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## **DIGNITY, EQUALITY, FREEDOM: THE EU-POLICY VALUES VIEWED PERSONALISTICALLY**

The United Nations 1948 Universal Declaration of Human Rights<sup>1</sup> begins with such key themes as dignity, equality, inalienability, and freedom. Unarguably, these are themes whose subject of reference is the human person. The human person is, therefore, in the light of the UN Declaration, the subject of dignity, equality, incommunicability, and freedom.

The beginning of the European Union also dates back to approximately the same period as the Universal Declaration of Human Rights, namely after the Second World War. Some three scores of years down the line, we still find similar themes of dignity, equality and freedom resonating in the European Union fundamental documents (treaties and charters). What is important, however, is that these themes, in real-

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<sup>1</sup> The Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948, General Assembly resolution 217 A, as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected. In its first paragraph, the Preamble reads as follows: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” (<http://www.un.org/en/universal-declaration-human-rights>, accessed on 30 May 2016).

istic terms, highlight the category of personal subjectivity of the human being.

The personalistic themes are found in the 2004 Treaty establishing a constitution for the European Union,<sup>2</sup> namely the inviolable and inalienable dignity, freedom, and equality to be acknowledged and respected in every human being. This landmark document lays claim to philosophical concepts which can best be interpreted within the purview of a realistic metaphysics of the human person.

In this article I shall attempt to highlight these three themes, considering *dignity* as grounded on the understanding of man as *imago Dei*, *equality* as doubly grounded in both the unique identity and incommunicability of each human person, and then *freedom* as doubly grounded in the dual responsibility of each human person for his or her actions as well as the responsibility we share for each human life from conception to natural death.

I intend to point out that these theoretical commitments of the EU policy should be respected and upheld if understood properly. I would argue that these key themes (dignity, equality, and freedom) of the EU policy can be appreciated within a proper interpretation of the category of person as the proper subject of action. In other words, it is my submission that the subjectivity of the individual person rather than that of the public state underlines the context of interpreting those

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<sup>2</sup> It is notable that the EU had an earlier treaty in 1992 called the Maastricht Treaty which paved the way for European integration. The Maastricht Treaty contains references to categories such as *freedom*, *democracy*, *respect for human rights*, etc., in its preamble. It was, however, replaced by other documents such as the Amsterdam Treaty (1997), the Treaty of Nice (2000–2001), and The Charter of Fundamental Rights (2000). Thus, we can only say the last in the series of EU treaties is the Treaty Establishing a Constitution for Europe in 2004, which re-echoes the visions of the UN 1948 Declaration document in its preamble as follows: “Drawing inspiration from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law” (<http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/preamble.html>, accessed on 10 May 2016).

themes of dignity, equality and freedom, which are the liberal values our society purports to cultivate.

### **Dignity of the Human Person as *Imago Dei***

In his recent work on Europe's crisis of civilization, Piotr Jaroszyński confirms that three politicians: Robert Schuman, Konrad Adenauer, and Alcide de Gasperi "are considered to be the founding fathers of the European Union."<sup>3</sup>

In 1946, at the earliest beginnings of the EU, one of them, Konrad Adenauer had this specific definition of the human person: "The human person has a unique dignity and the value of each individual is irreplaceable."<sup>4</sup> Thus, Adenauer used not only the notion of dignity, but also that of *incommunicabilitas* (irreplaceability) to describe the human person. The question of dignity and incommunicability highlights the unique value of the person. In Adenauer's description of the human person's dignity, the Christian notion of *imago Dei* is conspicuous. On the basis of this lofty image of the individual person, the emphasis on the value of each individual human being reflects a policy focus on the subjectivity of the person rather than the subjective totality of the state.<sup>5</sup> In other words, the category of dignity presents the center of obligation and rights, as it were, to weigh the balance towards the significance of the person over that of the state.

This calibration of what accounts for social and communal values using the human subjective paradigms is devoid of its lofty "measure" when detached from its foundations in God or what is divine. The human person is subjectively valued and as such is paradigmatic in so

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<sup>3</sup> Piotr Jaroszyński, *Spór o Europę: zderzenia cywilizacji* (Lublin: PTTA, 2015), 84.

<sup>4</sup> Cit. after Gottfried Claussen, *Virtues of Power: Boris Trajkovski's Pursuit of Jesus in Politics and Government*, trans. Margaret Kahlberg (Nuernberg 2013), 78.

<sup>5</sup> Cf. Konrad Adenauer, *Staatsauffassung*: "Der Staat besitzt kein schrankenloses Recht; seine Macht findet ihre Grenze an der Würde und den unveräußerlichen Rechten der Person" (In Bonn auf einer Veranstaltung der CDU am 7.4.1946, <http://www.konrad-adenauer.de/biographie/zitate/staatsauffassung/>, accessed on 15 May 2016).

far as it carries the image of the Creator. Notably, in the Classical philosophical tradition, we find an example of a human “measure” of social values which is bereft of a definite (divine) paradigm in Protagoras, who is remembered for his maxim that “man is the measure” of all things (*homo mensura*).<sup>6</sup>

In a sense, Protagoras raises the “dignity of man” in his sophistry, which projects a semblance of humanistic paradigms without any foundations or reasons for rational justification. Of course, we should admit that Protagoras’ subjectivity of the human being with regard to his discovery of the centrality of man as the “measure of being” is in a different socio-moral context from the contemporary anthropocentric “turn to the subject.”<sup>7</sup> Yet it resonates with traditions of classical philosophy which speak of man as microcosm, a term most exemplified in Nicholas of Cusa, whose unique way of “posing the relation between the finite and the infinite in the universe”<sup>8</sup> placed man at the center of reality. Marian Kurdzialek writes in this context as follows:

[M]an is a microcosm because in his moral life there occur the same law and order that we observe in the macrocosm . . . Man ceased to be a microcosm in the physical sense of the word; the ancient cosmological meaning of this term was extended to the structure of the soul or else to the ‘qualities’ constituting it; eventually, owing to self-observation, there were brought into relief such characteristics of human nature as the attainment of knowledge (*scire*), the execution of choice (*velle*), the realization of one’s potentialities (*posse*). This microcosmic thread . . . found

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<sup>6</sup> Niels O. Bernsen, “Protagoras’ homo-mensura thesis,” *Classica & Mediaevalia* 30 (1969): 115. See also *Protagoras of Abdera: The Man, His Measure*, eds. Johannes M. van Ophuijsen, Marlein van Raalte, Peter Stork (Leiden–New York: Brill, 2013), 105.

<sup>7</sup> Deborah Savage, “The Centrality of Lived Experience in Wojtyła’s Account of the Person,” *Roczniki Filozoficzne* LXI:4 (2013): 20; hereafter cited as: Savage, “The Centrality of Lived Experience.”

<sup>8</sup> Louis Dupré and Nancy Hudson, “Nicholas of Cusa,” in *A Companion to Philosophy in the Middle Age*, eds. Jorge J. E. Gracia and Timothy B. Noone (Massachusetts: Blackwell Publishing Inc., 2005), 466.

an eminent continuator in the person of Nicholas of Cusa, and through him influenced the contemporary philosophy of man.<sup>9</sup>

The basic idea of the dignity of man, which implicates a unique “worth-ness” of person, is certainly tied to the reasoning that man is a microcosm of the macrocosm (*cosmos*) in the naturalistic context of the universe of the ancients, but this is also found in the theological context of man’s dominion over the natural creatures or over nature in general.

