Revolution" in ethics is based upon a theory whose main protagonists are, at the same time, antagonists who are seriously opposed to one another as to how evolution is supposed to work.

Summary

In summary, the objections to Singer's use of Darwinian evolution as a basis for his proposed ethic are substantial. If Singer's stated test of logical consistency is the standard by which his own system is to be judged, it fails. First, by excluding special status for humankind solely on the basis of evolution, he overlooks the option presented

¹⁸⁵Ibid., 81.

¹⁸⁶Ibid., 82.

¹⁸⁷Johnson, *Reason in the Balance*, 88. The "observations that scientists have been making" refers to Gould's comments on the known fossil record. The "presuppositions of the blind watchmaker thesis" refers to Dawkins' evolutionary proposal.

by the theory of theistic evolution. Second, as a formal syllogism, Singer's argument is not valid on three counts. His conclusion does not follow from his premises. Singer is also vulnerable because of his reliance on the "is/ought" argumentation of ethical naturalism. In addition, the circular argument inherent in evolution's theory of natural selection puts him on weak ground. Third, Plantinga's explanation of "Darwin's Doubt" reveals that there is a self-refuting evolutionary argument against naturalism that nullifies any supposed philosophical leverage gained from the theory.

Singer's proposed evolutionary-based ethic also comes under friendly fire from his own scientific standard of empirical evidence. Darwinian evolution is depreciated by Behe's biological demonstration of "irreducible complexity," and Dembski's mathematical explanation of the "design inference." The two proposals are gaining traction on the publishing scene, both academic and popular. Likewise, the other scientific evidence for evolution is not conclusive. As Johnson and others show, the empirical facts concerning the fossil record, origin of life studies, and molecular evidence for common ancestry argue against Darwinian explanations. The fact that leading evolutionists, like Dawkins and Gould, vehemently disagree about how evolution is supposed to work only confirms the above suspicions about the validity of Darwinism. Furthermore, they bring incredulity to Singer's proposed ethical system that is based upon Darwinism's plausibility. This raises significant doubts about Singer's grand vision for a new Copernican revolution in ethics.

Which Way the Copernican Revolution?

As noted earlier, the cover of Singer's *Rethinking Life and Death* announces that a "new Copernican revolution is in the offing, one that challenges the basic precepts and code of ethics that have previously governed life and death." The analogy of a Copernican revolution is important. According to Singer, "The classic account of the shift from the Ptolemaic to Copernican models is from Thomas Kuhn" and his classic work *The Structure of Scientific Revolutions*.¹⁸⁸ However, given Singer's reliance on Darwinian evolution and the above problems with using that theory as a base, Kuhn's work may not be a convincing source for Singer's desired Copernican revolution after all.

Kuhn's classic may in fact argue against Singer's proposal. Kuhn paints two pictures of science in his text. First, there is "normal science," which involves research "based upon one or more past scientific achievements that some scientific community acknowledges for a time as supplying the foundation for its further practice."¹⁸⁹ Normal science involves operating from a body of accepted theory, which Kuhn calls a "paradigm."¹⁹⁰ Because the open-ended paradigm is filled with "puzzles," according to Kuhn, normal science's task is to put the pieces together. Each piece of the puzzle is presumed to fit within the box of the big theory of the paradigm, which defines both the field of play and the rules of the game. This is where the majority of science occurs.

¹⁸⁸Singer, *Rethinking Life and Death*, 235-36; cf. 169, 187-89 on "Copernican Revolution."

¹⁸⁹Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago: The University of Chicago Press, 1962), 10.

¹⁹⁰*Ibid.*, 10-11.

According to Kuhn, “Mopping-up operations are what engage most scientists throughout their careers.”¹⁹¹

Second, there is another kind of science—revolutionary science. During “normal science,” minor anomalies to the accepted paradigm are discovered, which require some adjustment of the disciplinary matrix. However, when a big piece of research result does not fit the big puzzle of the paradigm, look out. Discovery and revolution are on the way. Kuhn states the irony of these momentous factual anomalies, which are revolutionary, “Produced inadvertently by a game played under one set of rules, their assimilation requires the elaboration of another set.”¹⁹² A “crisis” occurs and a new scientific paradigm is proposed. If it can explain the anomalies better, it is accepted, although there will be a period of resistance by those who are committed to the old paradigm.

Sometimes the new theory may just be the result of general uneasiness with a long-standing paradigm. At other times a new theory invades, coming from another discipline. In any case, “Probably the single most prevalent claim advanced by the proponents of a new paradigm is that they can solve the problems that have led the old one to a crisis.”¹⁹³ When legitimate, Kuhn says this is “the most effective claim possible.”¹⁹⁴

¹⁹¹Ibid., 24.

¹⁹²Ibid., 52.

¹⁹³Ibid., 153.

¹⁹⁴Ibid.

Of course, this view of scientific progress traces the shift from Aristotle's *Physica* to Newton's *Principia*. It also provides the pattern for the switch in astronomy from Ptolemy to Copernicus. These scientific revolutions are described by Kuhn as "conversion" and often lead to sweeping changes in worldview. Following Kuhn's lead, Singer adopts the Copernican shift as a metaphor for his proposed ethical revolution. Singer is calling on an "evolution" revolution in ethics, which will cast off the old sanctity of human life ethic that is based upon the old paradigm informed by the Judeo-Christian consensus.

However, Singer's co-optation of Kuhn is not convincing. For at least a century, the evolutionary paradigm has been accepted by most of the scientific community, the medical profession, and the academy. Yet this same majority has continued to acknowledge some special protected status for humankind. The evolutionary apologist Thomas Huxley set the stage for this kind of evolutionary humanism almost from the start in 1860. "Darwin's Bulldog" argued,

No one is more strongly convinced than I am of the gulf between civilized man and the brutes Our reverence for the nobility of mankind will not be lessened by the knowledge that man is, in substance and structure, one with the brutes.¹⁹⁵

Singer himself uses this Huxley quote and must be aware of the fact that, from Darwin's day to the present, most Darwinists have not insisted upon the rejection of special human status when it comes to ethical considerations.

¹⁹⁵T. H. Huxley, *Man's Place in Nature*, (1863; Ann Arbor: University of Michigan Press, 1959), 129-30, 132; cited by Singer, *Rethinking Life and Death*, 172. Singer tries to explain away this quotation as merely an attempt by Huxley to make Darwin's theory more palatable.

Besides this historical problem, the way Singer employs Kuhn actually backfires against his proposal. While Peter Singer in no place marshals his own arguments for evolution, it is germane to note how he comes closest to doing this in citing Richard Dawkins. In several of Singer's books Dawkins is cited most often, if not exclusively, as the evolutionary authority upon which Singer's arguments are based.¹⁹⁶ The fact that evolutionist Richard Dawkins is the target of Stephen Jay Gould becomes particularly relevant at this point. Earlier works cited by Plantinga, Behe, Dembski, and Johnson also critique Dawkins directly.¹⁹⁷ If their arguments are valid, the problem with Singer's proposed "revolution" is its reliance upon false evolutionary assumptions.

Citing Kuhn as an authority, one critic of Darwinism has called for a paradigm shift away from Darwinian evolution. As early as 1986, Michael Denton described evolution as "a theory in crisis." Denton, an agnostic Australian medical doctor and scientist, looked at evolution from a variety of scientific perspectives. His conclusion was,

Ranging from paleontology to molecular biology, I have tried to show why I believe that the problems are too severe and too intractable to offer any hope of resolution in terms of the orthodox Darwinian framework, and that consequently the conservative view is no longer tenable.¹⁹⁸

¹⁹⁶Singer, *Rethinking Life and Death*, 177-80. Singer uses Dawkins' arguments about the evolutionary connection between closely related species to the interesting conclusion that "the possibility of human and chimpanzee interbreeding cannot be ruled out." Also see *A Darwinian Left*, 63. Here, Singer refers to Dawkins as "a champion of Darwinian thought" and cites the evolutionist to bolster this conclusion in the same paragraph, "For the first time since life emerged from the primeval soup, there are beings who understand how they come to be what they are." In addition, note *Practical Ethics*, 243.

¹⁹⁷Plantinga, "An Evolutionary Argument Against Naturalism," *Logos* 12 (1991): 28. The way Plantinga sets up Dawkins at the beginning of the article makes the entire piece a rebuttal of the evolutionist. For detailed and lengthy critiques of Dawkins, see Behe, *Darwin's Black Box*, 33-48; Dembski, *No Free Lunch*, 181-228; Johnson, *Reason in the Balance*, 75-88.

¹⁹⁸Michael Denton, *Evolution: A Theory in Crisis* (Bethesda: Adler & Adler, 1986), 16.

By “conservative,” Denton refers to Kuhn’s notion of “normal science” operating within the Darwinian paradigm. In spite of the mounting evidence against evolution, Denton laments that for diehard Darwinists “the idea is accepted without a ripple of doubt—the paradigm takes precedence.”¹⁹⁹

Denton compares the evolutionists of today with others who fought to hold on to old scientific paradigms, even when newly discovered pieces of the research puzzle did not fit:

For the sceptic or indeed anyone prepared to step out of the circle of Darwinian belief, it is not hard to find inversions of common sense in modern evolutionary thought which are strikingly reminiscent of the mental gymnastics to the phlogiston chemical or the medieval astronomers.²⁰⁰

Denton says that evolutionists are resisting any alternative paradigm, notwithstanding actual “disproofs” of Darwinism, because they are loathe to give up their cherished naturalistic paradigm. If true, Denton’s assessment leads to the conclusion that today’s accepted paradigm of evolution is in crisis, and the situation is ripe for revolution. Similarly, the geologist Richard Milton has recently chronicled the growing rejection of Darwinian notions as a Kuhnian case of “Paradigm Lost.”²⁰¹ If Denton and Milton are right, the challenges to Darwinian and Dawkinsian evolution presented by Plantinga, Behe, Dembski, Johnson, and even Gould, point to a Copernican revolution. But it will

¹⁹⁹Ibid., 351.

²⁰⁰Ibid.

²⁰¹Milton, *Shattering the Myths of Darwinism*, 185-95.

not be a revolution moving toward Darwinian evolution as Singer proposes. Instead, it will be a revolution away from scientific naturalism, as well as from any ethical implications drawn from the Darwinian paradigm.

Conclusion

In conclusion, the foundation for Singer's ethical proposal can be simply recapitulated—Darwinian evolution refutes the sanctity of human life ethic that is based on creation in the *imago Dei*. While the appeal to science and the appearance of objectivity are to be commended, the faults with Singer's approach are several, and severe. Singer's proposed ethical foundation is undercut by problems such as the overlooked interpretation of theistic evolution, an invalid argument that lacks logical coherence, and an appeal to "scientific" evidence that is contradicted by empirical facts.

As Singer acknowledges begrudgingly, the traditional sanctity of human life ethic is still more or less accepted. He also admits that this same ethic takes Scripture at face value on the special value of human life created in the image of God. Unless Singer or others can give valid reasons to do otherwise, it is difficult to see why people of faith would abandon their heritage, or why the West would or should abandon its high view of human life. Singer's arguments are not compelling on this point because he violates his own truth tests. While he appeals to a truth standard of logic in his evaluation of the pro-life view, his own view is not logically valid.

Likewise, even though Singer appeals to scientific argument and evidence as a trump card over Scripture, he actually does not make arguments or present evidence for evolution. Instead, he just appeals to the authority of Darwin and Dawkins. Yet, their

evolutionary paradigm is being increasingly challenged by the lack of progress in origin of life studies, persistent gaps in the fossil record, violent disagreement among the evolutionist themselves, and advances in intelligent design research. Because of these emerging “scientific” challenges to evolution, Thomas Kuhn’s notion of scientific revolution may provide the basis for a paradigm shift away from, instead of toward, evolution and evolutionary ethics. If evolutionary theory has peaked in terms of its momentum, Singer’s call for an evolution-based revolution in ethics is ill advised, and certainly not “Copernican.” The biblical and traditional sanctity of human life ethic remains.

Given these logical and empirical inadequacies, Singer’s argument for an evolutionary ethic fails. Even with this conclusion, Singer’s recommendation merits further evaluation. In spite of the above challenges that negate Singer’s proposal, this study will move on to examine its other features, as if this chapter were not disqualifying to the whole enterprise of *Rethinking Life and Death*.

CHAPTER 3

SINGER'S PROPOSAL—THE SUBSTANCE: REPLACING THE VALUE OF "HUMAN" WITH THE VALUE OF "PERSON"

Having done away with creation in the image of God, and the corresponding ethic of the sanctity of human life, Peter Singer believes he has cleared the way for something better. The ethical value of the "human" is to be replaced with the ethical value of the "person." The substance of Peter Singer's proposed "Copernican Revolution" in ethics consists in this recommended value of the "person." For Singer, "person" is a better term because it represents the most valuable and recognizable traits that beings might enjoy. These "relevant characteristics" of personhood refer to attributes that might be possessed by any beings, not just human beings. This potentially closes the door to some humans as persons, but possibly opens the door to qualified animals and any other beings that might measure up to the standard.

According to Singer's rationale, the human fetus and infant are not persons because they are not rational.¹ In contrast, he asserts that some non-human animals are, or may be, persons. Great apes are among the animals that are "persons." Personhood is additionally probable for whales, dogs, and other animals that are shown to be "aware of

¹Peter Singer, *Rethinking Life and Death: The Collapse of our Traditional Ethics* (New York: St. Martin's Griffin, 1994), 180, 208-11.

their own existence over time and capable of reasoning.”² In Singer’s scenario, “only a person has a right to life.”³ As he explores the repercussions of this standard, Singer arrives at the view that some humans do not have a right to life and that some animals do.⁴

Following the method of examination in Chapter 2, this chapter will critically evaluate this proposed ethical standard of the “person,” which is the substance of Singer’s recommendation, in five steps: (1) context; (2) content; (3) positive evaluation; (4) negative critique; and (5) conclusion.

Context

The context for Singer’s proposed benchmark of the “person” is three-fold. First, Chapter 2 of this dissertation provides an initial context to Chapter 3. To Singer, evolutionary naturalism eliminates creation in the *imago Dei* and, with it, the related sanctity of human life principle. Given his assumption that humans evolved from animals, Singer contends that the sanctity of human life ethic amounts to speciesism and must be rejected as such. This Darwinian rejection of the value of human life presents the need for a replacement. Singer proposes the standard of “person” to fill the void and guard against a speciesism that is pro-human.

Second, speciesism is anti-animal, and Singer is against it for that reason as well. This point of context for Singer’s proposal centers on his concern for animal rights. Singer criticizes the speciesism of the traditional ethic based upon the sanctity of human

²Ibid., 182.

³Ibid., 198, cf. 206.

⁴Ibid.

life, because in that ethic, animal life is thought to be less valuable than it actually should be. Singer proposes the ethical standard of “person” as a moral category that will apply to all beings, regardless of species membership. This may exclude some humans that do not belong, but also include some animals that do. Ever since *Animal Liberation*, Singer’s writings in moral philosophy have prioritized changing society’s attitudes and actions toward animals. The recommended ethical mean of “person” gives Singer this desired protected status for non-human animals who measure up to the norm. Singer’s proposal should be viewed as a reaction against the exploitation of animals for experimentation or food. It should also be seen as part of a larger agenda to move society toward some recognition of animal rights and perhaps the adoption of vegetarianism as well.

Third, Singer’s observations about the ethical status quo provide a context for his proposed value of “person.” Singer charges current law and medicine with “inconsistency” in their application of the traditional ethic, which is informed by the principle of the sanctity of human life. At the beginning of “human” life, Singer sees an inconsistency between *legal* abortion and *illegal* infanticide. At the end of human life, Singer perceives an inconsistency between *legal* passive euthanasia and *illegal* active euthanasia. Moreover, Singer finds an inconsistency in the fact that animal life is legally *unprotected*, and human life is legally *protected*, even though both may be of the same mental capacity. Singer believes that replacing the ethical value of “human” with the worth of “person” would correct these inconsistencies. For Singer, the infant is not a “person,” in or out of the womb. Because of this, abortion and infanticide are logically and ethically consistent with one another. Likewise, his standard would allow for both

passive and active euthanasia for those who, though alive near the end of life, are nevertheless not “persons.” Singer’s standard would also protect both human and non-human “persons” (animals) with equal consideration as to their mental capacity, not based on their species.

Content

Singer’s proposed standard of the “person” is presented in several of his printed works. This section will survey the main points of Singer’s thought on personhood from *Rethinking Life and Death* and draw from his additional publications for further depth and documentation.

Singer proposes the category of “person,” instead of “human,” for life that should be protected. He writes, “only a person has a right to life.”⁵ Because of evolution, granting special status to “human” life amounts to speciesism. Singer replaces species membership with personhood, and explains why:

The right to life is not a right of members of the species *Homo sapiens*; it is—as we saw in discussing the third new commandment—a right that properly belongs to persons. Not all members of the species *Homo sapiens* are persons, and not all persons are members of the species *Homo sapiens*.⁶

This would imply that some humans and some animals are persons, and that some humans and some animals are not.

In an earlier text, *Practical Ethics*, Singer utilizes this point to speak against “Killing Non-human Persons.” Singer asserts that “killing, say, a chimpanzee is worse

⁵Ibid., 198.

⁶Ibid., 206.

than the killing of a human being who, because of a congenital intellectual disability, is not and never can be a person.”⁷ The principle to Singer is obvious,

Hence we should reject the doctrine that places the lives of members of our species above the lives of members of other species. Some members of our species are persons: some members of our own species are not.⁸

These quotations show the two main tenets of Singer’s proposed value of the person. The first claim is that all persons are not human. The second claim is that all humans are not persons. In each case Singer makes particular arguments and cites specific sources to make each point.

Some Persons are Not Human

Singer argues that some persons are not human. Given his professed atheism, Singer bases this argument on an interesting source, the Council of Nicea. Singer finds the idea that “all persons are not human” in the church council’s attribution of personhood to God. Singer writes,

In 325 the Council of Nicea settled the issue by saying that the trinity is one substance and three persons. But what was a person? Since neither God the Father nor the Holy Ghost were human beings, it was evident that a person did not have to be a human being.⁹

This council recognized the full deity, as well as the full humanity, of Jesus Christ.

Singer claims that this council ascribed personhood to the triune God: Father, Son, and Holy Spirit. From this assumption, Singer concludes that some persons are not human, since the Father and the Spirit are not human, but persons.

⁷Peter Singer, *Practical Ethics*, 2nd ed. (New York: Cambridge University Press, 1993), 118.

⁸Ibid., 117.

⁹Singer, *Rethinking Life and Death*, 180.

In an important move, Singer transfers that use of non-human personhood for God (based on the church councils) to non-human personhood for some animals (based upon observations about the rationality of these animals). Singer reasons from God to the great apes in *Rethinking Life and Death*,

There are other persons on this planet. The evidence for personhood is at present most conclusive for the great apes, but whales, dolphins, elephants, monkeys, dogs, pigs, and other animals may eventually also be shown to be aware of their own existence over time and capable of reasoning. Then they too will have to be considered as persons.¹⁰

In *Practical Ethics*, Singer also writes of animals who are to be recognized as persons. He admits, “It sounds odd to call an animal a person.”¹¹ However strange it may sound, Singer does not equivocate in claiming it is in fact the case. “Some non-human animals are persons, as we have defined the term.”¹²

Singer’s favorite example is Koko, the gorilla. Singer notes that Koko has a 1000 word vocabulary in sign language, demonstrates “clear self-awareness,” “laughs at her own jokes,” “cries when hurt or left alone,” and “screams when frightened or angered.”¹³ For Singer, Koko is a person. Koko should have a “right to life,” because it is “a right that properly belongs to persons.”¹⁴

John Locke is a primary source for Singer’s observation that “all persons are not human.” Singer quotes this seventeenth-century English philosopher, who defined a “person” as a “thinking intelligent being that has reason and reflection and can consider

¹⁰Ibid., 182.

¹¹Singer, *Practical Ethics*, 110.

¹²Ibid., 117.

¹³Singer, *Rethinking Life and Death*, 181.

¹⁴Ibid., 206.

itself as itself, the same thinking thing, in different times and places.”¹⁵ Singer uses this quotation in the middle of an argument that chimpanzees, are in fact, persons.

The Locke source for the claim that “all persons are not human” begins to answer a critical question not explicitly answered by Singer’s reference to Nicea. That question is, “Who is a person?” Actually, the question might be put, “What constitutes a person?” While Chapter 4 of this dissertation will examine Singer’s criteria for personhood in detail, it is important to note briefly here the standards that are imported from Locke. In one place, Singer summarizes the contributions of Locke on locating personhood by “rationality and self-awareness,” and this includes “the element of awareness of one’s own existence at different times and places.”¹⁶ In another place, Singer describes Locke’s criterion for being a person: “A self-conscious being is aware of itself as a distinct entity, with a past and a future.”¹⁷

For Singer, this view of personhood includes a wide array of beings who are not *Homo sapiens*. In *Practical Ethics*, Singer claims a “strong case” against killing “non-human animals” that “appear to be rational and self-conscious, conceiving themselves as distinct beings with a past and a future.”¹⁸ Specifically, “this strong case against killing can be invoked categorically against the slaughter of chimpanzees,

¹⁵Ibid., 162, 233. Singer documents this quotation from Locke’s “*Essay on Human Understanding*, first published 1690, various editions, bk. II, ch.9, par. 29.”

¹⁶Ibid., 180, cf. 197.

¹⁷Singer, *Practical Ethics*, 90, cf. 87.

¹⁸Ibid., 131-32.

gorillas, and orangutans.”¹⁹ Drawing upon his evolutionary assumptions, Singer expands the range of protected persons:

On the basis of what we now know about these near-relatives of ours, we should immediately extend to them the same full protection against being killed that we extend now to all human beings. A case can also be made, though with varying degrees of confidence, on behalf of whales, dolphins, monkeys, dogs, cats, pigs, seals, bears, cattle, sheep and so on, perhaps even to the point at which it may include all mammals—much depends on how far we are prepared to go in extending the benefit of the doubt, where doubt exists.²⁰

Singer’s finding that “all persons are not human” provides a broad range of protection for animals who are persons, or who may be persons.

Some Humans are Not Persons

In an interesting verbal maneuver, from the maxim—*some persons are not human*, Singer infers a reverse claim—*some humans are not persons*. In spite of his rejection of Christianity, Singer turns once again to a Christian source as he did with Nicea. This time Singer looks to Boethius, citing this Christian philosopher’s definition of “person” as “an individual substance of a rational nature.”²¹ Singer notes that this definition was also “subsequently used by Aquinas and other writers and supplemented by Locke with the element of awareness of one’s own existence at different times and places.”²² From this Boethian tradition, Singer stresses “a person is not *by definition* a human being.”²³

¹⁹Ibid., 132.

²⁰Ibid.

²¹Singer, *Rethinking Life and Death*, 180.

²²Ibid.

²³Ibid., 181.

As argued above by Singer, this includes some animals as persons. But Singer is clear that his new ethical vision also results in excluding some humans as persons:

One casualty of that revision will be any ethic based upon the idea that what really matters about beings is whether they are human. This will have dramatic effects, not only on our relations with nonhuman animals, but on the entire traditional sanctity of life ethic. For once we remove the assumption that an animal must be human in order to have some kind of right to life, then we will have to start looking at the characteristics and capacities that an animal must possess in order to have that right. When we do that, however, we will not be able to avoid noticing that, if we set the standard anywhere above the bare possession of life itself, some human beings will fail to meet it. Then it will become very difficult to continue to maintain that these humans have a right to life, while simultaneously denying the same right to animals with equal or superior characteristics and capacities.²⁴

Singer's goal is consistency in the way that animals and humans are evaluated. From determining "the characteristics and capacities that an animal must possess" to be a "person" and have a right to life, Singer infers characteristics and capacities that a human must possess to be a "person" and have a right to life.

According to this standard, the human fetus and infant are not "persons" and have no right to life. Singer explains this in *Rethinking Life and Death*, according to Boethian and Lockean standards,

Although the fetus may, after a certain point, be capable of feeling pain, there is no basis for thinking it rational or self-aware, let alone capable of seeing itself as existing in different times and places. But the same can be said of the newborn infant. Human babies are not born self-aware, or capable of grasping that they exist over time. They are not persons.²⁵

Put more succinctly in *Practical Ethics*, Singer reasons, "Since no fetus is a person, no fetus has the same claim to life as a person."²⁶

²⁴Ibid., 183.

²⁵Ibid., 210.

²⁶Singer, *Practical Ethics*, 151.

In *Rethinking Life and Death*, Singer repeats an earlier proposal concerning “the newborn infant” category. He would give the parents “twenty-eight days” after birth to decide if they wanted their child to live, or die.²⁷ In the current “situation where we must limit family size” Singer finds that “our culture has something to learn from others.”²⁸ The lesson is, “the cultures that practiced infanticide were on solid ground.”²⁹ The infanticide ground is solid because, to Singer, infants are not “persons.”

