Letter to the Editor

A rejoinder to Jason Eberl on brain death

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To the editor:

Eberl (2015) wrote a lengthy rebuttal to my paper “Of Wholes and Parts: A Thomistic Refutation of Brain Death” (Accad 2015). I appreciate his effort and wish to respond with the following remarks.

First, Eberl claims that the “whole brain criterion” for the determination of death has been “morally affirmed by the Roman Catholic Magisterium” (235). To support his claim, Eberl refers to reports from two working groups of the Pontifical Academy of Sciences (PAS). One ought to be careful not to elevate such reports to the level of magisterial teaching on issues of morality or ontology. The constitution of the PAS states that its aim is to “promote the progress of the ... sciences and the study of epistemological problems related thereto.” The PAS has no magisterial authority, and to state that it does is highly misleading.

Second, in trying to make his case in defense of brain death, Eberl refers to an unpublished paper by Maureen Condic in which she apparently claims to be able to make a distinction between an “integrated” body and a collection of organs and cells with “coordinated” activities. As I show in my paper, similar claims were made by Bernat et al. (1981) and by the late Tonti-Filippini (2012). The claim is dubious

(and Eberl himself seems to concede that it may “ultimately fail”) because to the extent that organs and cells demonstrate sustained coordination of activity (as they do in some brain-dead bodies), then we are able to refer to the collection as *a body*, and to do so is philosophically appropriate. A body is by definition integrated. If it were not integrated, it would not be a body, and each part in the collection would follow its own independent nature. In fact, it is precisely in the case of the breathless and pulseless corpse that the use of the term “body” is—to some extent—a linguistic convenience. In due time, the cells and molecules of the body disperse according to their own nature as I explain in my paper, citing St. Thomas (230).

Third, Eberl presumes that I would agree with the first seven steps in an eight-step chain of reasoning he advances to defend his claim. But I do not agree with his first seven steps, because to construct that chain of reasoning, Eberl quotes, but misunderstands, the following passage from St. Thomas:

The union of soul and body ceases at the cessation of breath, not because this is the means of the union, but because of the removal of that disposition by which the body is disposed for such a union.

Nevertheless the breath is a means of moving, as the first instrument of motion. (Aquinas, ST, I, q. 76, a. 7, ad 2)

From this passage, Eberl correctly concludes that St. Thomas admits that a material part (the breath) can serve to dispose the union of body and soul. But Eberl incorrectly concludes that St. Thomas implies that:

one or more of the body's material parts or activities [could serve] as a secondary instrumental cause of the soul's union with it. For such parts or activities may be necessary in effecting the body's disposition toward ensoulment—i.e., the well-ordered functioning of its various organs: its *integration*. (237–8, original emphasis)

Eberl is incorrect because St. Thomas refers to the breath as an “instrument of motion,” not of integration. What St. Thomas is saying is that in order for matter to be disposed to a soul, it not only must be a body (i.e., an integrated substance), but it must be a *living*, i.e.,

self-moving, body. The absence of the breath makes the body indisposed to a rational soul because the body is *dead*. I elaborate on this point in the last section of my paper in which I highlight that St. Thomas correctly ascribes to the heart (rather than the breath) the role of secondary instrumental cause of self-motion.

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