Hence for Max Scheler, man’s transcendence over nature implies his crossing over the boundaries of nature. In Scheler’s words: “When man separated himself from nature and transformed it into an object subject to domination and to the control of symbolic manipulation—at this moment man was also driven to anchor his own central being in something beyond this world.”<sup>10</sup>

The concept of man’s dominion over nature became even more fundamental in the light of a divine mandate which conceived man as a viceroy of the Creator of the universe. This interpretation found corroboration in the concept of man as steward of the Creator’s universe, hence the medieval adoption of the Boethian concept of man as person in relation to the divine persons, from which reasoning we also find the concept of *imago Dei* (image of God) as implying the dignity of man. Peter Colosi notes that Wojtyła also acknowledges this theological insight:

Wojtyła’s counter-proposal [to the ideological basis on which the horrors of the 20<sup>th</sup> century, many of which he himself experienced and witnessed] was . . . built on the conviction that God had made the human creature capable of knowing the good and freely choosing it . . . John Paul II insisted in a vast number of variations on one great theme, was the true measure of man—the

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<sup>9</sup> Cit. after Mieczysław A. Krąpiec, *I-Man: An Outline of Philosophical Anthropology*, trans. Marie Lescoe et al. (New Britain, CT: Mariel Publications, 1983), 386.

<sup>10</sup> Max Scheler, *Man’s Place in Nature*, trans. Hans Meyerhoff (New York: Beacon Press, 1961), 90.

human capacity, in cooperation with God's grace, for heroic [dignified] virtue.<sup>11</sup>

Max Scheler adopts the above theological reasoning on the dignity of man when he writes that "man is a 'between', a 'boundary', a 'transition', an 'appearance' of God in the stream of life, and a perpetually 'moving forth' of life beyond itself."<sup>12</sup>

However, the basic idea of the dignity of the person derives from the experience of transcendence of the person over his nature and over his acts. Thus the dignity of the person is not merely a consequence of the constitutive integration of the finite and the infinite in the human being as microcosm but more of the complementary affirmation of the person in the experience of transcendence. Mieczysław A. Krąpiec speaks of human transcendence in this respect in resonance with the aspects revealed in Karol Wojtyła's explanation of the person's subjectiveness as indicated by man's subjective capacity for cognition, freedom and love, but also in Wojtyła's explanation of the person's objectiveness as manifest in interpersonal relationships.

Therefore, the dignity of the person springs from the fact that the person is an end in himself which finds a window of transcendence in the capacity to be a subject of law (*persona est sui iuris*<sup>13</sup>). This is rightly noted but not explained completely by Immanuel Kant's *a-priorist* reductionism of person as subject of the law with his categorical imperative resulting to an "autonomy of the goodwill." In point of fact,

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<sup>11</sup> Peter Colosi, "The Uniqueness of Persons in the Life and Thought of Karol Wojtyła/Pope John Paul II, with Emphasis on His Indebtedness to Max Scheler," in *Karol Wojtyła's Philosophical Legacy*, eds. Nancy Mardas Billias, Agnes B. Curry, George F. McLean, (Washington, D.C.: The Council for Research in Values and Philosophy, 2008), 67; hereafter cited as: Colosi, "The Uniqueness of Persons."

<sup>12</sup> Max Scheler, "On the Idea of Man," trans. Clyde Nabe, *Journal of the British Society for Phenomenology* 9:3 (October 1978): 192.

<sup>13</sup> The statement *persona est sui iuris* is a scholastic expression which reveals the dynamic reality of the person as his own law giver in the sense of self-possession and self-governance, which implicates self-determination for acting and as such for obeying or

Kant's theory of transcendental apperception is a positive clarification of the unity of Descartes' *cogito* as a *cogitans*, the cognitive condition of all possible experience and therefore also of all objects of experience, both inner and outer, by which our inner life becomes accessible to us.

Hence, in Kant, the dignity of the person is given as a *cogitans*, foundational in the totality of expressions about another human being, bringing, as it were, to our cognitive data that unity of another person's spiritual inner core, almost incapable of becoming an object when we speak of a person as a spiritual or rational being. This cognized unity, the center of spirit, the person, is not an object or a substantial kind of being, but a continuously self-executing, ordered structure of acts. Dignity of person in Kant's transcendental apperception is thus, for Max Scheler, a pure actuality,<sup>14</sup> which as spiritual acts is not capable of material objectification, but as formal intentionality alone makes the psychic process visible; whereas correlatively in Kant, this is similar to a completed object (an end) given in that fundamental unity of *cogito* which contains all objective experiences of the *cognized* other person as an end in himself. Therefore, for Kant, no human being can be treated merely as a means to an end (i.e., means to something else) since each human being, "whose existence in itself has an absolute worth" is an "end in it[him]self."<sup>15</sup>

Notably, the idea of the human person as end in himself is not just specific to Kant, but it is a presupposition of much of the Western philosophical tradition springing from the rational nature of man. In the

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disobeying; for authorizing himself towards a particular normative expression. This expression was used by John F. Crosby in his "Persona est sui iuris: Reflections on the Foundations of Karol Wojtyła's Philosophy of the Person," in *Karol Wojtyła: Filosofo, Teologo, Poeta: Atti del I Colloquio internazionale del pensiero Cristiano, Rome, September 23–25, 1983* (Vatican City: Libreria Editrice Vaticana, 1984), 25.

<sup>14</sup> Scheler, *Man's Place in Nature*, 47.

<sup>15</sup> Immanuel Kant, *Grundlegung zur Metaphysik der Sitten*, cit. after Henry E. Allison, *Kant's Groundwork for the Metaphysics of Morals: A Commentary* (Oxford: Oxford University Press, 2011), 205.

words of Peter Colosi, we read of such a pervasive intuition based on rational nature as the source of dignity in beings:

Much of Western philosophy elevates human beings above all other entities that inhabit the earth. This lofty worth is presented as the foundation of moral laws that forbid the violation of human beings, such as using them in various ways as if they were means to some end. Western philosophy has maintained that the metaphysical basis for this superior worth which grounds those laws is the rational nature of human beings: any being possessing a rational nature is deemed to be worthy of absolute respect. [However] the exact nature of the rationality possessed by human beings differs somewhat among the philosophers . . . but perhaps a few key features could be identified . . . We perform acts of self-transcendence through our intellect, will and affections . . . Animals cannot engage in discussion, they cannot be said to be morally virtuous or vicious<sup>16</sup> and they do not have an aesthetic perception of the beauty of sunset.<sup>17</sup>

Thus, dignity arising from rational nature implicates primarily that persons are subjects. Hence, objectifications (worse still, the commodifications) of persons must always be interpreted only from the fundamental basis of their subjectiveness. Therefore, even the objectifying look or cognition of another person, must present him or her as an end and never as a means to an end. In this respect of the consideration of persons as ends, Deborah Savage takes the argument for the dignity of persons from rational nature to the specifics of spiritual worth of persons over and above the considerations of the value of material acts of the person, some of which can be replicated or even surpassed by animals, irrespective of moral considerations of concrete material acts:

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<sup>16</sup> In Max Scheler, *Formalism in Ethics and Non-Formal Ethics of Values*, trans. Manfred S. Frings and Roger L. Funk (Evanston: Northwestern University Press, 1973), 85, we find such views as “only persons can (originally) be morally good or evil; everything else can be good or evil only *by reference to persons*, no matter how indirect this ‘reference’ may be.”

<sup>17</sup> Colosi, “The Uniqueness of Persons,” 63.



The “personalistic value” of an action is to be distinguished from its moral value. Moral values of an action is anchored in the fact that the one performing it is a person. This value “is a special and probably the most fundamental manifestation of the *worth* of the person himself.” For though the value of the person is prior to the value of the action (since being is prior to action), it is in the action that the person manifests himself.<sup>18</sup>

Man’s dignity is thus to be underscored not as a feature of the value of his nature (psycho-physical as well as emotive-rational nature), since man transcends his nature, as Wojtyła explains (and even as Scheler and Kant also indicate to some extent). Nor should it be understood as a feature of the value of his action, as Savage warns, but specifically it is to be regarded as a personalistic value.