At the other end of the spectrum, Singer applies the personhood standard to deny that other kinds of humans have a right to life. In cases of “Brain death, anencephaly, cortical death and the persistent vegetative state,” Singer maintains that the “decision to end the life” of human beings is “manageable.”³⁰ Ending the life of these human non-persons is a “justifiable ethical decision.”³¹ Because they are without consciousness or the possibility of its return, “the most significant ethically relevant characteristic of human beings whose brains have irreversibly ceased to function is not that they are members of our species,” writes Singer.³² Merely being alive and human guarantees no right to life. They can be terminated because they are not “persons.”

²⁷Peter Singer, *Rethinking Life and Death*, 217. See also Helga Kuhse and Peter Singer, *Should the Baby Live?* (Oxford: Oxford University Press, 1985).

²⁸Singer, *Rethinking Life and Death*, 215.

²⁹Ibid.

³⁰Ibid., 206-07.

³¹Ibid.

³²Ibid.

Positive Evaluation

An objective evaluation of Peter Singer's proposal should begin with any positives that are to be commended. First, when investigating the ethical relevance of the term "person," it is right to consider the classic and Christian influences on the meaning of the word. Singer attempts to do this with his references to the Council of Nicea and the Christian philosopher Boethius. He is not alone. At Oxford University's Oriel College, J. D. Zizioulas used this method in 1972 when he read his paper at the Annual Conference of the British Society for the Study of Theology.³³ Zizioulas traced the influences of both the Council of Chalcedon and Boethius in his presentation entitled "Human Capacity and Human Incapacity: A Theological Exploration of Personhood."³⁴ Others, including Oliver O'Donovan, Michael Drippe, and Agneta Sutton, have used this approach with particular application to the status of the human beings who might be aborted or euthanized.³⁵ Setting the conclusions of these scholars aside for a moment, the

³³J. D. Zizioulas, "Human Capacity and Human Incapacity: A Theological Exploration of Personhood," *Scottish Journal of Theology* 28 (1975): 401-47. According to Zizioulas, this printed journal article is the same paper he delivered at the conference "on 6 April 1972, with some alterations and footnotes added," (401).

³⁴*Ibid.*, 403, 405, 407, 445-46.

³⁵Oliver O'Donovan, *Begotten or Made?* (Oxford: Clarendon Press, Oxford University Press, 1984), 53-54. O'Donovan answers the question "And Who is a Person?" by tracing the use of *persona* in the Latin Church, and the use of *hypostasis* in the Greek Church. O'Donovan also specifically points to the importance of Chalcedon and Boethius. See also Michael Drippe, "The Christian Theological Understanding of the Human Person," *Epiphany Journal* 14 (1994): 29-43. Drippe draws upon most of the ecumenical councils, including Nicea and Chalcedon. Also see Agneta Sutton, "Arguments for Abortion of Abnormal Fetuses and the Moral Status of the Developing Embryo," *Ethics & Medicine* 6:1 (1990): 5-10. Sutton has written an entire article comparing the Boethian and Lockean understandings of personhood, with special application to the status of embryonic and fetal human life.

point here is that they agree with Singer about the importance of using the church councils and Boethius as a basis for understanding the meaning of “person.”

Second, Singer’s reliance on these Christian sources can be viewed as examples of common ground for the purposes of this dissertation. Following Singer’s lead, this dissertation will draw upon church councils and Boethius for guidance on the ethical ramifications of personhood when it comes to matters of life and death.

Third, according to his own standard of logical coherence, Singers’ deduction from the Christian doctrine of the Trinity that “all persons are not human,” is valid. One common assumption in all the works noted above is that the Trinitarian understanding, as developed in the church councils, affirms the individual personhood of the Father, the Son, and the Holy Spirit. Since the Father and the Spirit are not, and never have been human, it logically follows that “all persons are not human.” Christians might also ascribe personhood to other beings who are not human, such as angels, not to mention Satan or demons.

Fourth, Singer’s desire to follow the evidence is appealing. Empirical observations about the capacities of all beings (divine, human, animal) affect his arguments and conclusions. Again, in principle, the scientific method and empirical evidence are essential components of any ethic, especially one that aspires to give direction in the current atmosphere of increasing medical technology, treatments, and tests.

Negative Critique

In spite of the above positives, Singer's proposed value of the "person" is plagued with overwhelming problems. In fact, the apparent positives are transformed into negatives when examined in detail. This is true with Singer's references to John Locke, Nicea and Boethius. Singer's overall shift from *some persons are not human* to the conclusion that *some humans are not persons*, is not logically valid, and certainly not part of the teaching of the church councils.

Upon close evaluation, there is one section from Singer's text that sets forth the key rationale for his overall argument. It should serve as the beginning place for any critique. Every sentence of this quotation is important for Singer's case and each source should be explored for verification of his view. Singer asks the question "Who is a Person?" and contends that his answer has a legitimate pedigree:

We often use 'person' as if it meant the same as 'human being'. In recent discussions in bioethics, however, 'person' is now often used to mean a being with certain characteristics such as rationality and self-awareness. There is solid historical basis for this use. It is, as we saw, consistent with the definition given by John Locke in the seventeenth century. 'Person' comes from the Latin 'persona', which initially meant a mask worn by an actor in a play, and later came to refer to the character the actor played. The word was introduced into philosophical discourse by the Stoic philosopher Epictetus, who used it to mean the role one is called to play in life. It was then taken up by early Christian thinkers grappling with the problem of understanding the doctrine of the trinity—what was the relationship between God the Father, God the Son, and the Holy Ghost? In 325 the Council of Nicea settled the issue by saying that the trinity is one substance and three persons. But what was a person? Since neither God the Father nor the Holy Ghost were human beings, it was evident that a person did not have to be a human being. In the sixth century the philosopher Boethius confirmed this by defining "person" as "an individual substance of rational nature," a definition subsequently used by Aquinas and other writers and supplemented by Locke with the element of awareness of one's own existence at different times and places.³⁶

³⁶Singer, *Rethinking Life and Death*, 180.

From this string of sources Singer immediately concludes, “So a person is not *by definition* a human being.”³⁷ Believing there are “more tangible persons who are not human” than beings like “God and the Holy Ghost,” Singer offers “Koko” to his readers as the prime example.³⁸ Singer presents evidence that this gorilla fits Locke’s definition of a person as a being that is thinking and intelligent, capable of reason and reflection, with self-awareness over time. Whales, dogs, and dolphins may also qualify.³⁹ The above paragraph from Singer is the fulcrum of his argument on personhood.

If, as Singer claims above, the sources are both “solid” and “historical,” then the content of Singer’s proposal would appear to be substantial. If the sources are neither solid nor historical, then the substance of Singer’s proposal is flawed. Following the key claims of the paragraph, the examination will require checking Singer’s use of Locke, especially the claim that Locke’s view complements the Council of Nicea and Boethius, and that these sources support Singer’s proposal.

John Locke

It is clear that John Locke is the main source for Singer’s proposed ethical norm of “person.” In *Rethinking Life and Death*, Locke is also introduced and utilized long before other sources like the church councils and Boethius.⁴⁰ Singer’s summary of Locke’s view is repeated throughout the book. In fact, Locke’s view is assumed at the

³⁷Ibid., 181.

³⁸Ibid.

³⁹Ibid., 182.

⁴⁰Ibid., 162 (for Locke alone); 180 (for Locke before Nicea and Boethius).

beginning and at the end of the other source material in the block quotation of sources cited above. In abbreviated form again, Singer's flow from Locke is clear:

It is, as we saw, consistent with the definition given by John Locke in the seventeenth century. 'Person' comes from the Latin 'persona'. . . . The word was introduced into philosophical discourse by the Stoic philosopher Epictetus It was taken up by early Christian thinkers In 325 the Council of Nicea settled the issue by saying that the trinity is one substance and three persons In the sixth century the philosopher Boethius confirmed this . . . a definition subsequently used by Aquinas and other writers and supplemented by Locke with the element of awareness of one's own existence at different times and places.⁴¹

In that paragraph, the historical order of sources is clearly the classics, the councils, Boethius, Aquinas, and then—Locke. However, at the head of this key text, all of these other sources are actually preceded by Locke. While the source citation appears at first glance to read chronologically from the classics to Locke, upon closer evaluation it actually reads logically, from Locke to Locke. Locke is assumed from the beginning and read into the other source material. Because Locke is so central to Singer, a detailed evaluation of this source is essential.

In the block quotation above, Singer points his readers to earlier citations in *Rethinking Life and Death*, where “we saw” the “definition given by John Locke in the seventeenth century.” This refers to the first Locke reference in the text, where Singer mentions him to justify calling chimpanzees “persons” or “people.” Singer explains why he uses “people” to refer to a community of monkeys:

In so doing I was using “people” as the colloquial plural of “person” and for that term I had in mind the definition offered by the seventeenth-century English philosopher John Locke: ‘A thinking intelligent being that has reason and reflection and can consider itself as itself, the same thinking thing, in different times and places.’⁴²

⁴¹Ibid., 180.

⁴²Ibid., 162.

This definition for personhood by Locke is shortened by Singer to “rationality and self-awareness over time,” and used throughout the book. Singer believes that chimpanzees are persons because they possess these relevant characteristics of personhood.

There are problems with Singer’s use of Locke here. As a matter of detail, Singer gets the location of the citation wrong. In his *Rethinking Life and Death* endnotes, Singer documents the quotation, “John Locke’s definition of a person is to be found in his *Essay on Human Understanding*, first published 1690, various editions, bk. II, ch. 9, par. 29.”⁴³ However, there is no paragraph 29 in chapter 9, book II of Locke’s text.⁴⁴

While book II has a chapter 9, there is no mention at all of personhood in this section, which is actually about “Perception.” While looking for Singer’s supposed quote in chapter 9, one will find at least one interesting idea from Locke that actually argues against Singer’s proposal. For instance, Locke writes that “Children, by the exercise of their Senses about Objects, that affect them in the Womb, receive some few Ideas, before they are born . . . which they scarce ever part with again.”⁴⁵ Locke is clear that these ideas are not innate, but are “the effects of sensation.”⁴⁶ These ideas are “introduced into the Minds of Children in the Womb,” and later, “after they are born, those Ideas are the earliest imprinted, which happen to be the sensible Qualities, which first occur to

⁴³Ibid., 162, 233.

⁴⁴John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (Oxford: Clarendon, Oxford University Press, 1975), 143-49. In addition to this mistaken reference in *Rethinking Life and Death*, Singer misses the location of the Locke quotation in *Practical Ethics* as well, albeit making a different error. In that earlier text, Singer writes, “John Locke’s definition of ‘person’ is taken from his *Essay Concerning Human Understanding*, bk. 1, chap. 9, par. 29,” (Singer, *Practical Ethics*, 364). There is no chapter 9 in book 1 of Locke. Both Locke references are wrong, in different ways, in *Rethinking Life and Death* and in *Practical Ethics*.

⁴⁵Ibid., 144.

⁴⁶Ibid.

them.”⁴⁷ This continuity of the infant’s earliest ideas, from the womb to childhood, would seem to argue against Singer’s non-personal view of the infant. In addition, the accidental chapter referenced by Singer also contains implications against his view on animals.⁴⁸

The quotation employed by Singer should be correctly documented from Locke in book II, chapter 27, paragraph 9. Locke’s definition of “person,” which Singer gets right, is set in a specific context, which Singer overlooks.⁴⁹ The contextual error is not so much that he gets the bibliographic reference wrong, but that he also gets the substance of the context wrong. Singer only cites one sentence from Locke on personhood. Singer reads Locke’s definition of a person, as a rational being with self-awareness over time, to exclude some humans as persons and to include some animals as persons. However, the entire context of the definition does not exactly bear out that interpretation.

From the middle of paragraph 8 to the middle of paragraph 9, the context of Locke’s definition is so important to its interpretation that it should not be glossed over. The paragraph immediately preceding the personhood quotation, paragraph 8, may contradict Singer’s claim about animals. The next section, the paragraph in which the

⁴⁷Ibid.

⁴⁸Ibid., 149. Chapter 9 of book 2 contains Locke’s view that humans and animals are different. In writing about how perception leads to knowledge, Locke notes that the greater the senses the greater the knowledge. Duller “faculties” and duller “impressions” lead to duller men. Locke observes that humans may differ “in great variety of degrees” in this regard, and that this “may be perceived among Men.” However, Locke notes that this “cannot certainly be discovered in the several Species of Animals, much less in their particular Individuals.” Locke’s implication is that while one may discern the senses and faculties possessed by animals, it is impossible to gauge their *knowledge*, as can be done with humans.

⁴⁹Locke, *An Essay Concerning Human Understanding*, 335. Granted, it is difficult to interpret a quotation according to its context when one uses the wrong reference.

quotation occurs, may contradict Singer's claim about humans, especially when interpreted in light of other statements made by Locke:

The Prince, 'tis plain, who vouches this Story, and our Author who relates it from him, both of them call this Talker a *Parrot*; and I ask any one else who thinks such a Story fit to be told, whether if this *Parrot*, and all of its kind, had always talked as we have a Princes word for it, this one did, whether, I say, they would not have passed for a race of *rational Animals*, but yet whether for all that, they would have been allowed to be Men and not *Parrots*? For I presume 'tis not the *Idea* of a thinking rational Being alone, that makes the *Idea* of a *Man* in most Peoples Sense; but of a Body so and so shaped joined to it; and if that be the *Idea* of a *Man*, the same successive Body not shifted all at once, must as well as the same immaterial Spirit go to the making of the same *Man*.

This being premised to find wherein *personal Identity* consists, we must consider what *Person* stands for; which, I think, is a thinking intelligent Being, that has reason and reflection, and can consider it self as it self, the same thinking thing in different times and places; which it does only by that consciousness, which is inseparable from thinking, and as it seems to me essential to it: It being impossible for any one to perceive, without perceiving, that he does perceive. When we see, hear, smell, taste, feel, meditate, or will any thing, we know that we do so. Thus it is always as to our present Sensations and Perceptions: And by this every one is to himself, that which he calls *self*: It not being considered in this case, whether the same *self* be continued in the same, or divers Substances.⁵⁰

These two paragraphs in Locke, from which Singer's definition for "person" is taken, imply that Singer's views on animals and humans are not strictly deducible from Locke.

In spite of Singer's claim, animals may not be eligible as candidates for personhood, according to Locke's definition set in its proper context. As the above paragraphs show, Locke was relating a story about a "talking parrot" and entertains the notion that such beings may on the surface pass "for a race of rational animals." However, they would not be mistaken "to be men and not parrots." The reason why talking animals cannot pass for men is because it is "not the idea of a thinking rational being alone, that makes the idea of a man," but there must also be "a body so and so

⁵⁰Ibid., 344-45.

shaped joined to it.” While Locke uses the words “men” and “man,” and not “person,” he may have the substance of both terms in mind as the same, contrasting both with animals.⁵¹ Whether or not “man” is synonymous with “person” here, this much is clear. Locke is skeptical about “talking parrots” or “rational animals” being compared as equals to “men.” Human nature is different from that of animals, but not just intellectually. It is also ontologically different because of the human form.

It is immediately after this first paragraph, which ends with the concept of “Man,” that Locke begins to talk about “person.” This argues as well for a human, rather than animal, context for Locke’s definition of “person.” Besides this, there is no reintroduction of the topic of animals in paragraph 9. The contextual flow is obvious. The contrast between humans and animals has been made in the previous paragraph (8), with the finding that human nature is unique, and the next paragraph (9) proceeds in that same human context to discuss “personal identity,” proposing the related definition of “person.” There is no reason from the immediate context, or the intermediate context, to assume that Locke would include animals in this definition of “person.” This particular paragraph contains no talk about animals, much less “talking animals.”

If Singer has misrepresented Locke on animal personhood, he may have also distorted Locke on human personhood, especially when it comes to the newborn infant.

⁵¹Ibid., 336-40. Paragraphs 10-12 in Locke tend to confirm this assumption in several ways. When describing continuity of identity, Locke differentiates how this works in humans as opposed to animals. For humans, he notes how “Different substances, by the same consciousness” are “united into one Person.” In contrast “different bodies, by the same life are united into one Animal.” Locke also compares the idea of “two Persons” with “two Men.” Also Locke distinguishes between “animal identity” and “personal identity.” Speaking of “Men,” Locke writes of “personal Identity” being preserved in spite of “the change of immaterial substances.” In contrast, “animal Identity is preserved in the change of material Substances.” Locke also quotes others who speak of a “Life in Brutes,” but of a “Person in Men.” In the course of making a related point, Locke acknowledges that normally, “the same Person, and the same Man, stand for one and the same thing.” Opposite this trend, Locke does not use the term “person” to speak of animals.

When paragraph 9 is read closely in comparison with related thoughts in Locke, it would seem to indicate that the human infant may indeed be a person in Locke's view. Right after his sentence defining a person, the next sentence notes the role of the senses, "hear, smell, taste, feel" and others. Locke explains that it is by these "Sensations and Perceptions" that "every one is to himself, that which he calls *self*," or a person. For Locke, sensations and perceptions lead to self-awareness, and this kind of self-awareness over time, indicates a person. This idea that sense perception leads to personhood, when matched to the earlier quotation from Locke about infants demonstrates that they are indeed persons, both in and out of the womb. Again, it was in his chapter on "Perception" that Locke writes, "Children, by the exercise of their Senses about Objects, that affect them in the Womb, receive some few Ideas, before they are born . . . which they scarce ever part with again."⁵² Sensation, perception, ideas, over time, all of these fit Locke's definition of "person."⁵³ All of these terms Locke describes in infants.

Therefore, Singer's deductions about some humans and animals, from Locke's definition of "person," are simply not valid. Locke did not envision animals to be persons as Singer does. Unlike Singer, Locke did imply that there are reasons to believe that infants, before and after birth, may indeed be persons. The reliance on Locke does not appear "solid" or "historical" on these two points, in spite of Singer's earlier claim.

These two misrepresentations notwithstanding, Locke is generally interpreted as denying personhood to any being that does not presently exercise rationality and self-

⁵²Ibid., 144.

⁵³Ibid., 619. Describing human awareness of "our own existence," Locke writes, "In every Act of Sensation, Reasoning, or Thinking, we are conscious to our selves of our own Being; and, in this Matter, come not short of the highest degree of *Certainty*." For Locke, "sensation" results in self-consciousness. In this regard, infants are self-conscious.

awareness over time. This is the consensus of those who agree, as well as those who disagree, with Locke.⁵⁴ If they are right about Locke's definition on this point, this would rule out some humans as persons, as Singer indicates. Even if this definition does not include animals as persons, nor exclude some infants as persons, it might exclude embryos, fetuses, and the comatose. By looking at the church councils and Boethius, it becomes apparent that Singer is mistaken in his contention that this aspect of Locke's view on personhood is supported by his litany of other sources.

The Church Councils

As noted earlier, there is merit in being informed by the Church councils when one seeks to gain an understanding of personhood. Singer himself begins here, citing the Council of Nicea as some kind of authority for his starting point, "all persons are not human." Again, Singer writes, "In 325 the Council of Nicea settled the issue by saying that the trinity is one substance and three persons."⁵⁵ The only problem with this statement is that it is not true. The Council of Nicea did nothing of the sort.

The notion of "persons," the very concept that Singer is trying to locate, is not mentioned at all in the Creed of Nicea. Instead, Nicea was about the "substance" or nature of the Son, as "true God of true God."⁵⁶ The Arian heresy was a denial of the full

⁵⁴Michael Tooley, *Abortion and Infanticide* (Oxford: Oxford University Press, 1983). Tooley agrees with Locke and is utilized as a source by Singer. Also see Agneta Sutton, "Arguments for Abortion of Abnormal Fetuses and the Moral Status of the Developing Embryo," *Ethics & Medicine* 6:1 (1990): 5-10. Sutton's piece characterizes Locke's view, "What is important on the Lockean understanding of personhood is possession of consciousness and self-consciousness." She emphasizes that these must be "presently exercisable abilities." Therefore, "It is obvious that on a Lockean understanding of personhood, the fetus or embryo is not yet a person," 5. Sutton disagrees with Locke.

⁵⁵Singer, *Rethinking Life and Death*, 180.

⁵⁶Henry Bettenson, *Documents of the Christian Church* (New York: Oxford University Press, 1961), 36.

deity of the Son. For Arius, the Son was not viewed as coexisting with the Father from eternity past, but as a created being, and not viewed as equal to the Father in essence or substance. The Council of Nicea refuted this heresy by affirming that the Son was “begotten not made, of one substance with the Father.”⁵⁷

It is true that the concept of the Trinity is implicit in the document, as the Father, the Son, and the Holy Spirit are included. But Singer’s contention that Nicea “settled” the question of Trinitarian relationships “by saying that the trinity is one substance and three persons” is simply false. While Singer’s assertion that “all persons are not human” supposedly comes from the Council of Nicea, affirming that the Father and the Spirit are non-human persons, on at least three counts his assumption is wrong. The council was mainly about the Son. The council was mainly about deity, not humanity. This council was mainly about the issue of “substance” and not “persons.”⁵⁸ If Nicea has anything to say about Singer’s proposal, it cannot be about personhood.⁵⁹

⁵⁷Ibid.

⁵⁸That this is the scholarly consensus can be established by a number of classic and contemporary sources. See J. N. D. Kelley, *Early Christian Creeds*, 2nd ed. (New York: David McKay Company, 1960), 215-62; Philip Schaff, *The Creeds of Christendom With a History and Critical Notes* (Grand Rapids: Baker, 1977), 24-29; C. A. Blaising, “Council of Nicea,” in *Evangelical Dictionary of Theology*, ed. Walter A. Elwell (Grand Rapids: Baker, 1984), 774-75.

⁵⁹It could be interesting to explore how Nicea might actually speak against Singer’s proposal. Any point coming from Nicea would need to be about “substance.” Nicea’s emphasis on the substance of divine nature might serve as a paradigm for understanding the substance of human nature and its ramifications for each human being. Since the members of the Trinity are equal in worth as to deity because they share a common divine nature, perhaps the various members of humanity are equal in worth as to sanctity because they share a common human nature. Applied to humankind, the “substance” point stressed by Nicea might actually argue for the sanctity of all human life, by virtue of this shared human nature. According to this paradigm, “the relation between the common substance of the Godhead and the individual hypostases is like that between humanity and individual people,” (Tony Lane, *The Lion Concise Book of Christian Thought* [Herts, UK: Lion, 1984], 33-34). However, Lane also notes that if this pattern is strictly projected back on the Godhead, it might lead to tritheism, which has been perceived as a weakness in the Cappadocian Fathers. In any case, Nicea cannot serve as the “solid historical basis” that Singer claimed for his view.

Perhaps Singer has confused the Council of Nicea (and the Creed of Nicea) with what has been called the “Nicene” Creed. The creed that resulted from the Council of Constantinople in 381 has been called both the “Nicene” Creed and the “Constantinopolitan” Creed. However, along with Nicea this creed uses the term “substance,” but also like that earlier council it does not use the term “person.”⁶⁰ The term “person” did not become a point of emphasis until the Council of Chalcedon in 451.

For two reasons, Singer’s Trinitarian formula, “one substance and three persons” as a basis for personhood, should be traced to the Council of Chalcedon. First, he points to a church council, and Chalcedon seems to be the consensus of other scholars who select the most influential council on the topic of the Trinity or personhood.⁶¹ According to John Grabowski, “the classical christological confession of Chalcedon” is to be credited with making possible “growing precision in trinitarian theology.”⁶²

Second, while Chalcedon does not contain Singer’s exact words, “the trinity is one substance and three persons,” the concepts are implicit in the creed. Both key words, “substance” and “persons,” are used with reference to God. The term “substance” is used to refer to both the Father and the Son. The creed states that Jesus Christ is “truly God and truly man . . . of one substance with the Father as regards his Godhead, and at the same time one substance with us as regards his manhood.”⁶³ The term “person” is used

⁶⁰Bettenson, *Documents of the Christian Church*, 37.

⁶¹J. D. Zizioulas, “Human Capacity and Human Incapacity: A Theological Exploration of Personhood,” 403, 405, 407. See also Oliver O’Donovan, *Begotten or Made?*, 53-54. O’Donovan specifically points to the importance of Chalcedon. Also see Michael Drippe, “The Christian Theological Understanding of the Human Person,” 29-43. Drippe focuses on Chalcedon as well.

⁶²John S. Grabowski, “Person: Substance and Relation,” *Communio* 22 (Spring, 1995): 144.

⁶³Bettenson, *Documents of the Christian Church*, 72-73.

to refer to the Son. Being God and man, in Christ both natures were “preserved,” came “together to form one person and subsistence,” and were not “parted or separated into two persons.”⁶⁴

Analyzing the “Categories of Chalcedon” in *Das Konzil Von Chalkedon*, Bernhard Welte has written, “The actual predication of Chalcedon is that Jesus, who is human, is equally substantial God.”⁶⁵ In the same *Chalkedon* project, Ignacio Ortiz de Urbina wrote using greater detail, “The new creed of Chalcedon consists in this, that now the duality of the divine and human natures is stressed, which in Christ, after the union to one Person and Hypostase, remain perfect and unchanged.”⁶⁶ In a similar vein, Philip Schaff noted a “particular excellence of the Creed of Chalcedon” is its establishment of both the “tri-personality” and the “consubstantiality” of the Triune God.⁶⁷ While writers as early as Tertullian had written of the Triune God as three persons in one substance, it was at the Council of Chalcedon that the issue was “settled,” to use Singer’s term.