It is thus in this context that Frederick Nietzsche’s *Übermensch*<sup>19</sup> becomes skewed and fundamentally faulty as a basis for the justification of the theories of euthanasia or eugenics that flooded the ideologies of the perpetrators of genocidal atrocities during the Second World War. The Greco-Roman concept of the dignity of man preserved the truth of dignity even in the weakest or least viable of living persons. Hence the maxim *Res Sacra Miser* (*the weak is a sacred thing*) remains a basic intuition of dignity in the human person in contradistinction to Nietzsche’s German-idealistic *Übermensch*.

As was stated earlier, a consideration of the dignity of the person in this chapter is taken as part of the triad of theoretical consequences, the other two parts being the equality of the person and the freedom of the person.

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<sup>18</sup> Savage, “The Centrality of Lived Experience,” 46.

<sup>19</sup> On the history of the notion *Übermensch*, see Eva Cybulska (2012), “Nietzsche’s *Übermensch*: A Hero of Our Time?,” *Philosophy Now* 93 (November/December 2012), [https://philosophynow.org/categories/Themed\\_Articles/Nietzsche\\_Reloaded](https://philosophynow.org/categories/Themed_Articles/Nietzsche_Reloaded), accessed on 7 June 2015.

## **Equality of Human Persons Identified as Unique and Incommunicable Entities**

### *Identity of Persons as Individual Human Beings*

The word *identity* has a history of nuances which is most probably related to separate histories of its Greek composites: *ιδιώτης* and *το ον*. The first word *idiotes*, developed within a political climate of the Greek democracy which links it with the understanding of the private in opposition to the public. The Greek *idiotes* is a private individual who did not participate in the democratic voting or election. It gradually became a degenerate expression in the Latin *idiota*, and the French *idiote*, as it came to be associated with uneducated and ignorant persons.

In a sense, the individual value of the human person was not very much appreciated in the earlier civilizations where the state or the public was conceived as the more perfect realization of the human phenomenon. In philosophical traditions as well, this was the prevalent understanding, as for example in Plato (*Republic*) and later in a more recent time in Hegel (Absolute Spirit). Totalitarian regimes do weave their rhetoric of propaganda in this context, which contemporary liberalism appears to rebuff with a more positive appreciation of *idiotes*, as the individual person (in contrast to the Latin public *persona grata*).

The other part of the composite, the Greek *το ον* was the Parmenidean ingenuity which differentiates between being as *to on* and non-being as *to ouk on*. The Greek *ον* found its way into the Latin rendition of *ens*, and the English *entity*. Therefore, it should be appreciated that both words *id + entity*, which today seem to have become the composites of the word *identity*, have separate histories, the one a bit degenerative in value (i.e., *idiot*) and the other a bit more positive in value (i.e., *being*).

Be that as it may, in speaking of the identity of the human being, however, what is to be taken as paradigmatic is the individual nuance which he or she has retained from the beginning over and above other

forms of identity which seem to subsume the individual in the mass (weight) of totalitarianism, even when this totalitarianism takes the form of a so-called socialism or socialist states. What I intend to highlight, however, is that the individuality of the identity of the person is the only guarantee of an active identity, since the amorphous identity of a public person can only realize any social good or action through the potencies of the individual members of the state. The state or the public as such is only so-called, due to the fact that without individual human beings it does not make sense to speak of state or nation or public or community.

Any human community derives its identity from the identity of the individual human persons without whom it cannot be described as a *human* community at all. The activities of the living human being in both the dynamics of nature and of person correspond to this principle at every instance of consideration, preserving, as it were, the substantial source of all these activities as that same individual subject. Hence it is the same person who was in potency that is continuously realized in activations and actualizations of this same potency.

Personal identity is made manifest in consciousness within the context of self-knowledge as self-identity. In Karol Wojtyła's *The Acting Person*, the specific experience of self-identity as given in the objectification<sup>20</sup> of the self by consciousness in its mirroring function (which is the first step to the knowledge of one's own self as a unity of the subjective center), is clearly indicated as being contradistinguished

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<sup>20</sup> The human person can objectify himself in relation to his natural acts—including the natural processes of life from conception to death—such that he gets an objective unity of who he is in the one concept of *self*, analogously unifying the integrated composites of his psycho-physical and emotive-spiritual nature in a *transcendental* grasp of his identity. This objectification reveals at the same time, his subjectiveness as *myself* (*himself, herself*). He identifies his subjectivity in that objectification of *self*, thus simultaneously in self-identity, the human person accentuates the unique phenomenon of personal identity over and above the natural modifications of his dynamisms in bodily and spiritual structures, all through his existential moments from natural conception to natural death.

from every other kinds of knowledge (contained in consciousness). As in this case of self-knowledge, the object of knowledge is identical (i.e., coincides) with the knowing subject such that we can talk of self-identity.<sup>21</sup>

It is notable, that both the specific contents of consciousness given as self-knowledge and consciousness itself belongs to the person, since it is “constituted by the subject as an attribute of the whole person who, after all, is not simply a *consciousness* but a *someone* who is both physical and spiritual, both subject and object (objectified self-knowledge).”<sup>22</sup> In Wojtyła’s personalism, consciousness plays a role on behalf of the person who constitutes it, hence “consciousness is an intrinsic and constitutive aspect of the dynamic structure, that is, of the acting person.”<sup>23</sup>

Therefore self-knowledge plays a pivotal role in the interplay of consciousness and the awareness of the self, as a kind of insight into the object that I am for myself.<sup>24</sup> Since self-knowledge is shown to be the consciousness of self-identity, we can imply that it is the foundation of personal identity. Wojtyła argues for the continuity of this personal identity in the diverse moments and modifications of the person which

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<sup>21</sup> Karol Wojtyła, *The Acting Person*, trans. Andrzej Potocki (Dordrecht: D. Reidel Publishing Company, 1979), 35–36: “All the forms and kinds of knowledge which man acquires and possesses and which shape his consciousness with respect to its content, that is from the side of objective meanings, have to be distinguished from what we call ‘self-knowledge’. There is no need to explain that self-knowledge consists in the understanding of one’s own self and is concerned with a kind of cognitive insight into the object that I am for myself. We may add that such an insight introduces a specific continuity to the diverse moments or states in the being of the ego, because it reaches what constitutes their primary unity, which comes from their being rooted in the ego. Hence it is not surprising that self-knowledge more than any other form of knowledge must be consistent with consciousness; for its subject matter is the ego, with which . . . consciousness remains in an intimate subjective union. At this point self-knowledge and consciousness come closest together . . .”

<sup>22</sup> Kenneth L. Schmitz, *At the Centre of the Human Drama* (Washington DC: Catholic University Press, 1993), 66.

<sup>23</sup> Wojtyła, *The Acting Person*, 31.

<sup>24</sup> Savage, “The Centrality of Lived Experience,” 34.

we experience as activations and actuations in both the dynamisms of natural processes and personal actions.<sup>25</sup> This dynamism does not alter the identity of the subject in a substantial sense but specifically, it is within the accidental elements of growth and development without changing the substantial subject which is rooted in the ego or the self.

The two extreme poles of conception and death within the existential life span of the person accentuate the intuition of this identity as we recognize the same human being who was conceived and subsequently born as the same human being who died. This personal identity is already given to us in the transcendental property of every being as one, explained by the law of non-contradiction with respect to all really existing beings.

In point of fact, if a person is a really existing being, then personal identity must be a theoretical consequence that tallies with the principle of non-contradiction, since a person will certainly be identified only as this self, i.e., this person, but cannot be identified as both this self and another self at the same time. Andrzej Maryniarczyk synthesizes the agreement of various philosophers on this principle of non-contradiction as a consequence of the unity of real beings (persons and things):

For Aristotle, one indivisible form [essential form of the self or person, in this case] is the basis of this analogical unity and identity. For Thomas Aquinas, this basis is one undivided act of existence [of the self or person, in this case] that unites and organizes the plurality of elements [from birth to death] into a unity . . . Existential unity constitutes the primary characteristics of the being of things. Following Augustine, this unity can be called 'one-being' . . . For this reason, we speak of unity of composite beings [persons: composites of body and soul, matter and spirit] by analogy. In them the act of existence is not divisible into the 'act of existence' and of 'non-existence', and although the act of existence is not absolutely identical with the content it actualizes, yet

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<sup>25</sup> See note 21.

it gives to this content unity and non-contradiction. Hence we may say that the kind of being is the same as the kind of unity.<sup>26</sup>

One of the manifest contemporary ideological denials of the unity of the human being as accentuated in personal identity is the ongoing debates of gender theorists on the crisis of sexual identity. It is necessary to begin first with the distinctions of identity as given in the ontic structure of the acting person from gender as ontologically structured in the actions (roles) of the person. The confusion of the efficient causality as sourced from the *subjectivity* of acting person with the final causality as manifest in the *objectivity* of the actions of the person leads also to the confusion of sexual identity (subjective persons) with gender roles (objective actions of persons).

The human person exists substantially as one being identical with each moment of his or her natural states (zygote, foetus, baby, toddler, teenager, adult, elderly, dying) all through life. Therefore we cannot talk of these states or discrete dynamisms contained in the continuum of integral and complementary natural existence of a person as having different personal identities, since in each of these discrete moments, we can identify the continuity of the same individual substance undergoing accidental, incremental, and developmental changes, whereas the self remains consciously mirrored as substantial, the subject and the source of the dynamisms, all related to that same one unique act of existence. An argument which presents double or multiple identity of the self in the sexual aspect of these dynamisms does not explain the unique and unrepeatable *existential* nature of the substantial source of the changes since only one existence is granted to the same personal substance who can be said to have undergone a change or series of changes over the course of its existence.

Moreso, positing the existence of a double or multiple entities (i.e., identities) for the same individual substance simply by positing the

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<sup>26</sup> Andrzej Maryniarczyk, *Metaphysics Notebooks 4: Rationality and Finality of the World of Persons and Things* (Lublin: PTTA, 2007), 38–40.

argument of a changed nature of the identity of natural sexual constitution and structure of the dynamism (dynamic orientation) of a person does not tally with the principle of non-contradiction. What the argument says at best is that an aspect of the same entity (namely the sexual aspect) has been altered. It does not, however, prove any alteration of the *identity* of the substance as the same existing person. It is the same individual entity before and after the alteration of the sexual parts in much the same way it will still be the same individual entity before and after a hair-cut in a salon or after a therapeutic amputation of one of the arms or limbs. To insist that alteration is a replacement of existential identity is to implicate a parallel structure of a double potency-act structure within the same really existing nature, which is absurd and illogical. It is in this sense that Mieczysław A. Krąpiec noted that “clearly, numerical unity cannot be regarded as the transcendental unity, just as the quantitative side of being cannot be identified with the whole of being, and especially [cannot be identified with] the factor that constitutes being-ness itself.”<sup>27</sup>

In point of fact, the act of existence of a being is dynamically structured with the primary actualization of the potency of the being’s essence. This primary actualization of potency is not repeatable, such that subsequent actualizations are the substantial changes and modifications of an already existing substance identified with the first actuated potency. It is thus significant that the act of existence of a person is identical with personal substantial identity from which subjectivity of the person and the self-identity of the person is derived.

Therefore, this act of existence as a personal being can neither be repeated nor divided, just as the act of existence of any other being cannot be divided. Apart from the non-division of the act of existence, Aristotle saw the foundation for the unity of being in one form that determines matter. This form is not the genus essence of the being as such but it inheres in the individual particular being as the form of *this*

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<sup>27</sup> Cit. after id., 39.

*here (tode ti)* matter. This form can be considered to be the nature (in Aristotelian sense of moderate realism) of *this here* individual being. An argument on the change of the sexual nature of any individual being therefore implicates the change of individuality or substantial nature of the person which is not logical as the nature of person is humanity (in the genus essence) or male-human being or female-human being (in the species essence).

Nature as identity, however, in its separate essential internal elements is not composed externally as a substance is composed of divisible matter and indivisible form, but it is rather a principle of being understood thus as the nature of each being which cannot undergo accidental (content/object/visible: divisible or composite) change as the principle of non-contradiction indicates. Any accidental change is certainly not to be equated with a substantial change of a nature, since essences (such as humanity, masculinity, femininity, animality, rationality, etc.) cannot be replaced. Changes can only occur on the level of extensions (improvements or decrements in size) or alterations (rearrangements of the already existing elements) but these accidental changes can never affect the existential identity of the beings in question in so far as they are naturally existing. Beyond their natural existence (i.e., as human beings, whether as humans or female humans/male humans or altered humans), we can speak of unnatural existence yet in both cases of natural and unnatural existence, it is still naturally identified that humans exist as humans. One of the implications of this human identity is certainly sexuality. Sexual identity therefore is part and parcel of human identity, as there is no sexless human person existing anywhere today. All existing human beings today are identified as being of a sexual nature. In a nutshell, experience has proved to us that we can speak of destruction-conversion or modification-alteration of the subject of the same substance but not the existent substance itself in so far as it is realistically existing. That which is (and dynamically



structured to exist as) male is not not-male just as that which is John is not not-John as demonstrated:

The principle of non-contradiction expresses the impossibility of connecting in one judgement an assertion and a denial concerning the same object . . . For indeed a contradiction is the identification under the same aspect of being and non-being, e.g., in the form of the assertion “being is non-being” or “non-being is being.” The meaning of such propositions is simply an absurdity since the content of the prediction completely destroys the content of the subject. The principle of non-contradiction basically expresses the impossibility of connecting in one sentence at the same time an assertion and a negation concerning the same object, while preserving any sort of meaning.<sup>28</sup>

At best, the strong point of the arguments of the LGBT<sup>29</sup> groups on sexual identity, would be a material and accidental alteration of the same subject who is identified existentially before and after the alterations still as this person rather than any other person. Only one act of existence is possible for any human being and *qua existing*, each human person has only one identity. We cannot speak of the substantial and existential replacement of the same subjectivity or subjectiveness of the person. This is still the case even when the alteration is not physical or material (sexual organs) but the psychological impression given in self-consciousness. What is found in these psychological streams or impressions is a false identity which tends to replace the true identity of the subjectiveness of the ego implicated as the substance of personhood which is the personal identity. Identity as rooted in existence is not replaceable by manipulations of consciousness or alterations of physiology.

However, the uniqueness of personal identity goes beyond the metaphysical implications of the distinctions between substance (*ousia*)

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<sup>28</sup> Cit. after id., 44.

<sup>29</sup> LGBT is an acronym for “Lesbians, Gays, Bi-Sexuals and Trans-sexuals.”

and subject (*hupokeimonon*), as it pertains as well to the spiritual content of person. Peter Colosi takes this spiritual content beyond human scientific possibilities and even to an absurdity from the highest of theological assumptions:

An all-powerful God could make all the skin cells and body cells [subjectivity from the metaphysical sense of *ousia* and *hupokeimonon*] of two people to be identical, and could make all of their experiences [subjectivity from the psychological sense of *ego*]. Even if God did that . . . these two people are in the core of their being *different* one from the other . . . because external factors [nature and mental facts/impressions/data of the psychological *ego*] are not the primary reasons for [neither] the differences between, [nor] the uniqueness of, persons.<sup>30</sup>

What is at stake here is the spiritual uniqueness of what personal identity connotes, which is irreducible to any material expression. It is notable that Max Scheler best represents arguments for this spiritual content of personal identity in a very apt thought-experiment, of which Peter Colosi also acknowledges:

Supposing we could get rid [via techno-scientism as in the transgender/trans-sexual waves/claims] of all physical [material/bodily/sexual] differences between human beings [including their essential here-and-nowness], and could further eliminate all qualitative differences in regard to their private objects of consciousness [experiences or psychological data] (including formal aspects of these objects [i.e., Kantian categories]—in short the whole of WHAT they think, will, feel, etc.), the individual diversity of their central personalities [i.e., WHO they are] would still remain, despite the fact that the IDEA of personality would be the same in each of them.<sup>31</sup>

<sup>30</sup> Colosi, "The Uniqueness of Persons," 72.