This raises a more important question. What does the Trinitarian use of the word “person,” informed by Chalcedonian theology, imply about Singer’s proposed use of the term? As employed by the councils, especially Chalcedon, the term “person” does

⁶⁴Ibid.

⁶⁵Bernhard Welte, “Homooousios Hemin. Gedanken zum Verstandnis und zur theologischen Problematik der Kategorien von Chalkedon,” in *Das Konzil Von Chalkedon*, vol. 3, ed. Aloys Grillmeier and Heinrich Bacht (Wurzburg: Echter-Verlag Wurzburg, 1954), 52. The quotation is translated from “Das Menschentum Jesu, des gleichwesentlichen Gottes, ist so das eigentliche Prädikate von Chalkedon.”

⁶⁶Ignacio Ortiz de Urbina, “Das Glaubenssymbol von Chalkedon – sein Text, sein Werden, seine dogmatische Bedeutung,” in *Das Konzil Von Chalkedon*, vol. 1, 401. This is translated from “Das Neue am Symbol von Chalkedon besteht darin, dass nunmehr die Zweiheit der göttlichen menschlichen Natur betont wird, die in Christus auch nach der Einigung zu einer Person und Hypostase vollkommen und unverändert geblieben sind.”

⁶⁷Schaff, *The Creeds of Christendom*, 34-35.

not fit Singer's proposed scenario. Schaff points out that one of "the leading ideas of the Chalcedonian Christology" is the "precise distinction between NATURE and PERSON."⁶⁸ "Nature or substance" refers to the "totality of powers and qualities which constitute a being."⁶⁹ In contrast, "person" denotes the "acting subject."⁷⁰ This distinction between nature and person undermines Singer's proposal. For Singer, personhood is indicated by relevant characteristics such as rationality and self-awareness over time. However, these are "powers and qualities" that correspond with the Chalcedonian notion of "nature," not "person." The term "person" indicates the actor, not his attributes.

It is important to remember at this point that it was Singer who brought up the idea of importing the Trinitarian model of personhood from the councils as a guiding paradigm for understanding human personhood. Michael Drippe surveys the church councils and concludes that "Mankind made in the image of God the Trinity and Christ the Lord is the foundation of all Christian anthropology."⁷¹ Drippe's more specific observation that "it is the concept of the Divine Person that gave our culture its sense of the human person" argues against Singer's use of the councils. From the Trinity as "one substance and three persons," Singer inferred that "some persons are not human" because the Father and Spirit are not human. From "some persons are not human," Singer jumped to the conclusion that animals may also be persons, even though they are

⁶⁸Ibid., 30.

⁶⁹Ibid.

⁷⁰Ibid.

⁷¹Drippe, "The Christian Theological Understanding of the Human Person," 40.

not human. Yet, if Drippe is right, the concept of “personhood” is actually linked to the notion of the image of God. In the concept of *imago Dei*, humans have a corresponding claim to personhood that animals do not enjoy.⁷²

In his Oxford lecture, J. D. Zizioulos also put *imago Dei* “in the light of personhood,” with conclusions that counter Singer’s proposal:

The anthropology of Chalcedon depends entirely on the notion of personhood as I tried to describe it here: man emerges as truly man, as a category distinct from God and the animals, only in relation to God.⁷³

Zizioulos believes that a Chalcedonian view of personhood will recognize that human beings are made in the image of God and that human beings are categorically “distinct” from animals. Both concepts challenge Singer’s proposal, yet both conclusions come from Singer’s source.

Besides these fundamental points, the divine-human personhood parallel carries other implications. Drippe makes several observations about personhood from Chalcedonian understandings of the Trinity and Christology. First, “person” is prior to, or at least coexistent with, “nature.” “Human nature does not exist first and then give rise to a person,” instead Drippe explains, it “is created at the same time that a new person is conceived.”⁷⁴

Second, personhood is the ground of human being. “The person,” Drippe

⁷²Of course Singer denies that humans were created in the image of God, instead they evolved from animals. But Drippe’s point would be that these two concepts, the image of God and the Trinity, are interrelated, if not inseparable, when it comes to understanding personhood.

⁷³Zizioulos, “Human Capacity and Incapacity,” 446.

⁷⁴Drippe, “The Christian Theological Understanding of the Human Person,” 40.

notes, “is a primary aspect of the human being. The human personality expresses the most fundamental aspect of the human being—his ontological ground in personal being.”⁷⁵

Third, an inversion occurs when the Christological and Trinitarian notion that personhood is the “the most fundamental dimension of the human being” is lost. When this happens,

The opposite begins to be taught, that person is the “result” of his nature. One might even call this the “fallen” view of the human person, a view grounded in materiality. Personality, indeed even the basic notion of the person, is lost amidst differing theories and ideologies. The human person, instead of the source, the Cause, becomes the Caused, the Result, the Effect.⁷⁶

This is, of course, exactly what Singer’s proposal would do. For Singer, a human being achieves the status of person only if their human nature first develops rationality. First rationality, then personhood, is Singer’s order.

Drippe warns that this inverted order leads “to an active dehumanization of people.”⁷⁷ The victims of euthanasia and abortion are among the dehumanized, laments Drippe. “Mercy-killing” terminates “the life of those who do not exhibit a certain standard of quality of life—at the extreme, this could apply to any non-productive member of society.”⁷⁸ “Pro-abortionists,” notes Drippe, believe “a fetus cannot be a person because it does not manifest any of the characteristics that we associate with a person.”⁷⁹ To Drippe, this rationale is “a prime example of the modern reversal of person

⁷⁵Ibid., 41.

⁷⁶Ibid., 42.

⁷⁷Ibid.

⁷⁸Ibid., 43.

⁷⁹Ibid.

vs. nature.”⁸⁰ Drippe’s assessment is based upon the same material as Singer’s, understanding human personhood based upon Trinitarian personhood as developed in the church councils. Yet, after detailed analysis, Drippe comes to completely different conclusions from Singer.

In summary, Singer’s use of the creeds does not lend credence to his proposal. His use of the councils is not “solid” or “historical,” as claimed. Singer is wrong about Nicea. It is the wrong council for personhood. He is wrong about the content of Chalcedon because he misses the council’s fundamental distinction between nature and person. Following the usage of terms in the councils, relevant characteristics do not indicate a “person,” rather, they are indicators of a “nature.” Properties should be assigned to nature.

Singer is also wrong in his selective use of sources. On the one hand, he describes human personhood from the pattern of Trinitarian personhood. While on the other hand, he denies the *imago Dei* and special human status over the animals. To some degree, these concepts are probably interrelated, if not interdependent.⁸¹ They certainly share a common connection as truth claims of Christianity, flowing from biblical revelation. To utilize one concept as a source and to deny the other is counter-intuitive to say the least, especially given Singer’s professed atheism.

⁸⁰Ibid.

⁸¹Richard Swinburne, *The Christian God* (Oxford: Clarendon, Oxford University Press, 1994), 31. Swinburne’s definition of “persons” shows that the Triune God exists as three persons, and as image bearers of God, individual human beings exist as persons. Swinburne qualifies “persons” as beings who possess “a mental life of at least the kind of richness and complexity which humans have.” This understanding allows for Divine personhood (some persons are not human), but at the same time rules out personhood for animals, undercutting Singer’s argument.

Singer is again in error to claim continuity between the councils and his view of Locke. Locke's position ascribes the characteristic of rationality to the "person." Chalcedonian theology and anthropology would ascribe this and other relevant characteristics to "nature." Besides this, in a strange way, Singer's mention of the Trinity or theology proper may not mix well with Locke's personhood formula of "self-awareness over time." In historic Christian orthodoxy, the Triune God is considered to exist outside of time. Paul Helm writes of this view, "The classical Christian theologians, Augustine of Hippo, say, or Aquinas or John Calvin, each took it for granted that God exists as a timelessly eternal being."⁸² Boethius himself went to great lengths to stress the eternal timelessness of God, and that in the context of Christ's incarnation.⁸³ This would seem to undercut the entire basis of Singer's Trinitarian paradigm. Perhaps in his atheism, Singer feels free to pick and choose from among Christian concepts, employing only those sources and ideas that *seem* to aid his cause. One of the sources employed by Singer is Boethius, who is cited to show more historical progression of thought in support of Singer's understanding of personhood.

⁸²Paul Helm, *Eternal God: A Study of God Without Time* (Oxford: Clarendon, Oxford University Press, 1988), xi. Helm's book is an apologetic for the traditional view that God exists in timeless eternity. At least two kinds of objections are made to this doctrine. Some object that a timeless God could not become incarnate. For a refutation of this criticism see Brian Leftow, "A Timeless God Incarnate" in *The Incarnation*, ed. Stephen T. Davis, Daniel Kendall, Gerald O'Collins (Oxford: Oxford University Press, 2002): 273-99. Others object in principle to speaking of God *ad intra* (God in Himself), and would reduce human knowledge of the Divine to God *ad extra* (God in relation to the world). This rules out human knowledge of an eternal timeless God. For a recent and helpful survey of this trend, and a rebuttal of these reductions of God's immanent being to his economic manifestation, see Bruce A. Ware, "How Shall We Think About the Trinity?" in *God Under Fire*, ed. Douglas S. Huffman and Eric Johnson (Grand Rapids: Zondervan, 2002): 253-77.

⁸³Leftow, "A Timeless God Incarnate." Boethius is a repeated source for Leftow's argument.

Boethius

From the “Council of Nicea” to Boethius, Singer believes there is continuity for his proposal. According to Singer, Boethius validated the church council’s finding “that a person did not have to be a human being.” Singer writes, “In the sixth century the philosopher Boethius confirmed this by defining ‘person’ as ‘an individual substance of rational nature.’”⁸⁴ Immediately following this sentence, Singer concludes, “So a person is not *by definition* a human being.”⁸⁵ He mentions how, for Boethius, “person” included God the Father and the Holy Ghost. But then Singer implies that this could also include animals. However, a closer look at Boethius actually reveals his view is at odds with Singer’s view, including Singer’s acceptance of Locke.

The quotation that Singer cites from Boethius is not documented. However, it can be found in *The Theological Tractates*. Singer’s minimal Boethius quotation of one phrase does not provide any sense of context. Given this stand-alone sound bite from Boethius, it is difficult to know if Singer’s claim of continuity between Locke and Boethius is valid. The context is telling and proves decisive:

You must consider that all I have said so far has been for the purpose of marking the difference between Nature and Person, that is, *ousia* and *hypostasis*. The exact terms which should be applied in each case must be left to the decision of ecclesiastical usage. For the time being let that distinction between Nature and Person hold which I have affirmed, viz. that Nature is the specific property of any substance, and Person the individual substance of a rational nature. Nestorius affirmed that in Christ Person was twofold, being led astray by the false notion that Person may be

⁸⁴Singer, *Rethinking Life and Death*, 180.

⁸⁵*Ibid.*, 181.

applied to every nature. . . . for Person, as has been said, is the individual substance of a rational nature.⁸⁶

There are several important features in this quotation from Boethius, which is more substantial than any quotation provided by Singer. Because he is refuting the Nestorian heresy, Boethius is clear that the entire section in which the definition for “person” appears has been devoted to clarifying a distinction between “Nature and Person.” While Singer only provides the definition for “person,” Boethius defines both “nature” and “person.” “Nature,” according to Boethius, is “the specific property of any substance.” Again, this would parallel the earlier trend cited in the church councils to locate properties or qualities in “nature” or “substance,” rather than in “person.” Even in Boethius’ definition, it is the “substance” which is immediately described as rational, not particularly the “person.”

It is also important to note that the classic Loeb translation of Boethius’ repeated definition of person, “the individual substance of a rational nature,” while close to Singer’s version, differs in the presence or absence of the definite and indefinite articles.⁸⁷ Since the Latin has no explicit article here, Singer is technically correct to leave it out in his translation. However, since Latin has no article that could be used,

⁸⁶Boethius *The Theological Tractates: A Treatise Against Eutyches and Nestorius* 4.20, in Loeb Classical Library, trans. H. F. Stewart (Cambridge, MA: Harvard University Press, 1953), 90-93. “Sed haec omnia idcirco sint dicta, ut differentiam naturae atque personae id est *ousias* atque *hypostaseos* monstraremus. Quo uero nomine unumquodque oporteat appellari, ecclesiasticae sit locutionis arbitrium. Hoc interim constet quod inter naturam personamque differre praediximus, quoniam natura est cuiuslibet substantiae specificata proprietates, persona uero rationabilis naturae indiuidua substantia. Hanc in Christo Nestorius duplicem esse constituit eo scilicet traductus errore, quod putauerit in omnibus naturis dici posse personam. . . . est enim persona ut dictum est naturae rationabilis indiuidua substantia.”

⁸⁷Ibid., 85. The definition first appears here. All three times it appears in this classic translation of Boethius with a definite article and an indefinite article, respectively, “the individual substance of a rational nature.” This is in slight contrast to Singer’s version of Boethius, with an indefinite article and then no article, “an individual substance of rational nature.”

Singer may not be correct in interpreting a generic view of personhood from the absence of the article.

Resolving this ambiguity, the context of Boethius' definition for person would seem to indicate a clear and important distinction between nature and person. Boethius is keen to emphasize that "a person cannot come into being among accidents (for who can say there is any person of white or black or size?), it therefore remains that Person is properly applied to substances."⁸⁸ In removing both articles in his representation of Boethius' definition, Singer waters down the very distinction between nature and person that Boethius is interested in emphasizing. Throughout this section, the classic Loeb translation of Boethius reads "*the* person," "*that* person," "*the* Persons," and so the corresponding articles recurring in all three definitions are "*the individual* substance of a rational nature (emphasis added)."

On purpose or not, Singer avoids this kind of concrete specificity in his translation. Whether or not the article is to be supplied in translation, the surrounding context demands that Boethius' understanding of personhood be clearly distinguished from Singer's view. Boethius rejects generic notions of personhood:

But in all these things person cannot in any case be applied to universals, but only to particulars and individuals; for there is no person of a man if animals or general; only the single persons of Cicero, Plato, or other single individuals are termed persons.⁸⁹

⁸⁸Ibid., 83.

⁸⁹Ibid., 85. "Sed in his omnibus nusquam in uniuersalibus persona dici potest, sed in singularibus tantum atque in indiuiduis; animalis enim uel generalis hominis nulla persona est, sed uel Ciceronis uel Platonis uel singulorum indiuiduorum personae singulae nuncupantur." The awkward phrase could be literally translated "for there is no person of general man or animal; only the single persons of Cicero . . ."

In contrast, Singer's adjusted Boethian definition accommodates a view of "persons" that prioritizes "indicators" and "relevant characteristics," accidental categories that actually properly refer to "nature" or "substance." But for Boethius, there is literally "no person of general man or animal." Therefore, speaking of "persons" in general is as much an oxymoron to Boethius as speaking of persons as animal.

A more substantial contrast between Singer and Boethius concerns their opposite view of animals. Boethius is presented as a cornerstone for the "solid historical basis" that supports Singer's understanding of personhood. Nothing could be further from the truth when it comes to animals. As Boethius prepares to introduce his definition of what a "person" is, he feels compelled to explain what a "person" is not. With the "rational" component of his definition in mind, Boethius points out that some incorporeal substances "are rational, others the reverse (for instance the animating spirits of beasts)."⁹⁰ In contrast, three kinds of immaterial rational substance are counted as rational: "God," "angels," and "the soul."⁹¹

If Boethius can differentiate the immaterial substances (spirits) that are and are not persons, he is just as ready to do the same with the material substances (bodies). He explains,

Now from all the definitions we have given it is clear that Person cannot be affirmed of bodies which have no life (for no one ever said that a stone had a person), nor yet of living things which lack sense (for neither is there any person in a tree), not finally of that which is bereft of mind and reason (for there is no person of a horse

⁹⁰Ibid., 83.

⁹¹Ibid.

or ox or any other of the animals which dumb and unreasoning live a life of sense alone), but we say there is a person of a man, of God, of an angel.⁹²

On the one hand, God, men, and angels are persons. On the other hand, animals cannot be persons because they are “bereft of mind and reason,” as well as “dumb and unreasoning.” Granted, Singer would probably counter that Boethius was not privy to recent discoveries about Koko and other apes who are neither “dumb” nor “bereft of mind and reason.” Nevertheless, Boethius’ fundamental distinction between humans and animals is still defensible today.⁹³ Besides this, Boethius would have been aware of many of the same observations that Singer makes about other animals such as dogs and pigs. On both counts, animal and human, Singer gets Boethius wrong.

For the purposes of Singer’s proposal, it is most important that he reads Locke into Boethius’ definition of person as “the individual substance of a rational nature.” Again, Locke’s view is commonly understood to require that beings presently exercise rationality and self-awareness over time, if they are going to be considered as “persons.” Singer writes as if Boethius meant the same thing, just because he used “rational” in his definition. However, the Boethian definition is not the same as Locke’s.

There are two issues that determine personhood according to the Boethian equation. First, remembering both his rejection of general personhood and his precise definition, it must be determined if the candidate for “person” can be identified as an “individual substance.” From the embryo to the comatose, the genetic identity of every

⁹²Ibid., 83-85. “Ex quibus omnibus neque in non uiuentibus corporibus personam posse dici manifestum est (nullus enim lapidis ullam dicit esse personam), neque rursus eorum uiuentium quae sensu carent (neque enim ulla persona est arboris), nec uero eius quae intellectu ac ratione deseritur (nulla est enim persona equi uel bouis ceterorumque animalium quae muta ac sine ratione uitam solis sensibus degunt), at hominus dicimus esse personam, dicimus dei, dicimus angeli.”

⁹³See the critique section on “speciesism” in Chapter 4.

human being is a fact that can be empirically verified. Second, according to Boethius the successful candidate for personhood must have “a rational nature.” Clearly, if Boethius meant that there must be a presently exercisable ability for rational thought, he could have said so, but he did not. Instead, Boethius’ definition emphasizes the rational *nature* of the substance. We know that human embryos and fetuses are of a rational nature because they naturally develop into children and adults who can think and speak. We know that the comatose human being is a substance of rational nature because he or she has exercised rationality in the past.⁹⁴

In summary, noting the contrast between a Lockean view of personhood and a Boethian view of personhood is helpful. Singer cannot justify baptizing Locke’s view of personhood with Boethius. Nor can Singer justify a reduction of Boethius’ actual definition according to Locke. Boethius does *not* say a person is the individual substance of rational *activity*. That is Locke’s view. Instead, Boethius wrote that a person is “the individual substance of a rational nature.” There is a difference, and that is the difference between Boethius and Singer’s mistaken view of Boethius, which comes by way of Locke.

Theological Challenges

Besides Locke, the Singer sources in this critique are explicitly Christian (Nicea, Chalcedon, Trinity, Boethius). One man, more than any other, has interacted

⁹⁴For a more detailed argument on the contrast between a Lockean and a Boethian understanding of personhood, see Agneta Sutton, “Arguments for Abortion,” 5-10. Sutton counters the arguments of Norman Ford and others against the individuality of early human life. Sutton also answers the objections of those who deny the “rational nature” of anencephalic babies. She stresses a difference “between a capacity or ability on the one hand, and the vehicle of the capacity on the other,” 8. A failure to develop proper brain structures does not negate the fundamental rationality of human nature.

with these sources and the classics, and at the same time applied them to the issue of embryonic personhood. “And Who is a Person?” is the fundamental question, and the fourth chapter of Oliver O’Donovan’s book *Begotten or Made?*⁹⁵ The question is foundational for O’Donovan because the human embryo is subject to experimentation, manipulation, and extermination. Is the embryo something, or someone? O’Donovan asserts that by experimenting and disposing of them, the culture is assuming that embryos are not persons. Excluding Locke, O’Donovan cites essentially the same sources as Singer, including the classics, church councils, and Boethius. Since Singer brings up these Christian sources, and by association Christian thought in general, exploring these sources and their bearing on personhood makes sense. From both a historical and theological perspective, O’Donovan’s commentary on those same sources provides a running counter-commentary to Singer’s proposed understanding of personhood.

Like Singer, O’Donovan traces the idea of the *person* in Western thought. While not a biblical category *per se*, the notion of personhood has its roots in Christian theology. The immediate background of *person* for the early Church Fathers was its use in classical thought. The *persona* in Greek theatre was represented by the character-mask: it means “face” or appearance. “A *persona* is an individual appearance that has continuity through a story. It is the appearance of an agent to whom things happen and who does things, of one who has, as we say, a ‘history.’”⁹⁶ The “identity” of a person is first indicated by his or her entrance as a player on the stage of history.

⁹⁵O’Donovan, *Begotten or Made?*, 49-66.

⁹⁶*Ibid.*, 50.

O'Donovan mixes this notion of personhood with the biblical material. He shows that Jeremiah, Pharaoh, and Cyrus were all recognized and appointed by God as players on the stage of history, when conceived and in the womb. Another Old Testament idea fits the identity/history motif of personhood - having children and grandchildren "and so contributing to the history which God designed for his people."⁹⁷ O'Donovan sees this biblical role of the person as identified in history as "set in opposition to the qualitative analysis of what gives us our identity."⁹⁸

More specifically, the Church Fathers developed the idea of personhood in the context of Trinitarian formulations. The Latin Church emphasized the *persona* as "the agent" who could "appear in the public realm." The Greek Church began also to emphasize *hypostasis* as "the substance" which "underlies and supports" all of the qualities a person might present. O'Donovan compares *hypostasis*, as "the substance," to a clothesline of personhood. The changing qualities and appearances, so often equated with personhood, are actually clothes hanging on that line of individual existence. So while *persona* spoke of historicity, *hypostasis* spoke of continuity. "The concept of 'person,' then, in both its Latin and its Greek form, was set in opposition to a qualitative analysis of what it is that gives us our identity."⁹⁹

Some ancients thought identity resided in the soul, while others thought it was in the mind. If the Church Fathers had settled on either to explain the divine-human identity of Jesus Christ, they would have denied him a human soul or mind, or would

⁹⁷Ibid., 52.

⁹⁸Ibid., 53.

⁹⁹Ibid.

have explained him in human terms alone. They learned that “no qualitative term would ever do to express Christ’s individual identity, and so (by implication) that no simply qualitative term would ever do to express identity as such.”¹⁰⁰

For O’Donovan, the decisive Chalcedonian definition of Christ as “one person in two natures” fits nicely with Boethius’ definition of a person as “the individual substance of rational nature.” O’Donovan emphasizes “a person is a substance, and a nature is the ‘specific property’ of a substance.”¹⁰¹ Therefore, this is a substantive, not qualitative definition of personhood. This is the opposite of the Locke and Singer approach. It leads to the conclusion that “the distinctive qualities of humanity are attributable to persons, not persons to the qualities of humanity.”¹⁰²

However, O’Donovan admits that with Boethius’ substantive definition of personhood, there “is still a criterion for personhood that it should be rational.”¹⁰³

Unfortunately, this can lead to misunderstandings by those in the Singer-Locke camp:

When Boethius’ substantialist understanding (or his Aristotelian presentation of it) was eroded, and his Christological basis forgotten, it became possible to read his words in another way, as though a person were merely the particular instance of a rational nature. The history of the concept ‘person’ is the history of how ‘nature’ takes over from ‘substance’, and the secondary feature of the definition displacing the primary one.¹⁰⁴

Peter Singer’s Lockean spin on Boethius follows this pattern of misinterpretation that is lamented by O’Donovan.

¹⁰⁰Ibid., 53-54.

¹⁰¹Ibid., 54.

¹⁰²Ibid.

¹⁰³Ibid.

¹⁰⁴Ibid.

The next obvious question is when does a person begin? O'Donovan points to Isaiah 7:14, a prophecy which has immediate fulfillment in a child conceived and born during the reign of Ahaz, and an ultimate fulfillment in the conception and birth of Jesus. Like John the Baptist, that child's beginning on the stage of history begins not at birth, but at conception. O'Donovan believes that "these theological observations do not of themselves yield any very precise view of the beginnings of individual identity."¹⁰⁵ But added to the fact that a new genome results from the fusion of sperm and ovum, O'Donovan sees an indication of "the beginning of a new personal history at conception."¹⁰⁶ Here O'Donovan is drawing upon the earlier work of Paul Ramsey, his mentor.¹⁰⁷ O'Donovan is careful to add, "genetic continuity does not of itself indicate personal identity." Also, "genetics can only indicate, and cannot demonstrate, personal identity." But he states that genetics seems to show an indication, "an appearance of a human being which has decisive continuities with late appearances." He concludes, "science as we have today speaks to us of this point of new beginning at conception."¹⁰⁸

O'Donovan is not unaware of those who disagree. To those who object because of fetal wastage or spontaneous abortions, he counters that no "statistical argument can give us a sufficient indication of discontinuity in individual identity."¹⁰⁹

¹⁰⁵Ibid., 56.

¹⁰⁶Ibid.

¹⁰⁷Paul Ramsey, *Fabricated Man: The Ethics of Genetic Control* (New Haven: Yale University Press, 1978). Ramsey's other related works are: *Ethics at the Edges of Life: Medical and Legal Intersections* (New Haven: Yale University Press, 1978); *The Ethics of Fetal Research* (New Haven: Yale University Press, 1975); *The Patient as Person: Explorations in Medical Ethics* (New Haven: Yale University Press, 1970).

¹⁰⁸Ibid., 57.

¹⁰⁹Ibid.

Responding to those who set brain-function as the threshold for personhood, O'Donovan replies that this argument "rests on a philosophical preference rather than a scientific one."¹¹⁰ In contrast, the theological paradigm from Chalcedon is "one person in two natures." The "individual being is primary."¹¹¹

The current cultural rejection of ontological personhood has several negative consequences, according to O'Donovan. First, we test to see if human beings are persons. Second, we divide human beings into "the personal and the non-personal, which is to say for our purposes the pre-personal."¹¹² Of course this leads to the lamentable third consequence, the experimentation on and destruction of the "non-personal" fetus.

Singer, as much as O'Donovan, opens the door to a Christological approach to personhood in his selection of the Christological councils and Boethius. Christology is certainly the common thread in O'Donovan's linkage of the classical, biblical, and theological sources on personhood. Elsewhere O'Donovan has proposed an ethic based upon the resurrection of Jesus Christ.¹¹³ Here it seems he is drawing ethical implications on the status of the embryo from the incarnation of Jesus Christ. Others have done so as well.¹¹⁴ The Incarnation certainly entails the truth claim that the Second Person of the Trinity was incarnate as a fetus. An orthodox view of the Incarnation does not intuitively

¹¹⁰Ibid., 58.

¹¹¹Ibid.

¹¹²Ibid., 61.

¹¹³Oliver O'Donovan, *Resurrection and Moral Order* (Leicester: InterVarsity, 1986).

¹¹⁴T. F. Torrance, *Test Tube Babies* (Edinburgh: T. & T. Clark, 1984), 10; Timothy George, "Southern Baptist Heritage of Life," in *Life at Risk: The Crises in Medical Ethics*, ed. Richard D. Land and Louis A. Moore (Nashville: Broadman & Holman Publishers, 1995), 93. On the moral status of the embryo, Torrance and George understand human anthropology through the lens of incarnational Christology.

lend itself to Singer's view that the embryo, fetus, and infant are not persons. By way of Nicea and Boethius, which both address incarnational Christology, Singer's sources may actually testify against his overall ethical proposal that denies the personhood of fetal and infant human life.

Conclusion

This chapter has been fundamentally about one thing, Singer's use of sources. Singer tries to use the classics, Nicea, the Trinity, Boethius, and John Locke to justify his twin claims that all persons are not human and that all humans are not persons. In fact, Singer mishandles these sources in several ways.

Singer misrepresents Locke. First, he assumes Locke's view from the start and imposes that understanding upon the other sources. Second, he fails to represent accurately the context for Locke. This is true not only in terms of misplacing the bibliographic citations in two different texts in two different ways, but more importantly, in terms of the subject context. Locke's definition of personhood is contextually lodged in other material that implies the exclusion of animals as persons, or at least some special status for humans. Third, unlike Singer, Locke probably would recognize infants as persons, before and after birth. Singer does not. Nevertheless, Singer is probably right to read Locke's definition to exclude as persons those who are not presently exercising rationality and self-awareness over time. Fourth, Locke's "self-awareness over time" criteria for personhood does not mix well with Singer's emphasis on the councils or the Trinity.

Singer is correct to note that the Trinity necessarily implies the concept that "some persons are not human." Otherwise his use of the councils is ill-advised. He cites

Nicea when he almost certainly means Chalcedon. While Chalcedon emphasizes the difference between “nature” and “person,” this distinction is lost in Singer’s assignment of indicators and relevant characteristics to “person” and not “nature.” Besides this, the Trinitarian deduction that “some persons are not human” does not automatically or logically lead to the conclusion that “some humans are not persons.” Certainly the councils never envisioned such a thought, nor did they entertain any notion of personhood for animals.

Singer is likewise in error in his use of Boethius. Boethius specifically ruled out personhood for animals. Boethius also distinguished between “nature” and “person” in the same way as the church councils. Unlike Singer, Boethius assigned accidental properties and characteristics to “nature,” not “person.” Also Boethius and Locke are not to be viewed as complementary, as Singer implies. Boethius’s definition of person as “the individual substance of a rational nature” would in fact define each individual human being as a person.

In conclusion, Singer’s introduction of sources that emphasize the Incarnation of Jesus Christ do not make the case for replacing the sanctity of human life as an ethical value. In fact, the Incarnation of Jesus Christ argues instead that there is something special about humankind. That the Second Person of the Trinity would become incarnate at the point of conception indicates that human life, from the earliest possible stages onward, is individual, identifiable, and personal.

The analysis and critique in this chapter demonstrates that the substance of Singer’s proposed replacement of “human” with “person” is based upon sources that are

not “solid,” and not “historical,” as Singer himself claimed. From this examination of Singer’s sources, this dissertation now turns to the specifics of Singer’s “indicators” and “relevant characteristics” for personhood.

CHAPTER 4

SINGER'S PROPOSAL—THE CRITERIA: USING “INDICATORS” TO IDENTIFY “PERSONS”

If Singer is going to replace the value of “human” with “person,” as indicated in the previous chapter, he needs specific “criteria” for personhood to make his proposal complete.¹ Singer recommends criteria, called “relevant characteristics,” to identify beings that should have a right to life.² The *Oxford English Dictionary* is one major source cited by Singer to justify this new approach. The specifics of the proposed personhood criteria vary from a bare minimum of two to as many as twelve. Singer gleans these indicators from other sources as old and diverse as Boethius and John Locke, but mainly from a contemporary—Joseph Fletcher. Instead of a human being having a right to life because he or she is a member of the human race, Singer contends that any being must possess the “relevant characteristics” of personhood if it is to possess a right

¹Peter Singer, *Practical Ethics* 2nd ed. (Cambridge, UK: Cambridge University Press, 1993), 90. The term “criteria,” used in this dissertation chapter title is taken from Singer’s description and acceptance of “Locke’s *criterion* for being a person,” (emphasis added). Also see Joseph Fletcher, “Indicators of Humanhood: A Tentative Profile of Man,” *The Hastings Center Report* 2:5 (November, 1972): 1. Fletcher proposes “a list of *criteria* or indicators” for humanhood, (emphasis added). Singer specifically cites this article as a source for his general approach in several publications. See the section “Joseph Fletcher” in this chapter.

²Peter Singer, *Rethinking Life and Death: The Collapse of Our Traditional Ethics* (New York: St. Martin’s Griffin, 1994), 191-92.

to life. Only persons have a right to life. Since some persons are not human and some humans are not persons, Singer believes indicators of personhood are needed to distinguish who does and who does not have this right to life.

Consistent with the previous method of analysis and evaluation, Singer's proposed "criteria" for recognizing "persons" are critically evaluated in five steps by this chapter: (1) context; (2) content; (3) positive evaluation; (4) negative critique; and (5) conclusion.

Context

The context for Singer's detailed criteria is two-fold. First, Singer is reacting against the traditional sanctity of human life ethic that values human life, simply because it is *human*. In contrast, Singer believes that a human being does not possess a right to life simply by virtue of the fact that he or she is a member of the species *Homo sapiens*. Instead, whether beings are human or animal, they must possess "relevant characteristics" to be considered *persons*. Only persons have a right to life in Singer's scenario.

Second, with the sanctity of human life ethic, it is easy to measure who is human and who is alive. Again, Singer does not agree with the typical pro-choice position that a fetus is neither human nor alive. He agrees with pro-lifers that the fetus is both human and alive. Both characteristics are also true for the comatose. A significant difference here between pro-lifers and Singer is that Singer does not believe human life in these conditions measures up to the status of "person." But if the decisive factor is personhood, there must be some way to measure this. Unlike objective standards that may detect human life, there are no similar or obvious tests to determine who is and is not

a person. This may be because “person” has been defined in several different ways throughout history. It also may not be obvious because Singer is doing something new with the word “person.” In any case, the need for some kind of measurement in Singer’s proposal is the immediate context for his recommended criteria. Singer’s recommended “Copernican Revolution” in ethics must have a standard by which to measure, with consistency, the value of both human and animal life.

Content

The content of Singer’s proposed definition for personhood is best analyzed by considering three specific steps and sources in *Rethinking Life and Death*. In the first place, Singer builds on the replacement move elucidated in the previous chapter, substituting “person” for “human,” by appealing to a major source for justification of his approach. That major source is the twenty-volume *Oxford English Dictionary*. In the second place, Singer draws upon Joseph Fletcher to delineate a number of proposed criteria for personhood. In the third place, Singer reduces this litany of “relevant characteristics” to two key standards that serve as basic criteria for those who qualify as “persons.” The twin concepts of “rationality” and “self-awareness over time,” suggested as standards by Locke, serve as Singer’s irreducible minimum.

The Oxford English Dictionary

As the preceding chapter indicated, Singer infers a maxim from the church councils that “some persons are not human.” But Singer has to go somewhere else to get the additional notion that “some humans are not persons.” The encyclopedic *Oxford English Dictionary (OED)* is Singer’s source for that second idea. He also finds

reinforcement for the first idea there as well. In *Rethinking Life and Death* Singer uses *OED* definitions to arrive at both conclusions in three steps.

The first step is Singer's introduction of the *OED* citations. To set up the dictionary quotations, Singer complains about how difficult it is to get people to reject the *status quo* ethic of human rights that is based upon the sanctity of human life:

Many people will want to cling to the superior status of the *human* being. We are so used to talk of *human* rights, *human* dignity, and the infinite value of *human* life, that we will not easily abandon the idea that to be *human* is in itself to be very special.³

Singer believes that this high view of human rights, based upon a perceived "infinite value of human life," needs to be abandoned.

The second step consists in Singer's using the *OED* to suggest an alternative meaning for the word "human." His commentary includes a definition from the dictionary, as well two illustrations, to make his point about the problem of "human rights" talk:

In part, the problem is that the very word 'human' is not a purely descriptive term. It can mean simply a member of the species *Homo sapiens*, but it can also have built into it the very qualities that we think make human beings special. This is the sense listed by the *Oxford English Dictionary* as 'Having or showing the qualities or attributes proper to or distinctive of man'. As an illustration of this usage, the dictionary offers the following quotation from Harriet Martineau's *Society in America*, published in 1837: 'Every prison visitor has been conscious, on first conversing privately with a criminal, of a feeling of surprise at finding him so human.'

Clearly there would be no surprise at finding the prisoner to be a member of the species *Homo sapiens*! Martineau meant, and her readers will immediately have understood, that she was referring to the discovery that criminals have wants, feelings, desires, and other characteristics very like our own. Henry Longfellow put

³Ibid., 204.

the two senses of the word together in one line from his popular poem ‘The Song of Hiawatha’: ‘Every human heart is human.’⁴

The role of the *OED* in this quotation is two-dimensional. On the one hand, the dictionary provides a definition of “human” where the word is used to describe beings that show “qualities or attributes” that are “proper” or “distinctive” of man. On the other hand, the dictionary provides Singer with ready examples of this usage, such as when prisoners are surprisingly described as “human,” and every human heart is described as “human.”

The third step in Singer’s use of the *OED* is to explain how the above citations from the dictionary show that “membership in the species *Homo sapiens* is not ethically relevant.”⁵ Contradicting Longfellow’s quip that “Every human heart is human,” Singer reasons otherwise from the *OED*. “The ethical significance of distinguishing between the two senses could be put by saying that *not* every human heart is human, whereas some nonhuman hearts *are* human.”⁶ Two examples are given by Singer as illustrations:

The heart of the anencephalic Baby Valentina was the heart of a member of the species *Homo sapiens* but, no matter how long Valentina had lived, her heart would never have beaten faster when her mother came into the room, because Valentina could never feel emotions of love or concern for anyone. The heart of the Gorilla Koko, on the other hand, is not the heart of a member of the species *Homo sapiens*, but it is a heart capable of relating to others, and of showing love and concern for them. In the second sense of the term “human,” Koko’s heart is more human than Valentina’s.⁷

⁴Ibid., 204-05.

⁵Ibid., 204.

⁶Ibid.

⁷Ibid.

By the time Singer completes his chain of reasoning from the *OED*, “some persons are not human” and “some humans are not persons.” In summary, the key idea for Singer from the *OED* is that “human” may refer to “qualities or attributes” that are “distinctive” of man. If some animals have these properties, their lives are to be valued as much as any human life possessing the same characteristics. Furthermore, “we must grant those nonhuman animals the same right to life as we grant to human beings.”⁸ If humans do not have these properties, “we cannot justifiably give more protection to the life of a human being than we give to a nonhuman animal, if the human being clearly ranks lower on any possible scale of relevant characteristics than the animal.”⁹

Singer has cited the “human” entry from the *Oxford English Dictionary* throughout his career with different emphases and illustrations. For instance, the *OED* definition of “human” is given by Singer and Helga Kuhse in their 1985 book, *Should the Baby Live?*¹⁰ In this text, Singer and Kuhse respond to the *OED* entry on “human” by writing: “An infant born without a brain is more like a vegetable than like a human being.”¹¹ Jane Goodall’s wild chimpanzee subject “Washoe” is the example of a being who possesses “the distinctive characteristics” of humankind, but who is not a member of “the species *Homo sapiens*.”¹² While some are offended by human-animal comparisons,

⁸Ibid.

⁹Ibid., 205-06.

¹⁰Helga Kuhse and Peter Singer, *Should the Baby Live? The Problem of Handicapped Infants* (Oxford: Oxford University Press, 1985).

¹¹Ibid., 121.

¹²Ibid., 122.

Singer contends that the facts cannot be ignored. He claims as fact, “Pigs, cows, and chickens have a greater capacity to relate to others, better ability to communicate, and far more curiosity, than the most severely retarded humans.”¹³

Singer cited the *OED* entry on “human,” and made the same kind of argument as early as 1979 in his article “Unsantifying Human Life.”¹⁴ In this piece, which appeared fifteen years before *Rethinking Life and Death*, Singer also quotes the *OED* definition for “human” as “of, belonging to, or characteristic of man.”¹⁵ If they took this definition seriously, Singer claims that pro-lifers would “find their views radically transformed.”¹⁶ The transformation would be radical because:

Judged by the characteristics they actually possess . . . an infant *homo sapiens* aged six months would seem to be much less of a ‘human’ than an adult chimpanzee; and if we consider a one-month-old infant, it compares unfavorably with those adult members of other species—pigs, cattle, sheep, rats, chickens and mice—that we destroy by the million in our slaughterhouses and laboratories.¹⁷

Using the definition from the *OED*, classifying whether or not beings are “human” will have to depend on what “qualities or attributes we think characteristic of, proper to, or distinctive of man.”¹⁸ In order to do this, “we would have to try to draw up a list of these

¹³Ibid.

¹⁴Peter Singer, “Unsantifying Human Life,” in *Ethical Issues Relating to Life and Death*, ed. John Ladd (New York: Oxford University Press, 1979), 41-93.

¹⁵Ibid., 48.

¹⁶Ibid.

¹⁷Ibid., 50.

¹⁸Ibid., 48.

qualities or attributes—something which some writers in the field have already tried to do.”¹⁹ At this point, Singer refers in a footnote to Joseph Fletcher.

Joseph Fletcher

Joseph Fletcher is Singer’s second major source. Fletcher is not actually mentioned by name in *Rethinking Life and Death*. However, in at least four earlier Singer texts, Fletcher is credited with the concept of “indicators,” and named alongside the *OED* as a key Singer source. In two of those texts, Fletcher is linked to the previously mentioned *OED* definition of “human.”²⁰ In the other two, Fletcher is tied to the *OED* definition of “person.”²¹ For instance, in “Animals and the Value of Life,” Singer points to the *OED* definition of “person” as “a self-conscious and rational being” and immediately joins this to Fletcher’s “Indicators of Humanhood.”²² Singer explains the Fletcher contribution in detail, including some examples of humans who are not persons:

Some writers have used the word ‘human’ to describe the kind of being I shall refer to as a person. For instance, Joseph Fletcher, an eminent Protestant theologian and ethicist, includes the following in a list of “Indicators of Humanhood”: minimal intelligence, self-awareness, self-control, a sense of the future, a sense of the past, the capacity to relate to others, concern for others, communication, and curiosity. There is no great harm in using the word ‘human’ in this way, as long as it is clearly understood that ‘human’ is then not equivalent to ‘member of the species *Homo sapiens*’. They are obviously not equivalent because a newborn infant, an accident victim whose brain has been so damaged that he is in an irreversible coma, and an

¹⁹Ibid., 49.

²⁰Peter Singer, “Unsanctifying Human Life,” 60, cf. 49; Singer and Kuhse, *Should the Baby Live?*, 121.

²¹Peter Singer, “Animals and the Value of Life,” in *Matters of Life & Death*, ed. Tom Regan (Philadelphia: Temple University Press, 1980), 235; Idem, *Practical Ethics*, 86-87.

²²Peter Singer, “Animals and the Value of Life,” 235.

old man in a state of advanced senility are all members of the species *Homo sapiens*, though none of them possesses all of Fletcher's "indicators," and the road-accident victim, at least, possesses none of them.²³

Fletcher is a key source for Singer's proposal. Singer imports Fletcher's idea of "indicators," in the sense that Fletcher uses the indicators. Singer would agree that there are several categories of human beings that are not really "human."

The fact that Fletcher would not be named in *Rethinking Life and Death* may have been foreshadowed as Singer wrote about the Situation Ethicist in "Animals and the Value of Life":

So there are three terms that people are liable to confuse: 'person', 'human being', and 'member of the species *Homo sapiens*'. The important philosophical point is that the first and third of these be kept distinct. As for the middle term, 'human', it could be allowed to slop around between the other two, but it is more convenient to reject Fletcher's usage and treat 'human' as equivalent to 'member of the species *Homo sapiens*', since the former expression is so much briefer than the latter. We can then use the word 'person' to refer to the class for which Fletcher was suggesting indicators.²⁴

It is clear from this earlier quote that Singer accepted Fletcher's methodology of indicating "humanhood," but was growing uncomfortable with the confusion caused by "humans" not measuring up to be "human." Singer therefore retained Fletcher's essential philosophy but shifted in vocabulary from Fletcher's term "human" to a less confusing standard of "person."

That Singer is still drawing upon Fletcher as a source in *Rethinking Life and Death*, albeit anonymously, is clear from at least two points. First, Singer essentially continues to make the same arguments about personhood in *Rethinking Life and Death*

²³Ibid.

²⁴Ibid.

that he makes in the other texts, where he cites Fletcher as the source. For instance, Singer mirrors Fletcher's argument when he contrasts two different understandings of the word "human."²⁵ Second, Singer's long list of "relevant characteristics" is very similar to the list that Fletcher first proposed in *The Hasting Center Report*, a list that Singer clearly works from in "Animals and the Value of Life."²⁶

In one sense, Singer's list of "relevant characteristics" is based upon, and flows from, Fletcher. However, Singer's list is important in its own right. It is, after all, Singer's list of criteria that reflects his own view of personhood. In *Rethinking Life and Death*, Singer does not provide a comprehensive menu in one place like Fletcher does. Instead, the entries are scattered throughout the text. Singer's own criteria for personhood should be teased out of the text and presented in one place, while at the same time remembering Fletcher in the background.

In several places in *Rethinking Life and Death*, Singer writes of the criteria "reason and reflection."²⁷ In one place in that same text, he cites different characteristics such as "a heart capable of relating to others, and of showing love and concern for them."²⁸ His longest list of "relevant characteristics" in that book is "consciousness, the capacity for physical, social and mental interaction with other beings, having conscious

²⁵Peter Singer, *Rethinking Life and Death*, 204-05. Compare this material with Singer in "Unsanctifying Human Life," 60, cf. 49; Singer and Kuhse, *Should the Baby Live?*, 121.

²⁶Joseph Fletcher, "Indicators of Humanhood," 1-4; Peter Singer, "Animals and the Value of Life," 235. See p. 8 of this chapter for Singer's recounting of Fletcher's list.

²⁷Peter Singer, *Rethinking Life and Death*, 162, 182, 197.

²⁸*Ibid.*, 205.

preferences for continued life, and having enjoyable experiences.”²⁹ Yet, in the same publication, it is as simple as “consciousness.”³⁰ Elsewhere in the text it is “the capacity for consciousness.”³¹ Still another combination is “to want to go on living, or have plans for the future, because only a person can even understand the possibility of a future existence.”³² Similar to these, there are “awareness of her or his own existence over time, and the capacity to have wants and plans for the future.”³³ Repeatedly he returns to the themes of “rationality and self-awareness.”³⁴ Similar indicators abound in other texts by Singer.³⁵ With so many indicators or relevant characteristics, there is a need for reduction and simplification. For that task, Singer returns to John Locke.

²⁹Ibid., 191.

³⁰Ibid., 207.

³¹Ibid., 191.

³²Ibid., 197.

³³Ibid., 218.

³⁴Ibid., 210. Again, Boethius is a source for rationality, 180. Locke is a source for both rationality and self-awareness, 162,180. In *Practical Ethics*, Singer is clear: “I propose to use ‘person’, in the sense of a rational and self-conscious being, to capture those elements of the popular sense of ‘human being’ that are not covered by ‘member’ of the species *Homo sapiens*,” 87; Singer affirms that there is “special value in the life of a rational and self-conscious being,” 90-91.

³⁵Peter Singer, *Practical Ethics*: the criteria are “rational and self-conscious” (87, 90, 110, 154), “aware of itself as a distinct entity, with a past and future” (90, 110), “those who can conceive of themselves as distinct entities existing over time” (96, 182), “to see themselves as continuing selves” (117), “to see oneself as an individual existing over time” (119); Idem, “Animals and the Value of Life”: here the criteria are “self-conscious, rational, aware of oneself as existing over some period of time” (235), “aware of itself as a distinct entity, existing over time, with a past and a future” (236), “the capacity to be aware of itself as a distinct entity existing over time” (240), “self-conscious being, aware of itself as a distinct entity existing over time” (251); Idem, “Unsanctifying Human Life”: the criteria here are “a capacity of self-awareness or self-consciousness” (49), “rational, self-conscious” (50, 51); Helga Kuhse and Peter Singer, *Should the Baby Live?*, 119-21, 132, 137. Here, Joseph Fletcher’s criteria for “humanhood” are joined with those of John Locke and Michael Tooley on “personhood,” such as “self-awareness, self-control, a sense of the future, a sense of the past, the capacity to relate to others, concern for others, communication, and curiosity” (120, 130-31), “rationality, the use of language, and autonomy” (120, 130-31), “self-awareness, as sense of the past and future, or rationality” (123, 132), “the ability to see oneself as existing over time” (131).

John Locke

John Locke has already been mentioned as a source for Singer's shift from the value of the "human" to the value of the "person." That genesis of Locke's influence on Singer is both documented and critiqued in Chapter 3 of this dissertation. The fact that Singer's view is so readily identified with Locke's view reveals one important feature about Locke. Locke's view is "user friendly" because it is brief and to the point, especially compared with Fletcher's. Locke's criterion for "person" is in essence two-dimensional. In contrast, Fletcher's criterion contained fifteen indicators of humanhood (or personhood) in its original format. Because Locke is simple, he provides a quick and ready reference when trying to express the gist of the "indicators" argument on personhood.

Singer seems to take Locke's lead. For simplicity and clarity at various points of writing, especially when recapping his arguments, Singer resorts to the twin Lockean indicators of personhood, "rationality and self-awareness (or self-consciousness) over time." This is true in *Rethinking Life and Death*.³⁶ It is also the case in some of his other works.³⁷

In summary, Singer's proposed criteria for personhood are based upon *OED* definitions that are interpreted in such a way as to support his claims that "some persons are not human" and "some humans are not persons." Joseph Fletcher, with his

³⁶Peter Singer, *Rethinking Life and Death*, 162, 180, 182, 197-98, 210.

³⁷Peter Singer, *Practical Ethics*, 87, 90, 110, 154; "Unsanctifying Human Life," 50, 51; Peter Singer and Helga Kuhse, *Should the Baby Live?*, 123, 132.

“Indicators of Humanhood,” opened the door for Singer’s similar approach toward “relevant characteristics” of personhood. In addition, John Locke’s two-fold criteria for personhood as “rationality and self-awareness over time” influenced Singer’s choice of the same irreducible minimum, when clarity or brevity is needed.