<sup>31</sup> Max Scheler, *The Nature of Sympathy*, trans. Peter Heath (Hamden-Connecticut: The Shoe String Press, 1973), 34.

The above thought-experiment actually presents the absurdity of a possible claim that it is doable to replace the WHO of a person which is the core of personal identity, subsequent of which other forms of identity in the person follows. Such a reasoning in Max Scheler is captured by what he expresses as the individual value essence, which is at the core of what we mean by the incommunicability of the person, to be discussed in the next subsection of this chapter. However, it is important to understand what Scheler means by “individual value essence” and Joshua Miller has made a good description of this:

A key part of Scheler’s personalism is the idea that each person has an *individual value essence*, which he sometimes calls an *ideal essence* or *ideal value image* that permeates the person’s being. This *individual value essence* is determined [in potency] by God and indicates an abiding ontological structure of personal uniqueness. A second dimension of personal uniqueness . . . emerges from the person’s nature as self-determining. Because the person is spiritual, like God, he is spontaneous, creative, and above all free so that each of his acts [including attempts to change his sex or gender] is something new and distinct in the world . . . but uniqueness is . . . something [both in actualization] indeterminate-fluid [and in potency] determinate-unique. The person, who is essentially unique, is also free and therefore can authentically actualize his *individual value essence* in a number of ways. In doing so, he does not simply concretize what Scheler calls an *ideal value image* that God has of him. Rather, he co-creates this image; he self-determinatively fills the lines that have been established for him.<sup>32</sup>

It is important to note that there is no running away from the shadows of our personal identity as it is embedded in the logical principle of identity which has it that each individual person or thing is itself and not another, a principle that is rooted in the transcendental property

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<sup>32</sup> Joshua Miller, “Scheler on the Two-fold Source of Personal Uniqueness,” *American Catholic Philosophical Quarterly* 79:1 (2005): 164.

of beings as separate (*aliquid*), as testified by both idealistic and realistic traditions. The basic intuition of separateness as a transcendental property of all beings finds a more personalistic uniqueness in the next part of our considerations.

*Incommunicabilitas of Human Persons*  
*Each of Whom Are Equally Valuable*

The foregoing discourse on the difference between substantially existing personal identity and the psychological self-identity or the physiological sex-identity has its logical consequence in the notion of the *incommunicabilis* (or *ineffabile* in Max Scheler) of the human person. Of important signification here is the difference between the Platonic sense of universals in the tradition of extreme realism and that of Aristotle's moderate realism. In Platonic model, the term *humanity* is interpreted for every human person in the participatory conception of the essence of humanity, whereas Aristotle insists on the analogous conception of the individual essence of humanity. The phenomenon of *incommunicabilis* of the human person is more accessible to the Aristotelian interpretation of universals which safeguards the completeness of each individual substance in the scholastic class of *universalis in re*, which interprets the general sense of universals either by abstraction or composition, thus maintaining the immaterial understanding of essences as well as the reality of concrete existence, even if we cannot say what this individual existence *tode ti* is. Wojtyła explains his leanings on the Aristotelian-Thomistic tradition of the *universalis in re* in the language of the completeness of each human person as a substantial subject of existence and acting, not just as something but specifically as somebody:

The completeness we are speaking of here seems to be something that is unique in a very special sense rather than concrete. In everyday use we may substitute for a person the straightforward "somebody." It serves as a perfect semantic epitome because of the immediate connotations it brings to mind—and with them the

juxtaposition and contrast to “something.” If the person were identified with its basic ontological structure, then it would at once become necessary to take account of the difference that distinguishes “somebody” and “something.”<sup>33</sup>

In the general scheme of metaphysical interpretation of beings, the idea of a substantial subject is not distinguished between somebody and something but it is still significant that Wojtyła points out the notice of a difference of sorts. This difference is not really written in nature as Wojtyła observes,<sup>34</sup> hence we cannot search for it within the Boethian kaleidoscope (of a rational nature), but perhaps it is noteworthy that apart from being an individual substance, the person is a “unique” being, a specific subject, a “personal subject” existing according to its specific mode of individuality. To accentuate this uniqueness, which echoes the influence of Max Scheler,<sup>35</sup> Wojtyła avers:

The person as such possesses, however, its own ontological structure, though one very different from all the others that surround the human being in the visible world. This difference, the

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<sup>33</sup> Wojtyła, *The Acting Person*, 73–74.

<sup>34</sup> Id. Of course, *rationality* is present both in the world (order—cosmos) of persons and that of things.

<sup>35</sup> In Colosi, “The Uniqueness of Persons,” the author argues that Wojtyła embraced the idea of the uniqueness of persons and this is thanks to his leanings on Max Scheler. To buttress his claims, Colosi cites such passages from *The Acting Person*: “The author of the present study owes everything to the systems of metaphysics, of anthropology, and of Aristotelian-Thomistic ethics on the one hand, and to phenomenology, above all in Scheler’s interpretation . . . on the other;” and also: “Granted the author’s acquaintance with traditional Aristotelian thought, it is however the work of Max Scheler that has been a major influence upon his reflection” (Second Preface to *The Acting Person*). John Crosby clarifies Scheler’s personalistic interpretation of individuality as follows: “Scheler does not posit the antithesis of ‘person’ and ‘individual’ that is found in many personalistic authors such as Maritain [material-individual and spiritual-person], Mounier [assertive-individual and self-giving person], or Hans Urs von Balthasar [individual-nature and incommunicable-person] . . . Individuality for him [Scheler] is nothing but an aspect of personhood” (Colosi, “The Uniqueness of Persons,” 64). In other words, Scheler understands individuality as the subject of personal substance such that the expression *individual person* is the same as *personal subject*. It is thus obvious that Wojtyła’s understanding of personal subject tallies with that of Scheler.

proportion or rather the disproportion that is indicated in the words “somebody” and “something,” reaches to the very roots of the being that is the subject. The fundamental dynamization of the being by existence and consequently also all the subsequent dynamizations, which are reflected by acting, operating, and the happening, also manifest the same difference, the same proportion with its inherent disproportion. The person, the human being as the person—seen in its ontological basic structure—is the subject of both existence and acting, though it is important to note that the existence proper to him is *personal* and not merely individual—unlike that of an ontologically founded merely individual type of being.<sup>36</sup>

However, the *incommunicabilis* of the human person, is in fact a specific sort of uniqueness that is not easily expressible. Peter Colosi admits that “while one can see and know the uniqueness of another person, there are no words that can be spoken which would capture or express that uniqueness.”<sup>37</sup> In the same vein, Scheler who comes close to communicating this idea declares that “in coming to know another person, we begin with a certain hypothesis, and as such knowledge increases, so the content of this hypothesis becomes ever more *individual*, ever harder to put into words (*individuum est ineffabile*).”<sup>38</sup>

What is significant is that to communicate the meaning of the *incommunicabilis*, we proceed positively, to assert a negative of its antonym; just as in other similar words in the same family such as *infinite*, *immutable*, *immortal*, etc., mostly used for divine attributes. Peter Colosi attempts an analysis of three possible meanings of “incommunicability,” and warns against a literal understanding of Scheler’s use of the term “ineffability:”

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<sup>36</sup> Wojtyła, *The Acting Person*, 74.

<sup>37</sup> Colosi, “The Uniqueness of Persons,” 65.

<sup>38</sup> Scheler, *The Nature of Sympathy*, 122.

Meaning 1: The incommunicable is that within a person which is *not common*, in the sense that other persons could not have this within their being also . . .

Meaning 2: The incommunicable in persons cannot be expressed in words and sentences. While someone who loves you *is* able to grasp, know and love you in your very uniqueness, they could never utter a sentence which would capture or express that uniqueness . . .

Meaning 3: The incommunicable is that which is unable to be known by anyone else or communicated to anyone else . . . it only means that that which you know and love is ineffable or unutterable . . . This meaning leads to error because it takes the full and broadest meaning of “communication” and negates its possibility at all in interpersonal relating with respect to personal uniqueness.<sup>39</sup>

Hence, it is necessary to interpret Scheler’s use of the term *ineffable* in a phenomenological context rather than in a linguistic sense. In fact, for Scheler, “it is necessary to give a precise definition of what we understand by *individual-personal-value essence*,”<sup>40</sup> within which context he uses *ineffabile* as a synonym for *incommunicabilis*. Scheler puts premium on the context of love in this perception of *incommunicabilis*, hence Colosi writes:

[L]ove is the epistemological vehicle through which we know the uniqueness of others. In the realist phenomenology of Scheler and others, it was thematized that depending on the object known, a different faculty was needed. Thus, for colors, one needed the faculty of sight; for sounds, hearing; for mathematical principles, the intellect; and for values, Scheler would say, feelings.<sup>41</sup>

Significantly, Karol Wojtyła also refers to this sort of uniqueness of *each* person as Scheler does from the perspective of *individuals* as

<sup>39</sup> Colosi, “The Uniqueness of Persons,” 66.

<sup>40</sup> Scheler, *The Nature of Sympathy*, 489.

<sup>41</sup> Colosi, “The Uniqueness of Persons,” 66.

different from *every* other person *within* the human *species*. Thus, “when a loved one dies, we do not mourn that an intellect or a free will [common rational features of all humanity] is gone, which all other people have too, but this unrepeatable person is gone.”<sup>42</sup> Notably, “the loss of any person would not be a negligible loss on the grounds that so many persons remain, but would be an almost infinitely great loss, as if the only person in existence had been lost.”<sup>43</sup>

The concept of *incommunicabilitas* does not really play down on the common essence as indicated by intellect, will, or the risibility of persons, but it gives these common features a specific uniqueness that can only be due to the individual person in whom they are rooted. Hence “a laugh is unique because it is ‘informed’ by the unique person who is laughing,”<sup>44</sup> or as Scheler puts it, “the love which has moral value is not that which pays loving regard to a person for having such and such qualities, pursuing such and such activities, or for possessing talents, beauty, or virtue; it is that love which incorporates these qualities, activities and gifts into its object, because they belong to that *individual person*.”<sup>45</sup> There is, however, a basic distinction between the two-fold understanding of *incommunicability* from the “essential” uniqueness and from the “existential” individuality, which needs to be clarified:

“A being,” (used without qualification [hence *thing* or *person*]) means . . . *that which is*, in the real order. The *that which* signifies what a thing is, its essence or nature, responding to the question “*What* is it?” The *is* signifies the act of existing, or active presence, which posits the *what* in the real order . . . responding to the question, “*Is* it?”, or “Does it *exist*?” . . . This inner act of existence—which St Thomas calls the *esse* or “to-be” of a being,

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<sup>42</sup> *Id.*, 67.

<sup>43</sup> John F. Crosby, *The Selfhood of the Human Person* (Washington, D.C.: Catholic University of America Press, 1996), 72.

<sup>44</sup> Colosi, “The Uniqueness of Persons,” 68.

<sup>45</sup> Scheler, *The Nature of Sympathy*, 166.



that which makes a being precisely to be a *be-ing*—is not a *what*, an essence or nature, making a being to be *this kind* of being. It is, rather, an *active presence* which posits the entire essence, with all its properties, in the real order of actual existence, making it actually to be what it is.<sup>46</sup>

This difference of understanding incommunicability in the two-fold context of *essence* and *existence*<sup>47</sup> is shown when we consider the difference between the uniqueness of things and the uniqueness of persons, a difference represented by Wojtyła with the words *something* and *somebody*. Let us consider a hundred laptops in an electronics shop. All of them in their own instantiations share a common essence (blue-print) but they do not have in their different instantiations any unique essence. On the other hand, each of these laptops, have unique individual (separate) existence, but they do not have common individual existence. Now, let us transfer the categories of *essence* and *existence* and the differentiations of *common* and *unique* to persons. Consider a hall with hundred people—each of these persons share a common essence (humanity) but they also share different unique essence (humanity of John is different from humanity of Mary). With regard to existence, we can also posit the unique existence of each individual human being in that hall of a hundred persons. Notice also that in both cases, uniqueness from the context of individual *existence* is metaphysically given as separateness, but when we think in terms of *essence*, we realize that the worthness of *things* becomes relativized and in fact diminishes as the quantity or number of the same thing increases, whereas in the case of *persons*, the value or worthness or dignity or incommunicability does

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<sup>46</sup> W. Norris Clarke, "Introduction," in James F. Anderson, *An Introduction to the Metaphysics of St. Thomas Aquinas* (Washington D.C.: Regnery Publishing Inc., 1997), xv.

<sup>47</sup> On this aspect of different senses of uniqueness based on the difference of context when focus is on *essence* and on *existence*, see Josef Seifert, "Essence and Existence," *Aletheia* 1:11 (1977): 17–157. See also John F. Crosby, *Sein und Wesen* (Heidelberg: Universitaetsverlag C. Winter, 1996), 43–45.

not diminish and is not relativized even if the population density is increased. This basic distinction is what most proponents of birth control, contraceptives, and disciples of Thomas Malthus<sup>48</sup> are neglecting, as they are in fact influenced by Kant's "blind" formalism and *apriorism*, which does not grant us access to the *incommunicabilitas* of person:

Every human being is an individual person and therefore I cannot program *a priori* a certain type of relationship that could be applied to everyone, but I must, so to speak, learn it anew in every case . . . In my own case, significantly, I never felt that I was meeting an excessive number of people. Nonetheless, I was always concerned to safeguard the personal quality of each relationship. Every person is a chapter to himself. I always acted with this conviction, but I realize that it is something you cannot learn. It is simply there, because it comes from within.<sup>49</sup>

It is important to underscore that the *incommunicabilitas*, as has already been stated, belongs to the triad of theoretical consequences (dignity, identity and incommunicability of persons) which this study sets out to group together. In this wise, we note that the identity of a person is rooted in the spiritual *ideal individual value* image which is already determined in potency at the very first act of *existence* before subsequent activations and actualizations by the different dynamisms of the personal being. In comparison, the *incommunicabilitas* of the person is embedded in the *unique individual value essence* (as distinguished from the common essence). The *fact* of this *incommunicabilitas* is manifested in the very content of the dignity of the person, namely the ideal unique respect which we owe to each and every individual human person. As Peter Colosi puts it: "every person is unique

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<sup>48</sup> Thomas Robert Malthus wrote a book in 1798 titled *An Essay on the Principle of Population*, in which he describes how the population growth is "exponential" (geometrical proportions) whereas the corresponding food production is improving "arithmetically."

<sup>49</sup> John Paul II, *Rise, Let Us Be on Our Way* (New York: Warner Books, 2004), 65–66.