Positive Evaluation

Singer may be commended for his approach to the criteria for personhood on at least two counts—his sources and his standards. As to his method, Singer’s attention to the mammoth *Oxford English Dictionary* indicates a commitment to the etymological and historic use of terms in the English language. In various works, Singer quotes *OED* definitions on the words “human,” “person,” and “speciesism.”³⁸ These references demonstrate a willingness to acknowledge the value of the *OED*’s comprehensive research on the classic origins and interpretation of words and their meanings.

Singer could also be commended to some degree on his standards. In expressing his desire to apply the same ethical criteria to all beings, Singer is returning to one of his original benchmarks: logical consistency. For animals and humans, Singer believes that it is logically consistent to look for the same “indicators” or “relevant characteristics” of personhood. Singer believes consistency demands that society value humans and animals on the same basis.

Singer’s desire to be “scientific” or empirical on this point in his proposal is an additional standard to applaud. Singer discusses details concerning brain wave activity,

³⁸Peter Singer, *Rethinking Life and Death*, “human” is found on pp. 204-05 and “speciesism” is located on p. 173; Idem, *Practical Ethics*, “person” is defined on p. 87.

brain stem activity, brain functions, brain death, intellectual abilities, I.Q. tests, genetics, anencephaly, chromosomes, embryo experimentation, medical technology, organ transplantation, and many more medical and scientific issues.³⁹ In each case, one of Singer's goals for his proposed ethical system is that it would take into account the empirical evidence, and be able to account for the complexities brought about by modern medical technology.

Negative Critique

In spite of the apparent positives above, Singer's approach to personhood criteria does not fare well under a more detailed analysis. Both the sources and the standards used by Singer end up hurting, rather than helping, his case. When examined in detail, his appeal to the *Oxford English Dictionary* and Joseph Fletcher as sources cannot but raise doubts about his case. At best, these sources are neutral in their support of Singer. More likely, they testify against his proposal. In addition, Singer's truth standards of logical consistency and empirical evidence, which are accepted in principle as points of common ground, come back to plague his proposal.

The Oxford English Dictionary Revisited

While Singer's reference to the *Oxford English Dictionary* appears on the surface to help his case, the source in fact undercuts the very point he would like to

³⁹Singer, *Rethinking Life and Death*: for brain wave and brain stem activity, see 104; for brain functions, see 49-50; for brain death, see 9-15, 20-21, 206-07; for intellectual abilities, see 201; for I.Q. tests, see 181; for genetics, see 177; for anencephaly, see 38-36; for chromosomes, see 180; for embryo experimentation, see 93-100; for medical technology, see 19; for organ transplantation, see 33, 37, 163-65.

make.⁴⁰ The *OED* entries do not support Singer's argument about humans, or animals, on personhood. Singer's appeal to the *OED* on the meaning of "human," as well as "person," is highly selective and as such, misleading.

Beginning with Singer's reliance on the *OED* to support a dual meaning of the word "human," there are several facts that undermine his case. First, on the surface, Singer's cited definition and illustration from the *OED* on "human" does not make the point he indicates. Instead, it does the opposite. Singer cites one of the dictionary's many entries for "human" as, "Having or showing the qualities or attributes proper to or distinctive of man."⁴¹ Singer interprets from this that "human," by definition, "can mean simply a member of the species *Homo sapiens*, but it can also have built into it the very qualities that we think make human beings special."⁴² Soon after this, Singer infers from the definition that some animals might be "human" in this sense. He also contends that some *Homo sapiens* may not be "human" in this sense.

There are several problems with this interpretation. Considering the word "distinctive" in the *OED* definition, it would certainly seem that this would rule out animals or other non-humans. Otherwise, if these traits are shared with animals or non-humans, how could they be "distinctive of man," or distinguish humans from other kinds of beings? Singer's interpretation that animals may share "human" characteristics does not fit the notion that the same characteristics show that humans are distinct from other

⁴⁰J. A. Simpson and E. S. C. Weiner, ed., *The Oxford English Dictionary*, 2nd ed., 20 vols. (Oxford: Oxford University Press, 1989).

⁴¹Peter Singer, *Rethinking Life and Death*, 204-05.

⁴²*Ibid.*

beings. Singer avoids the precise meaning of the word “distinctive” by switching to the word “special” in his restatement. However, the two words are not synonymous. Humans and animals may both be “special.” That is not the same thing as saying that one of them is “distinct.”

Added to this, Singer also cites an *OED* illustration on this definition for support, that visitors to a prison were surprised to see the inmates “so human.” Singer argues passionately “there would be no surprise at finding the prisoner to be a member of the species *Homo sapiens!*”⁴³ Singer claims the surprise would be that “criminals have wants, feelings, desires, and other characteristics very like our own.”⁴⁴ However, Singer misreads this illustration as he does the definition. First, whatever else one might say, this illustration is about human beings, even if they are criminals. It is not about animals. Second, even criminals have some measure of the distinctive human characteristics. These distinguishing characteristics mark the difference between human beings and non-human animals. Third, as much as the visitors are “surprised” by the humanity of the prisoners in the illustration, the moral of the story is that no one should be surprised that humans, even criminals, are in fact human and share these traits with normal people. This fits the Longfellow quotation, “Every human heart is human,” instead of contradicting it as Singer claims. The fact that the quotations by Martineau and Longfellow are not in contradiction can be seen in the *OED*’s placement of the terms as

⁴³Ibid., 205.

⁴⁴Ibid.

back-to-back entries, under the same definition.⁴⁵ For Singer to pretend they are contradictory is a mishandling of the style and substance of the *OED*.

Concerning the same *OED* entry on “human,” there is another maneuver by Singer that is particularly disingenuous. In *Rethinking Life and Death*, Singer sets up the definition with the phrase, “This is the sense listed by the *Oxford English Dictionary*.”⁴⁶ Likewise, in *Should the Baby Live?*, Singer introduces the definition by writing, “This is the sense given by the *Oxford English Dictionary*.”⁴⁷ One is led to the impression, from these two introductions of the definition, that the *OED* definition cited by Singer is *the* definition, maybe the main definition, or at least the most relevant definition to his proposal. All of these assumptions would be false. In fact, the definition Singer uses is the fourth, and the shortest, of the five main entries.⁴⁸

Generally, the first definition is the most common. Singer actually cites the first *OED* definition for human in “Unsanctifying Human Life,” at least partially. Once again, Singer gives the impression that he is giving the definition, the whole definition, and nothing but the definition. Singer writes that “‘Human,’ according to the *Oxford English Dictionary*, means ‘of, belonging to, or characteristic of man.’”⁴⁹ For apparently a very important reason, Singer cuts short the rest of this *OED* definition, and then adds the previous definition, and his earlier interpretation. However, the complete definition

⁴⁵Simpson and Weiner, *The Oxford English Dictionary*, vol. 7, 474.

⁴⁶Singer, *Rethinking Life and Death*, 204.

⁴⁷Singer, *Should the Baby Live?*, 121.

⁴⁸Simpson and Weiner, *The Oxford English Dictionary*, vol. 7, 473-74.

⁴⁹Singer, “Unsanctifying Human Life,” 48.

given in the first entry for “human” in the *OED* is telling. The full entry quoted in the *OED*, and only partially by Singer, reads “Of, belonging to, or characteristic of mankind, *distinguished from animals*,” (emphasis added).⁵⁰ The omission of “distinguished from animals” nullifies any backing for Singer’s application of this definition to animals.

It is also worth noting, that of the five main entries for “human” in the *OED*, and for the several sub-entries under these, not one mentions the inclusion of animals as “human.” Not one implies that any *Homo sapiens* are not “human.” One definition is quite specific, “Belonging to or relative to humans, relating to or characteristic of activities, relationships, etc., which are observable in mankind, as distinguished from (a) the lower animals; (b) machinery or the mechanical element; (c) mere objects or events.”⁵¹

Of additional importance, in approximately 130 illustrative uses of “human” cited in the *OED*, not one actually uses “human” to refer to animals or in such a way as to exclude some *Homo sapiens*. It is interesting to note that humans and animals are contrasted in two of the references, and that human rights are emphasized in five of the references.⁵²

Not only does Singer misrepresent the *OED* on the word “human,” he also misuses the *OED* on the term “person.” In Singer’s article “Animals and the Value of

⁵⁰Simpson and Weiner, *The Oxford English Dictionary*, vol. 7, 473.

⁵¹*Ibid.*

⁵²*Ibid.*, 473-74. See Koffka on “the gap between human and animal psychology,” and H. G. Wells on the contrast between humans and animals, as to the way males and females compete. Also, see references on “human rights” from Thomas Paine, the *Independent*, George Orwell, the *Charter of the United Nations*, and the *New Yorker*. Cf. p. 151 of this dissertation chapter for Singer’s disparagement of human rights.

Life,” the *OED* is the starting point for his answer to the question, “What is a Person?” Singer writes, “According to the *Oxford English Dictionary*, one of the current meanings of the word ‘person’ is ‘self-conscious or rational being.’”⁵³ Singer states that this is the way he will use the word in his essay.

The context of Singer’s above *OED* quotation is important. Prior to the citation, he has just concluded that the “belief that human life has unique value” will “have to be abandoned.”⁵⁴ Also at this place, Singer has advised a “shift from the idea that all *human* lives have unique value to the idea that it is the lives of *persons* that have unique value.”⁵⁵ After the *OED* quotation, he continues by presenting Fletcher’s “Indicators” and arguing for a similar approach. Singer then asks, “What characteristics does a being have to possess to be a person?”⁵⁶ He returns to the previous *OED* citation for his answer, “Let us start with the dictionary definition.”⁵⁷ Singer discusses the meaning of two terms in the *OED* entry for person, “self-conscious” and “rational.” These dual ideas are his beginning place for establishing criteria for personhood.⁵⁸

There are two problems with Singer’s use of the *OED* definition for “person.” The first problem is that it does not strictly make his point. As Singer failed to include

⁵³Singer, “Animals and the Value of Life,” 235.

⁵⁴*Ibid.*, 234.

⁵⁵*Ibid.*

⁵⁶*Ibid.*, 235.

⁵⁷*Ibid.*

⁵⁸*Ibid.* In his essay, “Animals and the Value of Life,” Singer’s two-fold criteria of self-consciousness (or self-awareness) and rationality seems to come from the *OED*. In *Rethinking Life and Death*, this dual standard is based on Locke.

part of a cited *OED* definition on “human,” he likewise fails to include part of a cited *OED* definition on “person.” The *OED* definition of “person,” which Singer uses, is qualified in the dictionary by a preface that Singer does not use, “*In the general philosophical sense: A self-conscious or rational being.*”⁵⁹

On the one hand, Singer presses this definition beyond this “general philosophical” qualification. To interpret this definition to mean that infants are not persons, because they do not presently exercise self-consciousness or rationality, is forcing a specific interpretation that this general definition does not intend or sustain.

If Singer is going to press this definition, the only two historical uses listed for this particular definition are telling. One describes a person as “testifying,” and the other affirms that God is a person, because “we can address . . . and sustain . . . relations [with Him] such as are possible only between two persons.”⁶⁰ Singer’s claims about Koko the ape notwithstanding, it is difficult to see animals “testifying” to the degree indicated by these examples. Granted, this interpretation might also exclude some disabled humans. However, Singer cannot have it both ways, applying one standard for humans and another for animals. In either case, the *OED* definition of “person” cited by Singer is general, and should not be pressed to exclude humans. Because this *OED* definition’s supporting examples of “persons” are human and Divine, the definition cannot properly be stretched to include animals.

⁵⁹Simpson and Weiner, *The Oxford English Dictionary*, vol. 11, 597, (emphasis added).

⁶⁰*Ibid.*

The second problem with Singer is a subtle shift in his terminology as he discusses the definition of “person” that he uses from the *OED*. The shift is deceptive, but it reveals an even greater problem. When Singer first mentions the *OED* definition for “person,” he is technically correct to represent it as “one of the current meanings of the word” in the *OED*. However, after presenting his argument by way of the Fletcher material, he shifts from *one* definition to *the* definition. Singer asks and answers, “What characteristics does a being have to possess to be a person? Let us start with the dictionary definition.”⁶¹ “*The* dictionary definition,” is the way Singer describes it. Actually, there are fourteen primary definitions in the *OED* for “person,” not counting the secondary sub-entries. Those definitions, like the various definitions for “human,” do not help Singer’s case at all. Most of the *OED* definitions for “person” emphasize words like “human,” “man,” or “woman.”⁶² For example, one definition for person is “an individual human being.”⁶³

The other *OED* definitions do not confirm Singer’s views on animals. “Person” is defined, “Emphatically, as distinguished from a thing, or from the lower animals.”⁶⁴ In a technical sense, zooids have been called “persons” by zoologists, because they have independent life and function.⁶⁵ But this specialized use of the word

⁶¹Singer, “Animals and the Value of Life,” 235.

⁶²Simpson and Weiner, *The Oxford English Dictionary*, vol. 11, 597.

⁶³*Ibid.*

⁶⁴*Ibid.* Singer might seize upon the distinction between the “lower animals” and higher animals. However, higher animals are not mentioned at all in this entry. Also, the classical examples given for this use in the dictionary entry actually contrast “persones” with “bestes” and distinguish “person” from “animals.” There is no indication here that any animals are persons, or that some humans are not.

⁶⁵*Ibid.*

applies to cells, which are not self-aware or rational, and in no way makes Singer's point. In spite of over 150 classical and contemporary uses of the word "person" cited in the *OED*, not one includes animals as Singer does. Not one excludes humans either. In summary, *The Oxford English Dictionary* does not lend support to Singer's proposal. Singer's use of the *OED*, both on "human" and "person," is highly selective and at times deceptive. In fact, the *OED* would tend to confirm the traditional understanding that all humans are "persons." In addition, nowhere does the *OED* include animals as "persons." Given these facts, and facts they are, Singer's use of the *OED* casts doubt on Singer's proposal. If words have meaning, *The Oxford English Dictionary* shows that "human" means "human," not "animal." Likewise, "person" has not historically been defined in such a way as to exclude any human.

Joseph Fletcher Revisited

In order to evaluate critically Singer's use of Fletcher, it is important to survey some important trends. From the *OED* definition of "person" in "Animals and the Value of Life," Singer moves directly to Joseph Fletcher's article on "Indicators of Humanhood."⁶⁶ After mentioning the author and his article by name, Singer lists nine "Indicators" from Fletcher's essay. In *Practical Ethics*, Singer also cites Fletcher's article and lists eight "Indicators."⁶⁷ Along with the same eight characteristics, Singer mentions Fletcher and the concept of indicators in *Should the Baby Live?*⁶⁸ However, as

⁶⁶Singer, "Animals and the Value of Life," 234-35.

⁶⁷Singer, *Practical Ethics*, 86.

⁶⁸Kuhse and Singer, *Should the Baby Live?*, 121-22.

mentioned earlier, when Singer later writes *Rethinking Life and Death*, Fletcher and his article are missing from text, the notes, and the bibliography. Specifically, there is no mention of Fletcher in *Rethinking Life and Death* at the place where Singer has previously cited him in the other texts, near the *OED* material on “human” or “person.”⁶⁹ Perhaps this was to be expected after Singer signaled he would “reject Fletcher’s usage” of “human,” but retain his method for determining “persons.”⁷⁰

This inconsistency in using Fletcher as a source points to two fundamental problems with Singer’s proposed criteria for personhood. First, with the Fletcher-Singer approach to indicators or relevant characteristics, there is no established list that can be called authoritative. Lest someone think this critique is too strict, it is important to remember that Fletcher and Singer are ultimately proposing benchmarks for a right to life. Having exact standards is important when it comes to matters of life and death. While Singer mentions eight of Fletcher’s indicators in one place, and nine in the other two places, Fletcher’s original proposal contained fifteen.

Fletcher proposed the following “positive human criteria” for personhood: minimal intelligence, self-awareness, self-control, a sense of time, a sense of futurity, a sense of the past, the capability to relate to others, concern for others, communication, control of existence, curiosity, change and changeability, balance of rationality and feeling, idiosyncrasy, and neo-cortical function. Along these lines, Fletcher judged “any

⁶⁹Singer, *Rethinking Life and Death*, 180-81, 204-05. In the other texts cited above, this is where Singer normally mentions Fletcher and his “Indicators of Humanhood.”

⁷⁰Singer, “Animals and the Value of Life,” 235.

individual of the species *homo sapiens*” with an IQ below 40 only “questionably a person,” and “below the 20-mark, not a person.”⁷¹

In Singer’s list of nine, he drops the following Fletcher categories: a sense of time, control of existence, change and changeability, balance of rationality and feeling, idiosyncrasy, and neo-cortical function. When he lists only eight, Singer additionally omits “minimal intelligence” as a relevant characteristic. After one list of eight, Singer adds, “Other writers have emphasized rationality, the use of language, and autonomy.”⁷² From Fletcher’s original list of fifteen, to Singer’s list of nine, to Singer’s list of eight, to Singer’s additional three from other sources—the definitive standard is not clear. Singer does not distinguish between indicators that are absolutely non-negotiable and those that he only values, which may be, more or less, optional.

Added to this lack of precision, Fletcher came back two years after his original proposal and reduced the list in a follow-up article entitled “Four Indicators of Humanhood—The Enquiry Matures.”⁷³ By the end of this essay, Fletcher reduces four indicators down to one, arguing that there is actually a “singular *esse* of humanness.”⁷⁴ “As far as I can yet see,” Fletcher predicts, “I will stand by my own thesis or hypothesis

⁷¹Fletcher, “Indicators of Humanhood,” 1-2.

⁷²Kuhse and Singer, *Should the Baby Live?*, 120.

⁷³Joseph Fletcher, “Four Indicators of Humanhood—The Enquiry Matures,” *The Hastings Center Report* 4:6 (December 1974): 4-7.

⁷⁴*Ibid.*, 5.

that neocortical function is the key to humanness, the essential trait, the human *sine qua non*.”⁷⁵

In one sense, Singer mirrors Fletcher with his own laundry list of relevant characteristics in *Rethinking Life and Death*.⁷⁶ In another sense, Singer follows Fletcher’s tendency to reduce the list, as seen in Singer’s repeated default to the Lockean equation of “rationality and self-awareness over time.”⁷⁷ When pressed, Singer reduces his standard to a single measurement in one recent publication. Singer writes, “Human life should be seen as intrinsically precious and in need of protection only when it has developed some other capacities—at a minimum, a capacity to feel something more; more plausibly, some degree of self-awareness.”⁷⁸

Singer’s reliance on Fletcher is confusing, considering the vacillation of both men on which indicators are relevant, important, really important and so on. It would be interesting to know why Singer drops Fletcher’s standard of minimal intelligence. Perhaps he is uncomfortable with Fletcher’s I.Q. standards of 20 or 40. It might be revealing to know why Singer omits other Fletcher indicators like idiosyncrasy or control over existence. Perhaps it is because they are nebulous, or then again, maybe they are simply not as important as the others. The “balance of rationality and feeling” standard might rule out some eccentric artist or the exceptional academic. No reason is given for

⁷⁵Ibid., 6.

⁷⁶For Singer’s long list, see pp. 160-61 of this dissertation chapter.

⁷⁷For Singer’s short list, see p. 161 of this dissertation chapter.

⁷⁸Peter Singer, “Where the President’s Ethics Lecture Went Wrong,” *Free Inquiry* 22:1 (Winter 2001/02): 24.

its omission. However, the most confusing signal is the absence of neocortical function in all of Singer's "Fletcher" lists. For Fletcher this the "human *sine qua non*." For Singer, in a list of eight or nine, neocortical function does not deserve mention at all.

No matter which list is used, or how many Fletcher indicators are accepted, Singer is unclear on how any list should be applied. After reciting a Fletcher list of nine indicators, Singer evaluates someone in an "irreversible coma," along with a "newborn infant" and an "old man in a state of advanced senility." He concludes that they do not qualify as a "humans" (persons), even though they are "members of the species *Homo sapiens*."⁷⁹ Singer's rationale is that "none of them possesses *all* of Fletcher's indicators."⁸⁰ In another place, Singer argues against the personhood of infants who "do not and never will possess *any* of Fletcher's 'indicators of humanhood.'"⁸¹ Whether the standard is *all* or *any* is not clear. Whether one must presently possess the indicators, or in the future possess them, is not clear.

Not only does Singer's reliance on Fletcher raise questions about which indicators really count, Fletcher's material shows that both men are guilty of speciesism as well. Because of his animal rights agenda, Singer is keen to criticize speciesism. As with the terms "human" and "person," Singer provides a definition of "speciesism" from the *Oxford English Dictionary*. It is "discrimination against or exploitation of certain

⁷⁹Singer, "Animals and the Value of Life," 235.

⁸⁰Ibid., emphasis added.

⁸¹Singer, *Should the Baby Live?*, 121, emphasis added.

animal species by human beings, based on an assumption of mankind's superiority."⁸² In fact, this is what Fletcher's indicators do.

Fletcher's original article and subsequent article are both about "Indicators of *Humanhood*," (emphasis added). Fletcher is clear, "I am suggesting a profile of man."⁸³ Again, Fletcher was exploring the "esse of humanness."⁸⁴ Ultimately, he was searching for "the key to humanness, the essential trait, the human *sine qua non*."⁸⁵

Even Singer reads Fletcher this way. Singer explains that Fletcher, in his indicators article, "meant that these characteristics were distinctive of human beings—the kind of things that mark out humans from all other animals."⁸⁶ In *Practical Ethics*, Singer lists Fletcher's indicators and identifies with his approach: "we are implying that human beings characteristically possess certain qualities, and this person possesses them to a high degree."⁸⁷

Fletcher, and Singer in using the approach of Fletcher, may both be guilty of speciesism. According to the *OED* definition quoted by Singer, "discrimination . . . based upon an assumption of mankind's superiority" amounts to speciesism. Fletcher is identifying and valuing indicators of *humanhood*. Singer is using this approach and applying it toward animals, as well as turning it back against humans. In *Rethinking Life*

⁸²Singer, *Rethinking Life and Death*, 173.

⁸³Fletcher, "Indicators of Humanhood," 1.

⁸⁴Fletcher, "Four Indicators of Humanhood," 5.

⁸⁵*Ibid.*, 6.

⁸⁶Singer, *Should the Baby Live?*, 121.

⁸⁷Singer, *Practical Ethics*, 86.

and Death, this is clearly seen in his citation of the *OED* definition of “human” as “Having or showing the qualities or attributes proper to or distinctive of man.”⁸⁸ From this definition, Singer launches into his argument that Koko the gorilla is a person because “Koko’s heart is more human than Valentina’s.”⁸⁹ Singer laments that taking Baby Valentina’s human heart would be “murder,” while “a surgeon could kill Koko in order to take her heart and transplant in into a human being.”⁹⁰ Singer’s conclusion to this paragraph is anti-human and pro-animal, “Not all members of the species *Homo sapiens* are persons, and not all persons are members of the species *Homo sapiens*.”⁹¹

As noted earlier, Singer signals in the earlier texts that he will “reject Fletcher’s usage” of the term “human” and replace it with the term “person.”⁹² This is a convenient way of disguising the fact that the indicators of “humanhood” are based upon “human” nature. With Singer’s switch to “person,” the human base of the standard is removed one step in name only. In fact, Singer is relying on a source that requires him to use human nature to prove that all humans are not “human” (persons). Also noted earlier, Singer does not mention Fletcher at all in *Rethinking Life and Death*. This is a convenient way of avoiding the title of Fletcher’s article and the obvious “human” basis of Singer’s relevant characteristics.

⁸⁸Singer, *Rethinking Life and Death*, 204.

⁸⁹*Ibid.*, 205.

⁹⁰*Ibid.*, 206.

⁹¹*Ibid.*

⁹²Singer, “Animals and the Value of Life,” 235.

In summary, Singer's reliance on Fletcher demonstrates a lack of clarity as to the way indicators or relevant characteristics work in his ethical proposal. Fletcher and Singer are not clear as to how many indicators count, or how they count. From fifteen to one, the number of indicators is arbitrary. Whether the threshold for personhood requires all the indicators to be present, or just one—and which one, is not clear. Furthermore, Singer's reliance on Fletcher reveals a circular standard for human personhood, using human indicators to deny the "humanity" (personhood) of some human beings. Likewise, Singer's use of Fletcher reveals a speciesist approach of judging the personhood of animals based upon human characteristics. These human characteristics, in fact, distinguish humans from animals.

The Logical Challenges

Three logical challenges present themselves against Singer's proposal, as it is based upon the definitions from *The Oxford English Dictionary* and Joseph Fletcher. First, assuming for the sake of argument that distinctively human characteristics may be found in animals, and that because some animals possess these traits they have a right to life, Singer's argument would only be half true. That is, he would have some justification for his pro-animal rights argument, but not for his anti-human rights agenda. At most, this scenario would argue for the limited protection of animal life. However, because the nature of the indicators argument against human personhood is circular, it is self-refuting. Using a standard of personhood that is derived in the first place from human nature, to deny the "humanhood" or personhood of some human beings, puts Singer in the awkward position of undermining his starting point by the time he reaches his conclusion. Singer's

argument could go no further than animal rights. It cannot be logically extended to an anti-human application.