[dignity], thus uniqueness [identity] is a common trait, yet the very inner, essential and unrepeatable [incommunicability] content of a person's uniqueness [identity] is not found in any other. It is that very inner uniqueness of a specific [identity] person for which there are no words [that we call *incommunicabilitas*]."<sup>50</sup> Crosby succinctly captures this interwoven relatedness of the triad as follows:

The principle of incommunicability asserts itself more strongly, so to say, in the unrepeatable lovableness of a person. This is why we lack any general terms to express the lovableness of a particular person [identity]; we keenly experience here the ineffability, the unutterability of the incommunicable. But our language and concepts do not fail us in the same way when it comes to the dignity of the person; after all 'the dignity of the person' is a general term. It is as if I recognize a human being as *person* as when I am mindful of his dignity and show him respect and abstain from all coercion and using, but recognize a human being as *this particular person* [identity] when I know him or her as friend or spouse.<sup>51</sup>

### **Freedom of the Human Person to Act and to Live**

#### *Responsibility of the Human Person for His or Her Actions*

In the following paragraphs, I shall consider the personal category of personal responsibility as the genuine context of the expression of *freedom* (for actions) as well the realistic implication of *rights* (especially the basic right to life). The trajectory of this discourse still retains the consistent views of my arguments, namely that Karol Wojtyła's category of person as subject of the themes of dignity, identity, and incommunicability remains the fundamental category for the principles of free action, guaranteeing the subjectivity of the agent source of human culture and civilizations in a more realistic philosophy of personalism.

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<sup>50</sup> Colosi, "The Uniqueness of Persons," 76.

<sup>51</sup> Crosby, *The Selfhood of the Human Person*, 67.

The ongoing discourse on the specific implications of EU (and also UN) policy documents in which these themes are embedded leads naturally to the application of dignity, identity and incommunicability in the direction of responsibility for human actions and human life in general. In other words, in the experience of the actions of the person, “the human person experiences himself as the efficient cause of his actions, that an authentically human act, an *actus personae*, can be said to take place [such that] in this moment, the person experiences his own efficacy, he recognizes himself as ‘the actor’.”<sup>52</sup> We have noted earlier that Max Scheler observes in this same context that “only persons can (originally) be morally good or evil; everything else can be good or evil only *by reference to persons*,”<sup>53</sup> hence we can only talk of responsibility for actions with regard to person especially in the moral context but also in the context of philosophical anthropology with regard to man’s responsibility for those acts that actualize him as a person. In both philosophical standpoints, i.e., the moral and anthropological sense, the responsibility of the person is evident.

Therefore, as an *actor*, the person is not only responsible for his actions but he is also responsible for the becoming or the actualization of himself as a subject. This responsibility is a consequence of his efficacy in acting, which moral or ethical considerations will explore in the direction of the consequences of the objective action realized by the acting agent (person) to whom culpability or responsibility is attributed. In contrast, philosophical anthropology or most directly psychology (behavioural imprints of the person) will explore the opposite direction of the consequences in the character (trait-formation) impact of the subject to whom a personality structure is allotted. Philosophical anthropology, however, follows the same direction as does psychology,

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<sup>52</sup> Savage, “The Centrality of Lived Experience,” 40.

<sup>53</sup> Max Scheler, *Formalism in Ethics and Non-Formal Ethics of Values*, trans. Manfred S. Frings and Roger L. Funk (Evanston: Northwestern University Press, 1973), 85, cit. after Colosi, “The Uniqueness of Persons,” 87.

but without alienating the opposite direction of ethical consequences since the acquisition of virtues is implicated as a self-actualization of the acting subject. Deborah Savage argues in this direction of the subjectiveness of responsibility for action as follows:

I am responsible for my own becoming . . . Through acting, I experience myself as the subject of my actions . . . Thus, I am fully the subject of my own actions when I experience myself as such. It is only then that I can genuinely say that I possess, govern and determine myself . . . Now through acts that correspond to the personal structure of self-determination, the human person is fulfilled; he comes to realize that he is both a gift given to himself, as well as a task, a responsibility that only he can assume.<sup>54</sup>

This is only one aspect of the consequence of responsibility for action which Wojtyła's *The Acting Person* indicates from the viewpoint of subjectiveness in the sense of actualizing or fulfilling the structure of man's personality within the subjective consequences of self-governance and self-possession. There is, however, the most common aspect which moral considerations offer us. This aspect is not absent in Wojtyła, as he also speaks of the objectiveness of the action of the acting person. Responsibility for action is usually spoken of in terms of the moral virtue of justice, which implies objective external actions. It is noteworthy that even private acts can also be external without being public, and in this respect an instance of such private external acts can be the abuse of sexual acts such as in, e.g., masturbation.

What is to be distinguished from Wojtyła's objectiveness of actions of the person is therefore internal acts (like specific acts of decision) and external acts (like speaking, running, fighting, etc.). Both the internal and external acts can be objectified, hence objectiveness in this consideration of responsibility for action does not really imply public actions. As noted already, responsibility for actions with regard to internal acts implicates the responsibility of the actor (person) for his or

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<sup>54</sup> Savage, "The Centrality of Lived Experience," 40–45.

her self-actualization as a person (especially the perfection of his spiritual virtues—intellect and will). On the other hand, every external act is of double consequence, namely the subjective (personal) and the objective (social) consequence.

More significantly, however, the responsibility for actions with regard to external acts (private or public) implicates the ethical virtue of justice as responsibility for the consequences of personal actions in the context of what is due for another person or the community. Justice as a feature of the considerations of responsibility for actions is notably related to the will, which is a faculty of choice and the key element of self-determination. Therefore, the responsibility for action is a consequence of Wojtyła's exfoliation of the experience of self-determination, which is the foundation of the dynamics of potency-act structure relating the action and the agent. Self-determination is thus the hinge of the virtue of justice in both directions of subjectiveness as "to be just" and objectiveness as "to do/act justly." An instance can be given with speech-acts. A liar (unjust person—subjectiveness) performs untrue speech-acts which figuratively "dig a pit" for listeners to fall into (unjust action—objectiveness). Thomas Aquinas brings out this closeness of subjective-objective consequence when talking of the responsibility for action when he reasons that the external act is an expression of an internal consent (decision):

Hence the mean in such like virtues is measured not by the proportion of one thing to another, but merely by comparison with the virtuous man himself, so that with them the mean is only that which is fixed by reason in our regard. On the other hand, the matter of justice is external operation, in so far as an operation or the thing used in that operation is duly proportionate to another person, wherefore the mean of justice consists in a certain proportion of equality between the external thing and the external person.<sup>55</sup>

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<sup>55</sup> St. Thomas Aquinas, *Summa Theologiae*, II–II, q. 58, art. 10.

Therefore, responsibility for action is a practical consequence of the theoretical implication of self-determination, which is the basic core of Karol Wojtyła's personalistic philosophy, highlighting both the *obiectum* (object) of the responsibility for action as well as the *subiectum* (subject) of responsibility for action.

*The Human Person's Right to Life  
from Conception to Death*

The foregoing discourse on responsibility as a practical consequence of our personalist study of man also has a correlate of rights. In fact, we cannot talk of responsibility without rights neither can we speak of rights without responsibility. The former (responsibility without rights) is "repressive" (exploitative) whereas the latter (rights without responsibility) is "selfish" (ego-centric, which is different from auto-determination/ego-determination). Nowadays, we hear the clamour for rights such as animal rights, gay rights and so on, and in fact, our contemporary society is inundated with a dictatorship of so many rights-movements up to the extent of a "hypnagogic fascination."<sup>56</sup>

However, it is in the context of responsibility that a genuine discussion of rights can be fruitfully entertained. In this wise, the right to life of persons from conception to death is the flip-side of our responsibility to preserve life, which makes such abuse of responsibility to preserve life as suicide, euthanasia, eugenic destruction of embryos, abortions, and suchlike abuse highly reprehensible. The practical consequence of personalist anthropology leads to the conclusion on the right of persons to life from conception to natural death.