Second, the circular nature of the Fletcher-Singer approach toward humans manifests itself in other fundamental inconsistencies, beyond the argument about indicators or relevant characteristics. Simply put, Peter Singer cannot decide whether he is for or against human rights. While explaining his “Fifth New Commandment” which is “Do not discriminate on the basis of species,” Singer writes one way in *Rethinking Life and Death*. He does not like the fact that “Many people will want to cling to the superior status of the *human* being.”⁹³ Singer laments, “We are so used to talk of *human* rights, *human* dignity, and the infinite value of *human* life, that we will not easily abandon the idea that to be *human* is in itself to be very special.”⁹⁴ Singer then goes to great lengths to dispel these notions of human rights, human dignity, and the infinite value of human life.

In spite of all the tough talk in *Rethinking Life and Death*, Singer sounds a different tune in his recent work *One World: The Ethics of Globalization*.⁹⁵ In his Terry Lectures at Yale University, Singer identified the fundamental issue of his talk: “we should take all humans, or even all sentient beings, as the basic unit of concern for our

⁹³Singer, *Rethinking Life and Death*, 204.

⁹⁴Ibid.

⁹⁵Peter Singer, *One World: The Ethics of Globalization* (New Haven: Yale University Press, 2002).

ethical thinking.”⁹⁶ Here, Singer writes of “crimes against humanity.”⁹⁷ He states, “The value of an innocent human being does not vary according to nationality.”⁹⁸ Singer explains how to prevent crime. “To get at the roots of the problem we must end injustice and exploitation, improve and reform education so that it teaches the importance of respecting our fellow human beings, irrespective of race, religion, or politics.”⁹⁹ Singer cites with approval an ethical standard “that ‘every human being must be treated humanely.’”¹⁰⁰ Singer complains about “the lip service most people pay to human equality.”¹⁰¹ All of these quotes show that Singer is actually quite comfortable talking about human rights, human equality, and the value of an innocent human being.

The dissonance between Singer’s simultaneous rejection and acceptance of human value reveals a logical inconsistency that is inherent in Singer’s rejection of the value of human life, as human. In *One World*, Singer identifies with the human rights movement, which is based upon the notion that being human is enough to merit human rights and human equality. This undercuts his proposed replacement of the value of the human, by the value of the person. According to his criteria of relevant characteristics, some humans are not persons and have no right to life.

⁹⁶Ibid., x.

⁹⁷Ibid., 3, 106, 113-14.

⁹⁸Ibid., 4.

⁹⁹Ibid., 108.

¹⁰⁰Ibid., 142.

¹⁰¹Ibid., 182.

Third, P. F. Strawson and Oliver O'Donovan have voiced a third logical challenge to the kind of "criteria" approach to personhood proposed by Fletcher and Singer. Strawson emphasizes, "The concept of a person is logically prior to that of an individual consciousness."¹⁰² Fletcher and Singer would first demand consciousness, then acknowledge personhood. Strawson would counter, "person is not a quality; persons have qualities." Furthermore, "Qualities have nothing; they are had."¹⁰³ This is very similar to Oliver O'Donovan's logical order, when he writes that "distinctive qualities of humanity are attributable to persons, not persons to the qualities of humanity."¹⁰⁴ O'Donovan continues along this line by adding that "A person is a substance, and a nature is the 'specific property' of a substance; it is not the case . . . that to every nature there corresponds a person."¹⁰⁵ Singer gets the logical order in reverse, prioritizing the identification of qualities, before acknowledging personhood.

Empirical Challenges

Because this chapter is about the personhood criteria of relevant characteristics, it necessarily involves "evidence" of those indicators. As acknowledged earlier, Singer says the evidence is in his favor, and against speciesism. He claims the evidence shows that animals differ from humans only in degree, not in kind. Most of this

¹⁰²P. F. Strawson, "Persons," in *Body and Mind: Readings in Philosophy*, ed. G. N. Vesey (London: George Allen and Unwin, 1964), 413.

¹⁰³ Ibid.

¹⁰⁴ Oliver O'Donovan, *Begotten or Made?* (Oxford: Oxford University Press, 1984), 54.

¹⁰⁵ Ibid.

evidence is presented to buttress his claim that some persons are not human, and by implication, his conclusion that some humans are not persons.

As evidence in support of his thesis that animals are not so different from humans, Singer states, “We now know that we share 98.4 per cent of our DNA with chimpanzees.”¹⁰⁶ However, the figure may be false and the way Singer uses these numbers is certainly misleading.

There are at least two recent studies indicating that Singer’s numbers might not be accurate. One research project actually reveals a higher DNA similarity than Singer claims, a development that Singer should welcome. This National Academy of Sciences DNA study claims “99.4% identity between humans and chimpanzees.”¹⁰⁷ However, Morris Goodman admits in his research report, “It is entirely possible that once the genetic underpinnings of ‘human important’ phenotypic features are uncovered, these particular underpinnings will be seen to have diverged more in the terminal human lineage than in the terminal chimpanzee lineage.”¹⁰⁸

Two caveats are implicit here. First, there is much work yet to be done in comparing the human and chimpanzee genomes. Goodman begins his report by stating that his team only compared “97 human genes to their sequenced chimpanzee

¹⁰⁶Singer, *Rethinking Life and Death*, 177.

¹⁰⁷Morris Goodman, “The Role of Natural Selection in Shaping 99.4% Identity Between Humans and Chimpanzees at Nonsynonymous DNA Sites: Implications for Enlarging the Genus *Homo*,” *Proceedings of the National Academy of Sciences* (Early Edition - 14 April 2003): 1-8 [on-line], accessed 19 April 2003, <http://www.pnas.org/cgi/doi/10.1073/pnas.1232172100>; Internet.

¹⁰⁸*Ibid.*, 7.

counterparts.”¹⁰⁹ Goodman concludes his report by “looking to the future, once the DNA sequences of complete genomes from chimpanzees” are known from approximately “20,000-30,000 or more genes.”¹¹⁰ Comparing 97 genes out of “20,000-30,000 or more” is hardly conclusive.

Second, Goodman implies “it is entirely possible” that numbers like 98% or 99% are not only premature, but also inconclusive in terms of interpretation. His study indicates that a great deal of difference between humans and chimpanzees may be discovered within that 2% to 1%, “once the genetic underpinnings of ‘human important’ phenotypic features are uncovered.” The meaning of these small percentages is an implicit enigma in other scientific literature that compares humans and chimpanzees. For instance, in *An Introduction to Genetic Engineering* by Desmond Nicholl, one will find consecutive statements that put these genetic figures into perspective. After reporting, “our DNA is 98% identical to that of chimpanzees,” one immediately reads the “vast majority of DNA in the human genome—97%—has no known function.”¹¹¹ Given these unknowns, it is misleading for Singer to present a 1.6% DNA divergence as evidence that humans and chimpanzees differ only in degree, not in kind.

Another recent study reported in the *Proceedings of the National Academy of Science* would put the human-chimpanzees DNA numbers lower than Singer does. The title of Roy J. Britten’s article is telling, “Divergence Between Samples of Chimpanzee

¹⁰⁹Ibid., 1.

¹¹⁰Ibid., 8.

¹¹¹Desmond S. T. Nicholl, *An Introduction to Genetic Engineering* (Cambridge: Cambridge University Press, 2002), 170. Nicholl reports his source, “This information taken from the Sanger Centre website [<http://www.sanger.ac.uk>].”

and Human DNA Sequences is 5%, Counting Indels.”¹¹² Singer’s numbers would not hold up under Britten’s research conclusion that “the old saw that we share 98% of our DNA sequence with chimpanzee is probably in error.”¹¹³ Instead, Britten finds that “a better estimate would be that 95% of the base pairs are exactly shared between chimpanzee and human DNA.”¹¹⁴

The significance of Britten’s work was not lost on Andy Coghlan, writing for the *New Scientist*, who popularized Britten’s work with the slogan “Not Such Close Cousins After All.”¹¹⁵ His interpretation of Britten’s research reaches a conclusion counter to that of Singer. Coghlan writes, “We actually share less than 95 per cent of our genetic material, so the difference is three times as great as was thought.”¹¹⁶ If Britten and Coghlan are right, Singer overstates the empirical case. The interpretation of their finding is, “We have less in common with our nearest animal relative than we thought, at least if our DNA is anything to go by.”¹¹⁷

That last phrase, “if our DNA is anything to go by,” again signals how either figure, or other DNA figures, may be misleading. There may be a different scientific explanation for the difference between humans and chimpanzees, despite their sharing a

¹¹²Roy J. Britten, “Divergence Between Samples of Chimpanzee and Human DNA Sequences is 5%, Counting Indels,” *Proceedings of the National Academy of Sciences* 99 (15 October, 2002): 13633-35.

¹¹³*Ibid.*, 13633.

¹¹⁴*Ibid.*

¹¹⁵Andy Coghlan, “Not Such Close Cousins After All,” *New Scientist* (28 September 2002): 20.

¹¹⁶*Ibid.*

¹¹⁷*Ibid.*

high percent of common DNA. According to Svante Paabo, of the Max Planck Institute for Evolutionary Anthropology in Leipzig, “DNA sequence can’t be it.”¹¹⁸ Paabo came to this conclusion by way of observing that human and chimpanzee brains are very different, “their transcription patterns are poles apart,” in spite of the DNA sequence similarity.¹¹⁹ Paabo’s conclusion is that it is DNA activity, rather than sequence, which explains the variance between the two species. Paabo explains, “The [human] brain has accelerated usage of genes.”¹²⁰

There is a growing scientific consensus for Paabo’s distinction between genes and gene activity. James D. Watson, Nobel Prize Winner and co-discoverer of the structure of DNA, agrees with Paabo that it is not just the genes that matter, but probably which genes are “switched on.”¹²¹ The author of *The Double Helix* also believes that when the chimpanzee genome project is completed “the critical differences will lie not in the genes themselves but in their regulation.”¹²² Watson’s explanation for human and chimpanzee differences is not located in the genetic sequences *per se*, which differ only slightly, but instead in “unique—and special—genetic switches” possessed by humans.¹²³ If Watson and Paabo are right, Singer is wrong to take the 98.4% DNA

¹¹⁸Cited in Helen Pearson, “Humanity: It’s All In the Mind,” *Nature* (24 April 2001): [on-line], accessed 12 December 2002, <http://www.nature.com/nsu/010426/010426-8.html>; Internet.

¹¹⁹Ibid. These are Pearson’s words.

¹²⁰Ibid. These are Paabo’s words.

¹²¹James D. Watson, *DNA: The Secret of Life* (New York: Alfred A. Knopf, 2003), 258.

¹²²Ibid.

¹²³Ibid.

sequence figure and make the simplistic interpretation that humans and chimpanzees are only 1.6% different.

Singer's argument amounts a kind of genetic reductionism. He writes as if the secret to human nature resides solely in DNA. In contrast, David Baltimore is skeptical of this approach in the journal *Nature* when he asks and answers the question, "What makes us human?"¹²⁴ Baltimore's response is mostly agnostic, yet he is sure the question "cannot be answered by staring at a genome."¹²⁵ Baltimore's statement is in keeping with the above National Academy of Science studies, as well as the findings of Paabo and Watson. Singer's theory is not. Singer's use of genetic evidence to argue that animals do not differ qualitatively from humans is not based upon sound empirical evidence or sound interpretation of that evidence.

Singer also attempts to show that various chimpanzees and gorillas are persons because they demonstrate relevant characteristics that are normally associated with humans. In *Rethinking Life and Death* Singer promotes Koko, in *Practical Ethics* it is Figan, and in *Should the Baby Live?* it is "Washoe, the first chimpanzee to be taught sign language."¹²⁶ In all three texts Singer cites the work of Jane Goodall for support of his contention that there are "some beings who possess the distinctive characteristics but are

¹²⁴David Baltimore, "Our Genome Unveiled," 409 *Nature* (15 February 2001): 814-16.

¹²⁵Ibid.

¹²⁶Singer, *Rethinking Life and Death*, 175, 181-82, 205-06; Idem, *Practical Ethics*, 116; Idem, *Should the Baby Live?*, 122.

not members of the species *Homo sapiens*.”¹²⁷ Singer states that these animals show self-awareness, laugh, deceive, use tools, communicate with sign language, and so forth.

These examples notwithstanding, the empirical evidence does not confirm Singer’s contention that these animals are not different in kind, but only in degree. In Jane Goodall’s recent book, *Reason For Hope*, she describes her belief in human evolution, “I imagined God, looking down on his creation, evaluating human progress, and deciding the time had come when these sons and daughters of His were ready to be made aware, truly aware, of who they were. They were ready to receive the Holy Ghost.”¹²⁸ The point here is not whether Goodall’s ideas about evolution or the Holy Ghost are correct, but instead that she locates a fundamental capacity for self-awareness and spirituality in humans. She does not make this same claim for animals.

In another place, Goodall specifies that, “we, and only we, have developed a sophisticated spoken language . . . to teach its young about objects and events not present, to pass on wisdom, . . . to make plans for the distant future, to discuss ideas.”¹²⁹ Furthermore, “With language we can ask, as can no other living being, those questions about who we are and why we are here.”¹³⁰ Goodall is Singer’s source for dramatic accounts of how apes and chimpanzees can use sign language and have self-awareness. But Goodall’s own writing indicates that she views humans as qualitatively different from even the most intelligent animals when it comes to communication.

¹²⁷Singer, *Should the Baby Live?*, 122.

¹²⁸Jane Goodall, *Reason for Hope: A Spiritual Journey* (New York: Warner Books, 1999), 51.

¹²⁹*Ibid.*, 93-94.

¹³⁰*Ibid.*, 94.

Singer tips his hand when he writes that Washoe was “taught” human sign language. Singer’s point that Koko has a 1000 word vocabulary in sign language does not come close to Goodall’s description of human communication above. There are several key differences between humans and animals here. Just because they can “ape” human sign language does not necessarily mean that Washoe and Koko share the distinguishing characteristic of communication which makes humans unique. While on a basic level gorillas can communicate about food and surroundings, as much as this is studied and written about, apes do not study and write about humans, much less themselves.

Like Singer, Ian Tattersall believes in human evolution. Unlike Singer, Tattersall emphasizes that humans are “qualitatively distinct” from animals.¹³¹ Tattersall believes that *Homo sapiens* are a “totally unprecedented entity,” because they possess the “extraordinary human brain,” which is capable of producing “extraordinary artists,” and many other things.¹³² While Singer talks of chimpanzee consciousness, Tattersall states that “it is the way in which we are conscious of and deal with the realities of life that separate us” from the monkeys.¹³³ Tattersall is not the only one with this view. Richard Spilsbury has also pointed out the fundamental differences between humankind and

¹³¹Ian Tattersall, *Becoming Human: Evolution and Human Uniqueness* (Oxford: Oxford University Press, 2000), 188.

¹³²*Ibid.*, 188-89.

¹³³*Ibid.*, 197.

animals. Those differences include verbal language, music, love, values and humor.¹³⁴
Others agree with this kind of argument.¹³⁵

On the one hand, it is not necessary to agree with Goodall and Tattersall in their overall approach, in order to show one key weakness in Singer. Even some evolutionists, who may accept Singer's approach of valuing human and animal life based upon functional indicators, nevertheless disagree with his conclusion that there is no fundamental difference between human and animal life. This shows that Singer's proposed base does not lead to an inevitable conclusion, even on his own grounds of evaluating personhood by way of functional capacities.

On the other hand, there is a better alternative to basing notions of personhood upon functional capacities. Here it is tempting to present a completely different approach to locating personhood. Instead of explaining personhood by way of functional indicators, as Singer does, it can be argued that it makes more sense to define personhood ontologically. While this line of thought is more promising than Singer's approach, it is not within the scope of this dissertation to offer counter-proposals to Singer at every point. That this can be done and should be done is important. But this dissertation is about critiquing Singer's proposal, especially on his own terms. Others have begun the

¹³⁴Richard Spilsbury, *Providence Lost: A Critique of Darwinism* (London: Oxford University Press, 1974).

¹³⁵Charles Pinches, "Each According to Its Kind: A Defense of Theological Speciesism," in *Good News for Animals*, ed. Charles Pinches and J.B. McDaniel (Maryknoll, N.Y.: Orbis, 1995), 187-205; Lindsay Wilson, "Human Beings—Species or Special?: A Critique of Peter Singer on Animals," in *Rethinking Peter Singer: A Christian Critique*, ed. Gordon Preece (Downers Grove: InterVarsity, 2002), 106-21.

task of showing the ontological understanding of personhood and the direction of this work is promising.¹³⁶

Conclusion

In conclusion, the “relevant characteristics” that serve as Singer’s criteria for personhood are not supported by the sources or the standards that Singer claims. Singer’s citations from *The Oxford English Dictionary* are highly selective, in that they avoid the definitions that argue for human personhood or against animal personhood.

Singer’s use of the *OED* material is also deceptive. In some cases, Singer is willing to quote only half of a specific definition to eliminate a phrase that shows “human” to be “distinguished from animals.”

Likewise, Singer’s reliance on Joseph Fletcher ultimately damages his overall proposal. Fletcher’s system of thought actually presupposes the value of human life, by identifying indicators of humanhood. Whatever else these indicators may show, they cannot show that humans are not “human,” as Fletcher implied. Furthermore, the indicators of humanhood end up imposing a speciesist standard on animals, which is counterproductive to Singer’s pro-animal agenda. Besides this, Singer, like Fletcher, cannot decide which relevant characteristics really count, or how they count.

¹³⁶Nigel M. de S. Cameron, “The Embryo Debate,” *Ethics & Medicine* 6 (1990): 1-4; Peter Kreeft, “Human Personhood Begins at Conception,” *Journal of Biblical Ethics in Medicine* 4 (1990): 8-13; Stanley Rudman, *Concepts of Person and Christian Ethics* (Cambridge: Cambridge University Press, 1997); Allyne L. Smith, Jr., “Some Recent Thinking on Personhood,” *Christian Bioethics* 6 (2000): 113-122; Agnetta Sutton, “Arguments for Abortion of Abnormal Fetuses and the Moral Status of the Developing Embryo,” *Ethics & Medicine* 6 (1990): 5-10; Kirkland Young, “The Zygote, the Embryo, and Personhood: An Attempt at Conceptual Clarification,” *Ethics & Medicine* 10 (1994): 2-7.

Singer also violates his own standards of logical consistency and empirical evidence with this proposal. Singer, via Fletcher, uses human nature to determine the relevant characteristics for personhood. Then he projects this personhood standard back onto humans beings in such a way as to deny that some of them are persons. There is an unresolved tension, if not contradiction, in this approach. Likewise, he cannot consistently be against and for human rights at the same time. Also, Singer is mistaken to assign “person” to capacities. Instead he should assign capacities to specific persons.

Similarly, the empirical evidence does not verify Singer’s claim that humans and animals are not different qualitatively. Singer’s use of DNA is inappropriate and inaccurate. Even Jane Goodall, his illustrative source of choice for “non-human” persons, recognizes the fundamental difference between humankind and the most sophisticated animals.

Because Singer misinterprets his own sources and violates his own standards, his proposed criteria of relevant characteristics for determining personhood should be rejected. Having shown that Singer’s proposed use of criteria is not valid, this dissertation project now moves to a consideration of the consequences of Singer’s proposal. One of the critical tests of any proposed ethic is to determine what kind of result it would produce.

CHAPTER 5

SINGER'S PROPOSAL—THE CONSEQUENCES: PROMISING A “COPERNICAN REVOLUTION”

Peter Singer's proposed ethical value of “person” is recommended as more than mere theory to be debated in ivory towers. Because ideas have consequences, Singer intends his proposal to result in action. Singer hopes to change society for the better. The changes that Singer's ethic would bring are not meant as minor adjustments to the old Western ethic, which is based upon the sanctity of human life. Instead, “A new Copernican revolution is in the offing,” according to the cover of Singer's *Rethinking Life and Death*.¹ If fully implemented, Singer's recommended ethical standard of the “person” would change current medical and legal practice concerning stem cell research, abortion, infanticide, organ transplantation, euthanasia, and assisted suicide. It would also revolutionize how humans value and treat animals.

The foundation, substance, and criteria of Singer's proposal have all been shown to be unacceptable in the previous chapters of this dissertation. Even if Singer's program as examined in the preceding chapters had been found to be neutral or positive, the recommended scheme should still be evaluated in light of its anticipated outcomes. For the sake of argument, this chapter will examine the expected consequences of

¹Peter Singer, *Rethinking Life and Death: The Collapse of Our Traditional Ethics* (New York: St. Martin's Griffin, 1994). The “Copernican Revolution” theme is also developed by Singer in several places in this book (pp. 235-36; cf. 169, 187-89).

Singer's recommendation, if it were to be embraced and applied. A proposed ethic may look like one thing as theory on paper, and yet be quite different in real life when practiced. This is particularly true when dealing with matters of human life and death.

The research method of this chapter matches the approach of earlier sections of this dissertation. Singer's proposed revolution is critically evaluated in five steps by this chapter: (1) context; (2) content; (3) positive evaluation; (4) negative critique; and (5) conclusion.

Context

The revolutionary consequences of Singer's proposal are set against a background of past and present ethical norms. The first sentence by Singer in *Rethinking Life and Death* provides this point of reference. Singer is recommending a revolution because, "After ruling our thoughts and our decisions about life and death for nearly two thousand years, the traditional western ethic has collapsed."²

For Singer, the "collapse" is due to two factors. First, the "scientific" mindset of modernity rejected the foundational base of the old ethic. Singer explains that the traditional ethic is weakened "by the decline in religious authority and the rise of a better understanding of the origins and nature of our species."³ Singer believes this weakness lies in the ethic's reliance on human creation in the *imago Dei*. Chapter 2 of this study traces Singer's argument that Darwinian evolution knocks the foundation out from under that ethical superstructure.

²Ibid., 1.

³Ibid., 4.

Second, the traditional ethic is “being undone by changes in medical technology with which its inflexible strictures simply cannot cope.”⁴ Singer views the traditional ethic as an out-of-date system that cannot bear the load brought on by advances in medical testing and technologies.⁵ From the beginning to the end of human life, from embryo research to euthanasia, the range of life and death decisions is not what it used to be. Singer does critical case studies of recent ethical dilemmas that he believes cannot be dealt with using the old sanctity of human life ethic. Singer addresses the specific issues involved in President Bush’s stem cell speech and *Roe vs. Wade*, as well as the cases of Baby Doe, Karen Quinlan, and Tony Bland.⁶ Singer finds current medical and legal standards inconsistent and impractical. With each issue and case, Singer claims his ethical proposal is prepared to cope better than the traditional ethic based upon the sanctity of human life. Given Singer’s own tests of practicality and consistency in criticism of the *status quo*, perhaps it is fair to ask how Singer’s own system would fare under the same criteria. In order to begin that critique, the content of his “Copernican Revolution” should be surveyed in detail.

⁴Ibid.

⁵Ibid.

⁶ For his view of the President’s stem cell policy and speech, see Peter Singer, “Where the President’s Ethics Lecture Went Wrong,” *Free Inquiry* 22:1 (Winter 2001-02): 23-24; for *Roe vs. Wade* see Idem, *Rethinking Life and Death*, 90, 92, 101-02, 106, 109; for Baby Doe see Ibid., 19, 106-115, 131, 201, 212, 217, 108-11; for Karen Quinlan see Ibid., 10, 70-72; for Tony Bland see Ibid., 1, 18-19, 57-60, 64-68, 131, 190, 193, 204.

Content

As noted earlier, Singer believes only “persons” have a right to life. The measure for personhood is the minimum standard of “rationality and self-awareness over time.” Given this new value of personhood, Singer envisions a “Copernican Revolution” in the ethics of life and death.

Singer’s New Commandments

Even a revolution must have rules. Based upon his proposed ethical value of “person,” Singer offers five new commandments.⁷ These new commandments are to replace the traditional ethical norms, which are based upon the sanctity of human life.

The five old and new commandments are:

First Old Commandment:

Treat all human life as of equal worth.

First New Commandment:

Recognize that the worth of human life varies.

Second Old Commandment:

Never intentionally take innocent human life.

Second New Commandment:

Take responsibility for the consequences of your decisions.

Third Old Commandment:

Never take your own life, and always try to prevent others taking theirs.

Third New Commandment:

Respect a person’s desire to live or die.

Fourth Old Commandment:

Be fruitful and multiply.

Fourth New Commandment:

Bring children into the world only if they are wanted.

⁷Ibid., 189-206.

Fifth Old Commandment:

Treat all human life as always more precious than any nonhuman life.

Fifth New Commandment:

Do not discriminate on the basis of species.⁸

Although there are five “New Commandments,” two key points of emphasis underlie them all: the twin values of “consequences” and “persons.” The importance of “consequences” is obvious in the Second New Commandment, “Take responsibility for the *consequences* of your decisions,” (emphasis added). Singer is a consequentialist, and the new commandments reveal that he would apply the personhood standard and the five new commandments according to a system of preference utilitarianism.⁹ The notion of preference is seen in the Third New Commandment, “Respect a person’s *desire* to live or die.”¹⁰ Preference is also implicit in the Fourth New Commandment, “Bring children into the world only if they are *wanted*.”¹¹

Singer argues for the termination of human life when the predictive results merit it, according to the maximum amount of preferences that might be fulfilled versus those that would not be realized. Related to these preferences, other specific determinative consequences might justify active euthanasia. For instance, Singer cites

⁸Ibid.