It is in the context of this personalist anthropology that Karol Wojtyła rejected, as false, Max Scheler's thesis that moral obligation

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<sup>56</sup> I owe the expression *hypnagogic fascination* to Peter Redpath who used it in an international conference on the *New Elitist Culture of Contemporary American Society* at John Paul II Catholic University of Lublin, Poland held from 21<sup>st</sup> to 23<sup>rd</sup> of April, 2015.

dissolves when a person reaches the heights of love.<sup>57</sup> Josef Seifert takes a systematic swipe at the debates on euthanasia, (and by extension, eugenics and abortion) when he presents the practical consequences of the traditional appreciation of the dynamics of the principle of act and potency in Western philosophy:

Another dimension of this account of the worth of persons that runs through the Western tradition is based on the Aristotelian distinctions of substance/accident and potency/act. Based on these distinctions is the view that a human being in a state of dreamless sleep retains in actual being its immaterial soul, along with its intellectual, volitional, and affective faculties, while retaining consciousness in potency only. Not only does this line of thought maintain that humans in dreamless sleep still have their souls, but so do other living humans in various states of diminished/non-consciousness.<sup>58</sup>

The right to life is in fact a non-negotiable and inalienable right as contained even in the 1948 United Nations Declaration of Human Rights. It is also a right which not even the person as *sui iuris* can legislate against himself. Hence suicide remains a violation of the right to life even from the flip-side of the coin, i.e., “responsibility to preserve the right to life.” This follows simply from the fact that person as *sui iuris* does not include *causa sui*, since the person is not the cause of his or her own existence but is responsible for his existence as the determinant of the subsequent actualizations of his substantial (already existing) person. Wojtyła, himself, maintains that:

Human life is sacred and inviolable at every moment of existence, including the initial phase which precedes birth. All human beings, from their mother’s womb, belong to God who

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<sup>57</sup> This personalist standpoint of Karol Wojtyła can be found in John F. Crosby, “Person and Obligation: Critical Reflections on the Anti-Authoritarian Strain in Scheler’s Personalism,” *American Catholic Philosophical Quarterly* 79:1 (2005): 110–113.

<sup>58</sup> Colosi, “The Uniqueness of Persons,” 63. See also chapters 3 and 4 of Josef Seifert, *What is Life?* (Amsterdam: Rodopi, 1997).



searches them and knows them, who forms them and knits them together with his own hands, who gazes on them when they are tiny shapeless embryos and already sees in them the adults of tomorrow whose days are numbered . . . There too, when they are still in their mothers' womb . . . they are the personal objects of God's loving and fatherly providence.<sup>59</sup>

The debates on the right to life from conception to natural death are dramatically and eloquently settled for proponents of such rights even by the champions of euthanasia, as we note in Peter Singer of Princeton University, who hired a team of home health care professionals for his mother who at the time was suffering from severe dementia.<sup>60</sup> Singer who had been a front-line proponent of euthanasia claimed that he committed a *morally wrong act* by caring for his mother:

Suppose, however, that it were crystal clear that the money could do more good elsewhere. Then I would be doing wrong in spending it on my mother, just as I do wrong when I spend, on myself or my family, money that could do more good if donated to an organization that helps people in much greater need than we are. I freely admit to not doing all that I should; but I could do it, and the fact that I do not do it does not vitiate the claim that it is what I should do.<sup>61</sup>

It is not surprising how the pack of cards came tumbling down with a single experiential data. Wojtyła's insistence on experience is an anti-dote to all ideological aloofness to the realistic philosophical anthropology of the person. Peter Singer was committed to the utilitarian ideology of Jeremy Bentham and J. S. Mill, even from the hedonist strand of the criterion of "pleasure and pain" as the only yardstick of morality. However, the paradox of Thomas Malthus' principles of

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<sup>59</sup> John Paul II, *The Gospel of Life* (New York: Random House, 1995), # 44.

<sup>60</sup> See Michael Specter, "The Dangerous Philosopher," *The New Yorker* (6 September 1999): 46–55.

<sup>61</sup> Peter Singer, "Outsiders: Our Obligations to Those Beyond Our Borders," in *The Ethics of Assistance*, ed. Deen Chatterjee (Cambridge: Cambridge University Press, 2004), 29.

population and Bentham's utilitarianism is that it sounds "wonderfully humanistic" only when applied to other persons, but the litmus test to its "hollowness" is when the person who promotes such ideologies experiences his person as a data of contextualization.

Peter Berkowitz has responded to Singer's inconsistency with his mother's dementia with a response, titled "Other People's Mothers,"<sup>62</sup> to expose the irony of such rationalization of our "basic instincts." Beyond selfish or agent-centered considerations, the right to life is not diminished even from "circumstantial" and "disinterested rationality" irrespective of how accurate our normative intuitions may be (even in the Kantian categorical models). Samuel Scheffler provides us with a thought experiment in this consideration:

Suppose that there was a machine, the Infallible Optimizer, which never made mistakes in its judgements about which of the actions available to an agent at a time would actually minimize total deaths overall. Suppose further that people were causally incapable of killing unless the Infallible Optimizer certified that a killing was necessary in order to minimize total deaths. Defenders of agent-centered restrictions will presumably feel a residual intuition that, even in circumstances such as these, it would be wrong to kill a person in order to minimize deaths.<sup>63</sup>

What the above thought experiment proves is that the right to life is in fact not a given of rationality, or a product of *persona sui iuris*, but an inalienable element (property) of the human person contained in our "residual intuition" which is part of the theoretical implications contained in the *incommunicabilitas* or *ineffability* or *unrepeatability* of the person. It is specifically in this context that we can say that absolute moral norms and hyper-rationalist outlooks like utilitarianism (Bentham, Mill) and apriorism (Descartes, Kant) does not grant us access to

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<sup>62</sup> Peter Berkowitz, "Other People's Mothers," *The New Republic* (10 January 2000).

<sup>63</sup> Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Clarendon Press, 2000), 111–113.

the basic core of the person, nor does it guarantee access to the theoretical and practical consequences of the realist philosophical anthropology of the human being as the subject of the existence and actualization of the acting person.

### Conclusion

With the increased propaganda for the promotion of policies which devalue human *dignity* (de-Christianized humanism), *identity* (gender ideologies), *incommunicability* (totalitarian conformity of EU states over individual sovereignty of member states), *responsibility* (political correctness), *rights to life* (abortions and euthanasia), it is evidently clear that in many of the debates of the European Union Parliamentary Proceedings, little attention is paid to these themes which form the theoretical scaffolding of the documented policy avowals of the 1948 UN Declaration and the 2004 EU Treaty upon which Western civilization proposes to build a peaceful and harmonious society for herself and the global community.

On the one hand, the liberal society of today struggles to safeguard the subjectiveness of the individual person against the totalitarian hazards of the sorts experienced under Nazism, Fascism, and Communism. On the other hand, economic realities of socialism and capitalism have not measured up to the yardstick of the person, not really in the strict sense of the sophistic *mensura* of Protagoras, which leads as it were to relativism, but more so in the sense in which Karol Wojtyła had integrated the subjectiveness and objectiveness of the *incommunicable* individual-in-society. In this respect, Wojtyła employed the category of person as transcending the category of nature over which it supervenes, with a view to a more realistic interpretation of human flourishing in community.

The person's dignity, identity, incommunicability are key elements of this interpretation in the sense that the personalistic principles of the free acting person guarantee that the freedom of which the con-

temporary EU or UN citizen yearns for can be grounded in genuine responsibility for his or her actions as well as for his or her life from conception to death.

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**DIGNITY, EQUALITY, FREEDOM:  
THE EU-POLICY VALUES VIEWED PERSONALISTICALLY**

SUMMARY

The author points out that dignity, equality, and freedom are leading themes of the European Union policy and should be respected and upheld if understood personalistically. He argues that the subjectivity of the individual person, rather than that of the public state, underlines the context of interpreting those themes which are the liberal values the Western society purports to cultivate. Therefore, he claims that *dignity* is grounded on the understanding of man as *imago Dei*, *equality* is doubly grounded in both the unique identity and incommunicability of each human person, and *freedom* is doubly grounded in the dual responsibility of each human person for his or her actions as well as the responsibility we share for each human life from conception to natural death.

**KEYWORDS:** dignity, equality, freedom, European Union, personalism, subjectivity, individual, person, *imago Dei*, identity, incommunicability, responsibility, human action, human rights.