⁹For his view of preference utilitarianism see Peter Singer, *Practical Ethics* 2nd ed. (Cambridge, UK: Cambridge University Press, 1993), xi, 94-96, 99, 100, 110, 126, 127-29, 153, 194, 195, 171, 108-09, 117.

¹⁰Emphasis added.

¹¹Emphasis added.

quality of life, both for the patient and for the family of the patient.¹² Also, scarce health care resources and finances must be factored into any decision.¹³ Perhaps it is better to spend money on the poor instead of the dying.

In addition, Singer expresses traditional utilitarian concerns. For instance, Singer justifies euthanasia with the explanation that it relieves pain and suffering.¹⁴ Another important factor to consider is population control.¹⁵ As other utilitarians are wont to do, Singer would also calculate future predictive results. In this case he would allow infanticide of unhealthy newborns based upon the future potential for healthier children.¹⁶ This is the idea behind the commandment, “Bring children into the world only if they are wanted.” A final value to be factored into the new commandments is a respect for individual autonomy.¹⁷ Because preference utilitarianism is about maximizing the realization of preferences among those affected by any ethical decision, autonomy is of fundamental importance.¹⁸

The value of “person” is implicit in the switch from every old commandment to each new commandment. For the “First New Commandment,” the “worth of human

¹²Singer, *Rethinking Life and Death*, 191-92.

¹³*Ibid.*, 192,

¹⁴*Ibid.*, 194.

¹⁵*Ibid.*, 198-200.

¹⁶*Ibid.*, 210-17.

¹⁷*Ibid.*, 218-19.

¹⁸It is possible that the reverse is true. A stress on autonomy may lead to the high valuation of preferences.

life varies” because some humans are not “persons,” while others are. In the second and third “New Commandments,” responsibility and respect for “persons” replaces a clear prohibition against taking human life. The “Fourth New Commandment” jettisons the idea that children are valued as human beings in and of themselves. Instead, because infants are not yet “persons,” they should be brought “into the world only if they are wanted” by those who are “persons.” Finally, because some “persons” are not human, and some humans are not “persons,” it is wrong to “discriminate on the basis of species.” This is the rationale behind the “Fifth New Commandment.”

Singer’s Right to Life

Under the authority of these “New Commandments,” informed by the joint values of “consequences” and “person,” Singer argues for the legitimization and legalization of abortion, infanticide, euthanasia and assisted suicide. According to the “Third Commandment,” Singer affirms “every person,” and only a person, “has a right to life.” Singer describes why:

Only a person can *want* to go on living, or have plans for the future, because only a person can even understand the possibility of a future existence for herself or himself. This means that to end the lives of people, against their will, is different from ending the lives of beings who are not people If we want to put this in the language of rights, then it is reasonable to say that only a person has a right to life.¹⁹

The key phrase is “only a person has a right to life.” Singer adds:

We have seen that the basic reason for taking this view derives from what it is to be a person, a being with awareness of her or his own existence over time, and the capacity to have wants and plans for the future. There is also a powerful social and political reason for protecting the lives of those who are capable of fearing their own

¹⁹Ibid., 197-98.

death. Universal acceptance and secure protection of the right to life of every person is the most important good that a society can bestow upon its members.²⁰

Singer's right to life, which is based upon the value of the "person," is linked to his other values: preferences and consequences. Drawing upon the philosophy of Thomas Hobbes, Singer believes that if "persons" live in continual fear of death, their conscious preferences to live in "peaceful coexistence" are being infringed upon.²¹ This new view of a "right to life" will exclude some humans because:

Only a being able to see herself as existing over time can fear death and can know that, if people may be killed with impunity, her own life could be in jeopardy. Neither infants nor those nonhuman animals incapable of seeing themselves as existing over time can fear their own deaths (although they may be frightened by threatening or unfamiliar circumstances, as a fish in a net may be frightened).²²

For Singer, this "right to life" not only allows for abortion or infanticide, but also permits euthanasia and assisted suicide. He continues, "A right is something one can choose to exercise or not to exercise."²³ Adding autonomy to the mix, Singer believes "the most important aspect of having a right to life is that one can choose whether or not to invoke it."²⁴ Singer's "right to life" argument is based upon preference utilitarianism's

²⁰Ibid., 218. Once again, Singer's use of "capacity" opens the door of debate on the merits of a functional, versus an ontological, understanding of personhood. As noted in the previous chapter, a good number of scholars have begun to write about this and more work should be done to stress the critical distinction between the two views. However, it is not within the scope of this dissertation to present a major counter-proposal to Singer on personhood. For the purposes of this project, it is enough to show that Singer's proposal does not obtain on its own merits, and that the sanctity of human life ethic remains in place.

²¹Ibid.

²²Ibid.

²³Ibid.

²⁴Ibid.

right to freedom from fear. But if freedom from fear is the ethical goal, and not the protection of some kind of life *per se*, then this opens the door to other possible ethical applications. This is clear from his explanation of active euthanasia or assisted suicide:

No-one can fear being killed at his or her own persistent, informed and autonomous request. On the contrary, the evidence shows that many people approaching the end of their lives fear suffering much more than death. Hence the very argument that so powerfully supports recognition and protection of every person's right to life also supports the right to medical assistance in dying when this is in accordance with a person's persistent, informed and autonomous request.²⁵

Singer points out that this "right to medical assistance in dying has been accepted as legitimate in the Netherlands."²⁶ Singer anticipates the slippery slope arguments of those who claim, "we will end up with a state that, like Nazi Germany, kills all those whom it considers to be unworthy of life."²⁷ He responds by appealing to the example of the Netherlands. Singer defends the legalization of euthanasia by claiming that "the heavens have not fallen" even though "Dutch doctors can directly, intentionally and openly kill their patients."²⁸ Singer predicts that in the near future, "the citizens of several other countries will join the Dutch in finding a way to gain control of how they die."²⁹ Singer believes that autonomy, acting on the right of freedom from fear, should give a person "control of how they die."

²⁵Ibid., 219.

²⁶Ibid.

²⁷Ibid., 150.

²⁸Ibid., 157.

²⁹Ibid., 158. This seems to be a valid prediction about Europe with Belgium and Switzerland moving in this direction. Singer's prophecy has been followed also by a partial fulfillment in the United States, considering Oregon's "Death With Dignity Act," which took effect in 1997.

Positive Evaluation

When considering the positive aspects of Singer's ethical proposal, there are at least six aims expressed by Singer that appear, in principle, to be commendable. Singer identifies the faults of the old ethic and describes how a better moral framework should differ. These stated goals by Singer are mostly about projected and intended consequences that will result from trading the old ethic for the new.

First, Singer is striving for consistency. He is particularly concerned to see that current medical practice and legal codes are consistent with one another. For instance, Singer expresses his frustration over the inconsistency between legal abortion and illegal infanticide, especially when the fetuses and infants are of the same gestational age.³⁰ Likewise Singer faults the American Medical Association because it "has policy that says a doctor can ethically withdraw all means of life-prolonging medical treatment, *including food and water*, from a patient in an irreversible coma."³¹ But Singer laments that the "same policy" is contradictory for insisting "the physician should not intentionally cause death."³²

Second, Singer additionally pushes for the standard of logical coherence. For example, he faults the "pro-choice" argument for abortion as "poor philosophy," even though it makes for "good politics."³³ Singer continues, "No one who thinks that a fetus

³⁰Ibid., 3.

³¹Ibid., 2.

³²Ibid.

³³Ibid., 85.

has the same right to life as another human could see the abortion question as a matter of choice, any more than they would see slavery as a matter of the free choice of the slave holders.”³⁴

Third, Singer voices a concern for human compassion. His proposed system has as a stated goal to “allow us to act compassionately and humanely.”³⁵ Fourth, Singer says that an acceptable ethical system must avoid undesired outcomes. His goal is to avoid the current problem, “where our ethic now leads us to outcomes that nobody wants.”³⁶ Fifth, Singer believes that ethicists should look at the big picture. Singer writes, “There is a larger picture, in which all the pieces fit together I want to paint that larger picture.”³⁷

Sixth, Singer is also advocating that society adopt an ethic that is practical. His proposal is said to “offer practical solutions to problems we now find insoluble.”³⁸ Singer contends that an ethic is invalid if it no longer “works.”³⁹ Singer emphasizes the importance of living out the principles of one’s ethic in practice. He maintains that if there are exceptions in practice to a professed ethical principle, it amounts to a *de facto*

³⁴Ibid.

³⁵Ibid., 6.

³⁶Ibid.

³⁷Ibid.

³⁸Ibid.

³⁹Ibid., 4.

acceptance of a different ethic.⁴⁰ The only viable ethic is a practical ethic.

In summary, the six stated goals of Singer's ethical proposal are: (1) consistency in application, (2) logical coherence, (3) human compassion, (4) avoidance of undesirable outcomes, (5) pieces fitting a big picture, and (6) practicality. In principle, these aims are laudable. Their application in Singer's proposal is something else.

Negative Critique

This section will take Singer's six standards cited above, and use them critically to evaluate the ramifications of his own proposal. In each case, the six stated aims of Singer cannot be realized considering the projected consequences of his ethical proposal. When compared against the Five New Commandments in the context of "consequences" and "personhood," the six goals are not met, or actually violated, or indicative of some fatal flaw in his program. In turn, each of Singer's goals will be taken and applied to Singer's system.

Consistency in Application

To be consistent on abortion and infanticide, Singer writes, "there appear to be only two possibilities: oppose abortion, or allow infanticide."⁴¹ In principle, a consistent pro-lifer could agree with this statement. Because an appeal for consistency is a two-edged sword, it can cut both ways.

⁴⁰Ibid., 119.

⁴¹Ibid., 210.

Singer has chosen the “allow infanticide” argument, because he believes that the pro-choice movement’s drawing of the ethical line at birth is “arbitrary.”⁴² Singer sees the same problem with the “viability” position, because progress in medical technology and treatments keeps pushing that line back earlier and earlier. So Singer opts for the personhood threshold, which does not apply to newborns or even infants.

Yet Singer has repeatedly proposed that parents be allowed 28 days to decide whether or not their handicapped newborn infants should live.⁴³ If viability is arbitrary, if birth is arbitrary, is 28 days arbitrary? One wonders why 28 days would be fine, but 29 or 30 should be illegal. Singer admits, “The boundary is, admittedly, an arbitrary one, and this makes it problematic.”⁴⁴ While Singer may be correct in saying that allowing both abortion and infanticide is consistent, it is difficult to see how any cutoff date for infanticide could avoid Singer’s own charge of being arbitrary. It is possible to be consistently arbitrary, and consistently wrong.

In contrast, the consistent pro-life position has the added advantage of not being arbitrary. It is not arbitrary, because the sanctity of human life ethic draws no *ad hoc* cut off lines. If a being is human and alive, the sanctity standard applies from the womb to the tomb. In addition to this, even Singer agrees that this position is consistent. Besides, it is hard to see how the subjective statement of Singer’s First New

⁴²Ibid., 101.

⁴³Ibid., 217; Helga Kuhse and Peter Singer, *Should the Baby Live? The Problem of Handicapped Infants* (Oxford: Oxford University Press, 1985), 194-195.

⁴⁴Singer, *Rethinking Life and Death*, 217.

Commandment, “the value of human life varies,” can be more consistently applied than the standard from what he calls the First Old Commandment, “Treat all human life as of equal worth.” Compared to Singer’s ethic, the traditional sanctity of human life ethic would appear more consistent and less arbitrary.

Logical Coherence

Singer also violates his own standard of logical consistency. His logical violation occurs on the abortion issue when he emphasizes a logical point that he also denies at the same time. Singer stresses the logical standard when he criticizes the “pro-choice” movement for denying that “from conception onwards, the embryo or fetus is innocent, human and alive.”⁴⁵ Singer says that point from the pro-life syllogism must be accepted as valid, because, a fetus “is certainly alive—doctors can tell when a fetus has died in the womb. And what else could it be but human?”⁴⁶ Of course, as indicated earlier, Singer is making a point here that he rejects the other premise from the pro-life argument, “It is wrong to take innocent human life.” But the important issue here is his initial affirmation of the pro-life claim that the embryo and fetus are both “human” and “alive.” At the end of the *Rethinking Life and Death* chapter where this appears, Singer also draws a line of certainty, marking the point when there is individual human life:

⁴⁵Ibid., 100-101.

⁴⁶Ibid., 101.

Certainly around fourteen days after conception, once the possibility of the embryo dividing into twins is passed, there exists an individual being who is alive and human.⁴⁷

Singer is clear, both the embryo and the fetus are human beings who are alive and individual. Furthermore, this is true from “fourteen days” on.

However, in a matter of less than ten pages, Singer contradicts his own point several times. At one place Singer discusses the potential of the human embryo. He explains, “What it means if the embryo does not realize its potential is really that a particular human being will not come into this world.”⁴⁸ But according to his other statements, it is proper to say that a “particular human being” is already in existence in this world as an embryo. From the context of “its potential,” it is clear that Singer’s point is not about contrasting the womb with the world. Instead, Singer is denying here that the embryo is yet a “particular human being.”

In another place Singer makes a similar statement. He describes the absurdity of “attempts to define a precise moment at which a new human being comes into existence.”⁴⁹ Singer continues “The absurdity lies in the attempt to force a precise dividing line on something that is a gradual process.”⁵⁰ Again, according to his logical comments about the pro-life syllogism on the same page, a line exists: “From conception

⁴⁷Ibid., 105.

⁴⁸Ibid., 97.

⁴⁹Ibid., 100.

⁵⁰Ibid.

onwards, the embryo or fetus is innocent, human and alive.”⁵¹ Singer writes as if he can have it both ways.

Logical consistency demands that Singer cannot affirm and deny the same thing. He is in violation of the law of non-contradiction. Either there is a line or there is not a line. Singer is clear—there is a line and there isn’t a line. Either you already have a being that is individual, human and alive, or you don’t. Singer writes as if you do and you don’t.

Singer’s inner struggle on this point appears to be driven by his reluctance to recognize the moral significance of the human embryo, fetus or infant. This is countered by his assertion that these beings are individual, alive and human. Singer tries to balance these two convictions by emphasizing the “gradual process.” The point is often made that embryos or infants are “becoming,” that they are not the same as they will be when they become persons. That there is a “process” of “becoming” is clear. For that matter, in one sense, adults never are who they were as embryos, fetuses, infants, children or even the adults they were last week.

However, in another sense, this does not negate their personhood at any stage. A human embryo is a “human being,” to use Singer’s own words, who is in the process of becoming a fetus. Similarly, a fetus is a human being who is in the process of becoming an infant. Likewise, an infant is a human being who is in the process of becoming a child, then an adolescent, an adult, and so on. But there is a big difference

⁵¹Ibid.

between a non-being and a human being, who is constantly “becoming” different by virtue of the natural maturing processes. Singer fails to make this distinction.

Act Compassionately and Humanely

Singer’s proposal does not appear to meet his stated standard for ethical systems, that they “allow us to act compassionately and humanely.” The word “humane” implies that human life is valued precisely because it is human. Acting compassionately and humanely indicates that great care should be given whenever human life is involved. In contrast, Singer’s proposal allows and recommends abortion, infanticide, euthanasia and assisted suicide. In each case, a human being is not cared for, but killed.

It is difficult to see how Singer’s recommendation that parents be allowed to kill their infants with Down’s syndrome is compassionate or humane. Singer writes about acting compassionately and humanely, and at the same time, pens a book entitled *Should the Baby Live?*⁵² He and his co-author answer, “No.” In the chapter entitled “Deciding When Life is Worthwhile: The Treatment of Spina Bifida,” Singer and Helga Kuhse decide the baby’s life is not “worthwhile” with spina bifida, or Down’s syndrome.⁵³ In these cases, Singer justifies the practice of “killing an infant,” because it is often “better” than “letting that infant die.”⁵⁴

For Singer, killing is “better” because suffering is the greater evil; therefore, killing in some cases is the kindest care. In *Rethinking Life and Death*, the argument is

⁵²Kuhse and Singer, *Should the Baby Live?*

⁵³Ibid., 48-73.

⁵⁴Ibid., 96.

that killing is “kinder to the baby” and done “for the sake of ‘our children.’”⁵⁵ Here the mitigating circumstance would seem to be the condition of the infant, measured in pain versus pleasure, according to some kind of utilitarian calculus. But Singer also advances a second point, that infants should be killed “for our own sake.”⁵⁶ This is an argument about the how the infant’s life or death might affect the parents. Whether it is killing for the sake of our children, or for our own sake, both assertions must be examined according to Singer’s own standard of “compassionate and humane.”

It is important to evaluate Singer’s argument that killing the Down’s syndrome baby could be “kinder to the baby.” On the surface, even Singer acknowledges, “Many people with Down syndrome have a cheerful temperament, and can be warm and loving . . . their lives could not be described as full of suffering, without compensating positive elements.”⁵⁷ These positive elements of cheer and love would seem to compensate for any suffering. Given this assumption, it would appear that Singer’s rationale, “for the sake of our children” would not justify killing these infants.

However, Singer responds, “The expression ‘our children’ need not refer to particular, already existing children.”⁵⁸ For Singer, “our children” may refer to future children, “the children we hope to have with a good start on life’s uncertain voyage.”⁵⁹

⁵⁵Singer, *Rethinking Life and Death*, 212-13.

⁵⁶*Ibid.*, 213.

⁵⁷*Ibid.*, 212.

⁵⁸*Ibid.*, 213.

⁵⁹*Ibid.*

His argument is that unless the Down's syndrome child is eliminated from the picture, the parents may not be able to plan or provide for future children because too much of their time and money will be focused on the needy child.

In *Practical Ethics*, Singer applies this kind of trade-off to the hemophiliac child. Singer believes that even if “the infant can be expected to have a life that is worth living we cannot reach a decision on the basis of this information alone.”⁶⁰ Singer writes that one “must ask whether the death of the haemophiliac infant would lead to the creation of another being who would not otherwise have existed.”⁶¹ Singer explains how this argument could work with any “disabled” infant:

When the death of a disabled infant will lead to the birth of another infant with better prospects of a happy life, the total amount of happiness will be greater if the disabled infant is killed. The loss of happy life for the first infant is outweighed by the gain of a happier life for the second. Therefore, if killing the haemophiliac infant has no adverse effect on others, it would, according to the total view, be right to kill him.⁶²

Singer includes this line of reasoning as the “replaceability argument” in *Practical Ethics*.⁶³ At the conclusion of this section he declares, “the main point is clear: killing a disabled infant is not morally equivalent to killing a person. Very often it is not wrong at all.”⁶⁴

⁶⁰Singer, *Practical Ethics*, 185.

⁶¹Ibid.

⁶²Ibid., 186.

⁶³Ibid., 186-91.

⁶⁴Ibid., 191.

Singer is arguing here that killing is better for “our children,” as in *our future children*. This represents a shift in the argument. He justifies killing “particular, already existing children” because it “will be better for our children—in the generic sense.”⁶⁵ The actual Down’s syndrome child who can know love and cheer, with little suffering, is expendable. This disabled child is sacrificed on the basis of a generic, non-existent child, envisioned in the future.

Several problems are apparent here. However noble the replaceability argument might sound, it still means killing an infant, who according to Singer, possesses human life that will be worth living. One could simply argue that if “humane” denotes valuing human life precisely because it is human, then killing hemophiliac and Down’s syndrome babies is not humane. Neither is killing these infants compassionate. It is hard to imagine how Singer’s proposal can escape this basic objection.

In addition to this *prima facie* argument, Singer actually weakens his case with his so called “replaceability argument.” His proposal amounts to killing an actual human being that can have a worthwhile existence, on the altar of an imaginary non-being, which in fact, is non-existent. The “replacement” is mere projection, if not speculation, that has no objective reality and certainly no actual humanness. Killing an existing human being in exchange for a calculated probability certainly does not reflect the “humane” standard, which values human life simply on the basis of its humanness. Yet,

⁶⁵Singer, *Rethinking Life and Death*, 213.

this is Singer's proposal, and it is certainly not humane. It is worth noting that Singer's line of reasoning involves similar projections that are also philosophically unsound.⁶⁶

Adding to his case in favor of killing disabled infants, Singer claims that it is better *for us*. Singer alters the argument, from the pain and pleasure of the disabled child, or future potential children, to the pain and pleasure of the parent. He maintains that killing may be right "for our own sake." Singer warns parents,

We cannot expect a child with Down syndrome to play the guitar, to develop an appreciation of science fiction, to learn a foreign language, to chat with us about the latest Woody Allen movie, or to be a respectable athlete, basketballer or tennis player. Even when an adult, a person with Down syndrome may not be able to live independently; and for someone with Down syndrome to have children of their own is unusual and can give rise to problems.⁶⁷

Singer contends that raising a child with Down's syndrome is "devastating" for some parents.⁶⁸ To remedy this, Singer advocates that these parents be given "a chance to make a fresh start."⁶⁹ Singer describes the process:

This means detaching ourselves from the infant who has been born, cutting ourselves free before the ties that have already begun to bind us to our child have become irresistible. Instead of going forward and putting all our efforts into making the best of the situation, we can still say no, and start again from the beginning

⁶⁶The use of future projections as moral leverage in decision-making is an expected feature in any utilitarian ethic. However, many consequentialists know the system is vulnerable on this point. Even as he defends utilitarianism, J. J. C. Smart has to admit, "One thing we should know about the future is that large-scale predictions are impossible," in J. J. C. Smart and Bernard Williams, *Utilitarianism For and Against* (Cambridge: Cambridge University Press, 1973), 64. One might add to this that small-scale predictions are improbable, if not impossible, especially when it comes to child bearing. Singer's "replaceability" scenario is flawed not only in its assumption that parents can know that they will have another child, but also in its naïve assumption that any potential child will be more "normal" than the one they already have.

⁶⁷Ibid.

⁶⁸Ibid.

⁶⁹Ibid.

It must be an extraordinarily difficult to cut oneself off from one's own child, and prefer it to die, so that another child with better prospects can be born.⁷⁰

However difficult that decision may be, Singer advocates that parents be able to practice abortion or infanticide in these cases.⁷¹

In this situation the killing of an infant is not justified on the basis of his or her humanity, or lack thereof, or even his or her physical condition. Instead, the handicapped infant is killed because a parent might be devastated because their child will not be able to play instruments and sports, or not be able to talk about books and movies. The calculation is made that this parent's life will be better off with a fresh start at childbearing. The trade-off extinguishes an existing human life (disabled child) for the benefit of an enhanced human life (parent).

Singer's ethical substitution misses the "humane and compassionate" standard on three counts. First, the disabled human life may not turn out as inconvenient or painful to the parents as first calculated. J. J. C. Smart's defense of utilitarianism contains an applicable admission:

The future, I have remarked, is dim, largely because the potentialities of technological advance are unknown to us. This consideration both increases the attractiveness of a utilitarian ethics (because of the built-in flexibility of such an ethics) and increases the difficulty of applying such an ethics.⁷²

In Singer's case, these words should especially ring true. Advances in medical technology and treatment have made some disabilities, previously thought "devastating,"

⁷⁰Ibid., 213-14.

⁷¹Ibid., 214-15.

⁷²Smart, 64.

to be more manageable. Since the discovery of treatments for hemophiliacs that enable them to live relatively normal lives, Singer has had to retract the inclusion of hemophiliacs in his category of disabled infants that might properly be killed. For those parents who might have taken his earlier advice, and for those disabled infants who might have been killed as a result of it, Singer's reversal comes too late.

Second, it is possible that the parent's lives may not be enriched as projected in the replacement scheme. The "replacement" infant may not come at all, or may have disabilities that are instead more devastating than those that plagued the eliminated child. Once again, the best critique of Singer's reasoning may be found a standard utilitarian analysis of "tyrannical atrocities." Smart writes:

Where tyrants who cause atrocities for the sake of Utopia are wrong is, surely, on the plain question of fact, and on confusing probabilities with certainties. . . . We can, in fact, agree with the most violent denouncer of atrocities carried out in the name of Utopia without sacrificing our act-utilitarian principles. Indeed there are the best of act-utilitarian reasons for denouncing atrocities. But it is empirical facts, and empirical facts only, which will lead the utilitarian to say this.⁷³

Without a debate over the merits of "act" versus "rule" utilitarianism, this much is clear from Smart's analysis. Projection on the basis of what is merely possible or probable puts the utilitarian on a slippery slope, especially when it comes to taking human life. One simply cannot know that the parents will be happier with some possible new child in the future.

Third, even if the parents were "happier," a "humane" standard would not allow for the killing of human life. It is not humane to extinguish a human life for the

⁷³Ibid., 63-64.

enrichment of another human life. Here, Singer's recommendation is plagued by a systemic utilitarian weakness—compromising the principle of justice for the sake of the Greatest Happiness Principle. The disabled infant's life is sacrificed for the happiness of the parent. Similarly, utilitarianism is also criticized for only counting the consequences of actions. In addition to consequences, most people believe that “why” they do something matters as well. Yet in Singer's proposal, the possibility of parents with selfish intentions or motives is not explored, but ignored.

Besides this, Singer's writing on human rights and “humane” treatment is not consistent. On the one hand, Singer has written in *One World* about the importance of “respecting our fellow human beings” and the principle that “every human being must be treated humanely.”⁷⁴ As noted in Chapter 4 of this dissertation, that recent book by Singer emphasizes “human rights” and other “humane” themes in the context of geopolitics.⁷⁵ On the other hand, in *Rethinking Life and Death* Singer defends a nation-state where “doctors can directly, intentionally and openly kill their patients.”⁷⁶ Killing handicapped infants or the sick and elderly is neither compassionate nor humane. There is an obvious contradiction between the note of compassion and care for humankind in *One World* and the utilitarian calculations to kill human beings in *Rethinking Life and Death* and *Should the Baby Live?*

⁷⁴Peter Singer, *One World: The Ethics of Globalization* (New Haven: Yale University Press, 2002), 108, 142.

⁷⁵See pp. 180-81 of this dissertation.

⁷⁶Singer, *Rethinking Life and Death*, 157.

Avoiding Undesired Outcomes

Singer's proposal also fails to meet his ethical ideal of avoiding undesired outcomes. In his argumentation for the legalization and legitimization of euthanasia, Singer anticipates the slippery slope argument of his critics who claim, "we will end up with a state that, like Nazi Germany, kills all those whom it considers to be unworthy of life."⁷⁷ He responds by appealing to the example of the Netherlands. He defends the legalization of euthanasia, claiming "the heavens have not fallen" even though "Dutch doctors can directly, intentionally and openly kill their patients."⁷⁸

In Singer's defense of legalized euthanasia in the Netherlands, he estimates the annual number of voluntary euthanasia cases there at approximately 2300. This figure is based upon the research of P. J. van de Maas and cited as a reference in Singer's endnotes.⁷⁹ For Singer this research and these numbers are innocuous. But P. J. van de Maas' two surveys reveal troubling trends that Singer does not report.

Henk Jochemsen and John Keown analyze both surveys and find that they reveal "the practice of voluntary euthanasia remains beyond effective control."⁸⁰ They point to at least three problems since the Dutch government normalized voluntary euthanasia: (1) sharp increases in not only voluntary euthanasia, but also involuntary

⁷⁷Ibid., 150.

⁷⁸Ibid., 157.

⁷⁹Ibid., 232.

⁸⁰Henk Jochemsen and John Keown, "Voluntary Euthanasia Under Control? Further Empirical Evidence from the Netherlands," *The Journal of Medical Ethics* 25:1 (1999), 16.

euthanasia; (2) widespread failure of doctors to abide by the legal requirements of consultation and reporting; and (3) illegal substitution of euthanasia as an alternative to palliative care.⁸¹

While Singer is confident of the Dutch practice because the “the heavens have not fallen,” the fact is, more people have been killed without their consent than were previously, before euthanasia was legalized. In addition, many doctors are not following the rules when they kill people. Also, doctors are killing people instead of killing their pain. According to the two surveys by P. J. van de Maas, who Singer uses as a source, the “slippery slope” may be steep and well-greased. For a consequentialist like Singer, these facts could amount to the kind of unintended consequences that he means to avoid. These “undesired outcomes” actually argue against his proposal that advocates the legalization of euthanasia and assisted suicide.

The Big Picture

Singer believes that when considering any proposed ethical system, one must put all the pieces together to get the big picture. Here, one should ask about the kind of world the proposed ethical system would produce. Actually, Singer’s “Copernican Revolution” in ethics may present a big picture that is unsettling. As mentioned earlier, Singer brings up “Nazi Germany” and the specter of “slippery slope” in *Rethinking Life and Death*. Singer knows his position on legalized euthanasia will lead to fears that once

⁸¹Ibid., 16-21.

again, those who are judged “unworthy of life” can be killed.⁸² By the time this book was published in 1994, Singer, according to his own description of events, had already been “Silenced in Germany.”⁸³

On one occasion, Singer was invited by Dr. Georg Meggle, professor of philosophy at the University of Saarbrücken, to lecture. With shouts and whistles the audience was determined “to prevent me from speaking,” according to Singer.⁸⁴ On another occasion, when Singer and Dr. Meggle were invited to give a lecture at the Wittgenstein Symposium, protesters organized a boycott and a blacklist.⁸⁵ The president of the Wittgenstein Society threatened to resign if Singer’s invitation to speak was not withdrawn. The entire conference was cancelled.

It was not so much Singer’s speaking association with Dr. Meggle that troubled the Germanic peoples as it was his symbolic association with Dr. Mengele. The protesters had the same fears as George Weigel about Singer’s recommended ethic:

(It) would mean nothing less than the end of humanism in either its Judeo-Christian or Enlightenment-secular form.

Far from pointing the way out of today’s moral dilemma’s, Singer’s book is a roadmap for driving down the darkest of moral blind alleys, at the end of which, however spiffed up and genteel, is Dr. Mengele: The embodiment of the triumph of

⁸²Singer, *Rethinking Life and Death*, 150.

⁸³Singer, *Practical Ethics*, 337-359. Singer writes an entire essay as an appendix, “On Being Silenced in Germany.”

⁸⁴*Ibid.*, 346.

⁸⁵Edgar Morscher, Otto Neumaier, and Peter Simons, ed., *Applied Ethics in a Troubled World* (Dordrecht, Netherlands: Kluwer Academic Publishers, 1998), xix-xxi. The events are described in the section “On the History of this Book: The Cancellation of the 1991 Wittgenstein Symposium.” Singer’s presentation, that was not to be, is also printed in the book, pp. 93-104.

power over principle, in the manipulation of life and death by the fit at the expense of the unworthy.⁸⁶

Singer's slogans like "some humans are not persons," when combined with "only a person has a right to life," alarm those who remember a massive involuntary euthanasia program based upon the concept *lebensunwertes Leben*, "Life Unworthy of Living." The overall reaction of the German and Austrian protestors is that Singer's system could begin a horrific journey of "back to the future." It is a past they remember all too well, and vow never to repeat.

Rhetoric and protests aside, a detailed study is made of euthanasia and the potential "slippery slope" down into "Nazi practices" in the Oxford Reading in Philosophy Series.⁸⁷ Singer is featured in Ruth Macklin's essay entitled "Which Way Down the Slippery Slope? Nazi Medical Killing and Euthanasia Today." According to this article, Singer belongs to the group of ethicists who are most ambivalent about any possibility of a slippery slope. However, while she mentions no one by name, Singer could be included in her conclusion which warns about those heading down "The Most Dangerous Slope." Macklin identifies a view of euthanasia which is advocated by Singer:

Withholding or withdrawing life-sustaining therapy from patients whose continued treatment is not "costworthy" bears a much greater similarity to the Nazi euthanasia program than does the current practice of active euthanasia in the Netherlands.⁸⁸

⁸⁶George Weigel, *Washington Post Book World*, 26 March 1995.

⁸⁷Ruth Macklin, "Which Way Down the Slippery Slope? Nazi Medical Killing and Euthanasia Today" in *Bioethics*, John Harris, ed. (Oxford: Oxford University Press, 2001), 109-30.

⁸⁸*Ibid.*, 128.

When the justification offered for terminating treatment is that it is not “costworthy,” or that it is consuming a disproportionate amount of society’s or an institution’s resources, the slide down one of the slopes to the Nazi program has already started.⁸⁹

As documented earlier in this chapter and elsewhere in this dissertation, Singer factors “costs” into the equation to terminate life.⁹⁰

It should also be noted that Singer employs the same kind of euphemisms and rational for euthanasia that were utilized in the Nazi program.⁹¹ In *The Nazi Doctors*, Robert Jay Lifton documents the “euthanasia” movement in Nazi Germany, where “doctors killed and did so in the name of healing.”⁹² From this precedent of “medicalized killing,” Lifton warns against “the universal potential for just such behavior.”⁹³ Once the mentally handicapped, the physically handicapped, and the terminally ill can be actively killed—as they were in the Nazi T-4 campaign—the difference between Singer’s program and the T-4 campaign is a difference of degree, not kind.

Because the big picture of Singer’s program entails an ethical revolution that includes abortion, infanticide, euthanasia and assisted suicide, ominous parallels to a rejected past should be taken seriously. Normalizing the killing of innocent human

⁸⁹Ibid., 130.

⁹⁰See p. 198 in this dissertation chapter.

⁹¹Ben Mitchell, “Nazi Germany Euphemisms” in *Dignity and Dying: A Christian Appraisal*, ed. John F. Kilner, Arlene B. Miller, Edmund D. Pellegrino (Grand Rapids: Eerdmans, 1996), 123-134. Mitchell notes parallels between Nazi terminology and the terms used by euthanasia proponents today.

⁹²Robert Jay Lifton, *The Nazi Doctors: Medical Killing and the Psychology of Genocide* (New York: Basic Books, 1986), 503.

⁹³Ibid.

beings is not only wrong because it may lead down a slippery slope. In fact, when this kind of killing is legitimized or legalized, society is already near the bottom of the hill. Projecting Singer's ethic forward, and imagining what kind of world it would produce, does not result in a healthy picture. For this reason, Singer's ethical proposal fails his "big picture" test and should not be adopted.

Practicality

Practicality is a key theme for Peter Singer. He views this standard as non-negotiable. It is important to recall again that Singer has written an entire textbook dedicated to this view, *Practical Ethics*. In that publication Singer is emphatic:

Ethics is not an ideal system that is noble in theory but no good in practice. The reverse is closer to the truth: an ethical judgment that is no good in practice must suffer a theoretical defect as well, for the whole point of ethical judgments is to guide life.⁹⁴

It is also relevant to remember that Singer believes that a person accepts, *de facto*, a different ethic than he or she professes, if there are exceptions in practice.

According to this standard of practicality, it is possible to say that Singer's proposal concerning the value of the "person" is seriously flawed, considering his own practice in life. Singer has been accused of personally not acting with consistency when it comes to life and death. He has been charged with "bluffing," or just *teaching* ethical principles to be applied to "Other Peoples' Mothers."⁹⁵

⁹⁴Singer, *Practical Ethics*, 2.

⁹⁵Peter Berkowitz, "Other People's Mothers: The Utilitarian Horrors of Peter Singer," *The New Republic*, 10 January 2000, 27-37.

Cora, the elderly woman with Alzheimer's described at the beginning of this dissertation, is Peter Singer's mother. Although his system has no place for aides to be looking after demented dying old women, especially when children are hungry all over the world, Peter Singer kept paying for her expensive care. He did this for quite some time. When confronted with this ethical anomaly by *The New Yorker*, his explanation was, "Perhaps it is more difficult than I thought before, because it is different when it's your mother."⁹⁶

In time, Cora's death was publicly announced by Singer in a debate with Richard John Neuhaus.⁹⁷ For the purposes of this dissertation, Peter Singer was contacted and asked, "Did you and/or the other family members continue the reported work of the care team until your mother's natural death, or did you and/or the other family members transition at some point to active or passive euthanasia?" Singer's reply was:

Active euthanasia was not carried out. It is, of course, illegal in Australia. But as for the rest, what is "natural death" and what is passive euthanasia? A time came when the family and the doctors decided not to take further efforts to prolong my mother's life.

Please note that it was important to me that any decisions should be ones that the family as a whole – my sister, and my mother's grandchildren, all of whom are adults – should be comfortable with. As in many families, different people have different views about these questions.⁹⁸

⁹⁶Michael Specter, "The Dangerous Philosopher," *The New Yorker*, 6 September 1999, 55.

⁹⁷Richard John Neuhaus, "A Curious Encounter with a Philosopher from Nowhere," *First Things* 120 (February 2002): 77-82. According to Neuhaus, he tried to make this inconsistency a debating point against Singer, but Singer bested him with the audience by announcing Cora's death and accusing Neuhaus of invading his privacy.

⁹⁸Peter Singer to Jerry Johnson, electronic mail, 22 April 2003.

There are not a lot of new details here. There is ambiguity about the “efforts to prolong” Cora’s life. Perhaps the most important point is Singer’s acknowledgement that this was a family decision, a point which he made in *The New Yorker* to defend himself against inconsistency.⁹⁹ Neuhaus comments that Singer’s “family defense” in *The New Yorker* showed “that he was clearly more interested in defending his curious theory than in defending his commendable care for his mother.”¹⁰⁰ Whatever the case, two points are apparent. First, whether or not the family pressured him, Singer provided care for his mother for a significant amount of time. Here, his practice would in fact contradict his proposal, but might nevertheless show he had compassion. Second, at some point it appears he and the family decided to discontinue that care and opted instead for some form of passive euthanasia. A natural death would be easy enough to indicate, without the equivocation.

If this analysis is correct, Singer was inconsistent at first for providing care for his mother, and later he may have become consistent in not providing care for his mother. Being consistent with his ethic, and not caring for his mother, might have been the best for his ethical proposal. Being inconsistent with his ethic, and caring for this mother, would appear better for both Cora and Peter Singer. In any case, Singer’s ethical proposal should be questioned because even he was unable or unwilling to live it consistently.

⁹⁹Specter, “The Dangerous Philosopher,” 55.

¹⁰⁰Neuhaus, “A Curious Encounter,” 79.

Conclusion

Singer's proposal can be summed up in three steps when it comes to "consequences." First, Singer claims that something is wrong with the old ethical standard of deciding life and death, which is based upon the sanctity of innocent human life. This chapter has reviewed Singer's charge that the old ethic is not consistent, logical, or compassionate. He also claims the traditional ethic leads to undesired outcomes, fails as a big picture, and is not practical.

Second, when Singer presents his alternative to the traditional sanctity of human life ethic, he stresses that his substitute ethic also has different consequences. His proposed "New Commandments" substitute a new maxim that "only persons have a right to life" as a replacement for the old standard which values the sanctity of human life. "Preferences" also emerge a replacement for the value of human life. When the "personhood" and the "preferences" values are combined, the consequences are indeed new. For Singer, the "preferences" of the "person" are elevated above the competing claim of the human being's right to life. In his scheme a parent's preference for healthy children nullifies a handicapped infant's right to life, resulting in infanticide. Singer's proposal also replaces the old responsibility to prevent suicide and active euthanasia with the new command to "respect a person's desire to live or die." His recommended ethic would result in the legalization of abortion, infanticide, assisted suicide and active euthanasia.

Third, since it is a "replacement" proposal, Singer's ethic must face an obvious question. "How is it better or worse than the old ethic?" The conclusive argument of this

chapter is that Singer's proposal be rejected because it fails in terms of its consequences. Because Singer's system is promoted as a "Copernican Revolution," positively, it should be shown to be better than the *status quo*. It should also be shown, negatively, to have fewer drawbacks than the reigning ethic it would replace. However, when tested by his own list of desired outcomes, Singer's ethical proposal does neither.

While Singer believes that a valid ethic must be consistent and non-arbitrary in practice, Singer's own proposal is consistently arbitrary in its application. His 28-day line for infanticide is just as arbitrary, if not more so, than any notion of fetal viability. As to his own test of logical consistency, Singer violates this standard by both affirming, and denying, that the embryo is an individual human being who is alive. Singer's value of acting compassionately and humanely is undermined by his recommendation that allows for killing human embryos, killing human fetuses, killing human infants, and killing human adults via voluntary active euthanasia or assisted suicide.

Singer's conviction that a credible ethic must not result in undesired outcomes ends up undercutting his own proposal. The Dutch experiment shows that legalized voluntary euthanasia tends to be followed by an increase in illegal involuntary euthanasia. Similarly, to see the big picture of what Singer's ethic will look like when projected forward, one may simply project it backward. History shows that once the idea is accepted, that some human lives are unworthy of protection, the "slippery slope" to expand that circle is ever so seductive. Finally, Singer has shown that his system did not meet his own practical test in the case of his own mother. For these reasons, Singer's proposal should be rejected.

CHAPTER 6

SUMMARY AND CONCLUSIONS

In *Rethinking Life and Death*, Peter Singer uses his proposed ethical value of the “person” to recommend abortion, infanticide, euthanasia, and assisted suicide. Given the serious nature of these issues and his proposed ethic, a critical evaluation was merited. His proposal consists of four key points. First, there is the foundation for his proposal—rejecting creation for evolution. Second, there is the substance of his proposal—replacing the value of the “human” with the value of the “person.” Third, there are the criteria for his proposal—using “indicators” and “relevant characteristics” to identify the kinds of beings who qualify as “persons.” Fourth, there are the consequences of his proposal—promising an ethical “Copernican Revolution.”

Chapters 2-4 critically evaluated the four key ideas from Singer above. The evaluation of the respective key idea in each chapter covered five steps: (1) the context of Singer’s proposal; (2) the content of Singer’s proposal; (3) positive evaluation; (4) negative critique; and (5) conclusion. The research methodology for the dissertation was to treat Singer’s ethical proposal on the “person” as a hypothesis to be tested by his own truth standards of logical consistency, empirical evidence, and practicality.

Singer's Proposal: The Foundation

The objections to Singer's use of Darwinian evolution as a basis for his proposed ethic are so substantial as to remove the foundation from under his entire system. If Singer's stated test of logical consistency is the rule by which his own system is to be judged, it fails. First, excluding special status for humankind, solely on the basis of evolution, overlooks the option presented by the idea of theistic evolution. Second, as a formal syllogism, Singer's argument is not valid on three counts. His conclusion does not obtain from his premises. Singer is also mistaken because of his reliance on the "is/ought" argumentation of ethical naturalism. The circular argument inherent in evolution's theory of natural selection also weakens his case. Third, Plantinga's explanation of "Darwin's doubt" shows that there is a self-refuting evolutionary argument against naturalism that nullifies any supposed philosophical advantage gained from the theory.

Similarly, Singer's proposed evolutionary-based ethic is put at jeopardy by his own scientific standard of empirical evidence. Darwinian evolution is undermined by Behe's biological argument for "irreducible complexity," and Demski's mathematical proposal for the "design inference." The two proposals are gaining influence at academic and popular levels. Likewise, other scientific evidence for evolution is not conclusive. As Johnson and others demonstrate, the empirical facts concerning the fossil record, origin of life studies, and molecular evidence for common ancestry testify against Darwinian explanations. The fact that leading evolutionists, like Dawkins and Gould, passionately disagree about how evolution is supposed to work only confirms the above suspicions about the validity of Darwinism. Furthermore, they cast doubt on Singer's

proposed ethical system that is based upon Darwinism's probability. This raises significant questions about Singer's grand vision for a new Copernican revolution in ethics.

Because of these failures, Thomas Kuhn's notion of scientific revolution actually provides the basis for a paradigm shift *away from* evolution and evolutionary ethics. Given these logical and empirical inadequacies, Singer's argument for an evolutionary ethic fails. Singer has not shown that the biblical and traditional sanctity of human life ethic needs to be replaced, or can be.

Singer's Proposal: The Substance

The substance of Singer's proposal is substituting the value of "person" for the previous value of "human." His sources for this switch include the classics, Nicea, the Trinity, Boethius and John Locke. With these points of reference, he attempts to justify his dual claims that some persons are not human and that some humans are not persons. In fact, Singer misrepresents these sources in several different ways.

For instance, Singer assumes John Locke's view from the start and imposes that understanding upon the other sources. Also, he does not accurately show the context for Locke. Singer misplaces the bibliographic citations in two different texts in two different ways, and also, in terms of the subject context. Locke's definition of personhood is contextually placed in other material that implies the exclusion of animals as persons, or at least some special status for human beings. In addition, unlike Singer, Locke probably would recognize infants as persons, before and after delivery. Singer does not. However, Singer is probably correct to read Locke's definition to exclude as persons those who are not currently able to exercise rationality and self-awareness over

time. Finally, Locke's "self-awareness over time" criterion for personhood does not fit Singer's emphasis on the councils or theology proper.

As Singer says, the Trinity necessarily implies the concept that "some persons are not human." Other than this, his use of the councils is not valid. He references Nicea when he almost certainly intends Chalcedon. Although Chalcedon emphasizes the difference between "nature" and "person," this distinction is lost in Singer's assignment of indicators and relevant characteristics to "person" and not "nature." Also, the Trinitarian deduction that "some persons are not human" does not logically lead to the conclusion that "some humans are not persons." Certainly the councils never envisioned such an idea, nor did they entertain any notion of personhood for apes.

Boethius is also misrepresented by Singer. Boethius certainly ruled out personhood for animals. Boethius also differentiated between "nature" and "person" in the same way as the church councils. Different from Singer, Boethius assigned accidental properties and characteristics to "nature," not "person." Besides this, Boethius and Locke are not to be viewed as complementary, as Singer implies. Boethius' definition of person as "the individual substance of a rational nature" would actually acknowledge that each individual human being is a person.

Singer's introduction of sources that emphasize the incarnation of Jesus Christ fails to make the case for rejecting the sanctity of human life as an ethical value. In fact, the Incarnation of Jesus Christ means that there is something special about human beings. The Second Person of the Trinity became incarnate at the point of fertilization. This indicates that human life, from the earliest possible stages onward, is individual, identifiable, and personal.

This analysis and critique demonstrates that the substance of Singer's proposed replacement of "human" with "person" is based upon sources that are not "solid," and not "historical," as Singer himself asserted.

Singer's Proposal: The Criteria

The criteria for personhood in Singer's proposal are, in short, rationality and self-awareness over time. Singer appeals to the *Oxford English Dictionary* and to Joseph Fletcher as sources for this approach. The "relevant characteristics" that serve as Singer's criteria for personhood are not supported by the sources or the standards that Singer claims. Singer shows a selective bias in the citations he quotes from *The Oxford English Dictionary*. He avoids the definitions that argue for human personhood or against animal personhood. Singer's actual use of the *OED* material is also misleading. In some cases, Singer is willing to quote only part of a specific definition to eliminate a phrase that shows "human" to be "distinguished from animals."

Similarly, Singer's reliance on Joseph Fletcher ultimately hinders his overall recommendation. Fletcher's program actually presupposes the value of human life by identifying indicators of humanhood. Whatever else these indicators may reveal, they cannot show that humans are not "human," as Fletcher asserted. In addition, the indicators of humanhood actually impose a speciesist standard on animals, which undermines Singer's pro-animal agenda. In addition, Singer, along with Fletcher, cannot decide which relevant characteristics really count, or how they count.

Singer's own standards of logical consistency and empirical evidence are transgressed with this proposal. He cannot consistently be against, and for, human rights at the same time. Also, Singer cannot consistently use indicators of human nature to

determine the relevant characteristics for personhood, and then turn these same indicators back against some human beings to deny that they are persons. He is also wrong to assign “person” to capacities. Instead Singer should assign capacities to specific persons.

Likewise, the empirical evidence does not justify Singer’s claim that humans and animals are only different in degree, not kind. Singer’s appeal to DNA is inappropriate and inaccurate. Even Jane Goodall, his source for documenting “non-human” persons, recognizes the fundamental difference between humankind and the most sophisticated apes. Since Singer misinterprets his own sources and violates his own standards, his proposed criteria of relevant characteristics for determining personhood should be rejected.

Singer’s Proposal: The Consequences

Because Singer’s system is promoted as a “Copernican Revolution,” if adopted, it should result in a better world. But Singer’s ethical proposal should be rejected because it fails in terms of its anticipated consequences. When tested by his own list of desired outcomes, Singer’s recommendation cannot deliver what he promises.

Even though Singer states that a valid ethic must be consistent and non-arbitrary in its application, Singer’s own proposal is consistently arbitrary in its application. His 28-day line for infanticide is as arbitrary as any notion of fetal viability. When it comes to logical consistency, Singer breaks this standard by affirming and denying, at the same time, that the embryo is an individual, living, human being. Singer’s value of acting compassionately and humanely is violated by his recommendation that allows for killing human embryos, fetuses, infants, and adults through voluntary active euthanasia or assisted suicide.

Singer's insistence that a viable ethic must not lead to an undesired result actually undermines his own proposal. In spite of his claim, the example of the Netherlands in fact demonstrates that legalized voluntary euthanasia results in an increase of illegal involuntary euthanasia. Likewise, the big picture of what Singer's ethic will look like when projected ahead becomes clear when projected back. With the German conscience as its guide, society has learned that once the idea is accepted that some humans are unworthy of protection, the "slippery slope" to expand that circle may encompass others. Ultimately, Singer's system did not meet the practical test in the case of his own mother. For these reasons, Singer's proposal should be rejected.

Conclusions

The conclusion of this dissertation project is that Peter Singer's proposals on life and death are not to be commended. Furthermore, this dissertation concludes that Singer's proposed ethical value of the "person" should be rejected because its foundation is faulty, its substance is illusory, its criteria are circular, and its consequences would be grave.

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