

# Notes on Legal Logic Regarding the Law of the Soul and the Biochamps of Life Forms from Human Rights Point of View

**Cristina Elena Popa Tache**

*Associate Researcher, Institute of Legal Research, Romanian Academy, Bucharest, Romania  
cristinapopatache@gmail.com*

**ABSTRACT:** Would it be possible to study a legal science of the soul environment or soul phenomena? In the light of legal logic, the customs from ecclesiastical law, natural law, canon law, or human rights could be analyzed. We have highlighted certain peculiarities of the property on the soul and the biofields of life forms, aspects that determine further research especially on the rights with which life forms are born, among which can be regulated the property that can be recognized on the soul and energy, as goods natural and not created by human activity. These rights, which are in fact property rights, remain at the regulatory level, a fundamental problem of the existence of the individual and of society in general. Everything that means the right to property is part of the category of civil rights, along with the fundamental right to life, the right to liberty, the right to equality before the law, all of which are also regulated by treaties. These unwritten rules, which have an important legal value, have been developed and circulated in the practice of social life from generation to generation and thus, this right of the soul and the biofields of life forms already exists globally, de facto, especially in the field of religions and complementary medicine. For the realization of this material, the method of consilience-type introspection was used. According to the Merriam-Webster dictionary, the definition of the term “consilience” is the linking of principles in different disciplines, especially when a comprehensive theory is formed. Wilson’s (1998) book, *Consilience*, was also a revelation in the same vein. This jump together of specialists in different fields but also of substantially different notions, can offer unified theories, so I practiced and somewhat unpredictably extended to another level Wilson’s desideratum, by combining law with several elements from different subjects (soul, health, energies, nature, animals, history, spirituality, etc.) related to contemporary social reality, to identify the most appropriate scientific solution.

**KEYWORDS:** legal logic, human rights, custom, soul, bioenergy

## **Preliminaries**

Because the field of law is constantly expanding, it is up to legal research to specifically identify and develop new branches of law. The law is a creation, and, at its core, it is a development dedicated to the rights that can be established and valued so that life in all its forms enjoys respect, protection and evolution. The starting point of this legal journey is where we are now, starting with the custom of the land represented by the rules of law enshrined in a long practice, continuing with the promises and reaching the law (See Popa Tache, 2022, 18. Némery and Perroud in introduction to, *Vers un droit de l'âme et des bioénergies du vivant/Towards a Law of the Soul and the Bioenergies of beings*, author Popa Tache, preface by Jean-Luc Martin-Lagardette 2022, 4).

Law is not just knowledge; it is primarily a set of relationships and practices encountered in almost all types of societies. This is why it has always given rise to both a literature of professional lawyers, elaborating legal knowledge, and a literature of law, created by philosophers, sociologists or economists in particular.

Legal logic always comes in support of the transition of new notions of law from legal to objective law. This is possible because logic is an effective tool by which the customs, traditions, and all customs of natural law, canon law, natural law, and human rights can be assembled (See the Bolivian proposal for the rights of nature, materialized internationally by the Universal Declaration of the Rights of Mother Earth, adopted in 2010 at the World Conference on Climate

Change and Earth Rights. At the constitutional level, Ecuador was the first to recognize the rights of nature. Article 71 begins: “Nature, or Pacha Mama, where life is reproduced and takes place, has the right to full respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes” Bolivia has adopted this approach by the Law on the Rights of the Mother Earth (2010); the rights listed are the rights to life, diversity of life, water, clean air, balance, restoration and pollution-free life. The multinational state of Bolivia has tabled a draft resolution on harmony with nature. The term “Mother Nature” is important for the Bolivian proposal, because it conveys the Andean concept of Pachamama, the symbiosis between humanity and nature, thus giving due respect to nature. The original wording gave some inclination to the United Nations approach, which, in any case, was reflected in the final version adopted. The draft resolution on harmony with Mother Earth proposed “a possible statement of ethical principles and ethical values in order to live in harmony with Mother Earth”, while the one on harmony with nature does not make such a reference or exclude it. According to the UN, in 2009, the Sixth General Assembly of the United Nations, at its sixty-fourth session, considered, among other issues, the environment, sustainable development, biodiversity, climate change, desertification, water as a basic resource and a draft resolution entitled “Harmony with nature”. The United Nations Department of Public Information mentioned the draft resolution in a press release, stressing its novelty. While the press release referred to a resolution on harmony with Mother Earth, it is in fact entitled “Harmony with Nature”, which is the same document that was later amended to address concerns.). From the finding that most people believe in the existence of the soul and in the energy fields of life forms, it follows that we have a long, widespread and recognized practice; we are therefore faced with custom as a source of law. Custom is, in fact, the prelude to the emergence of a new right. These unwritten legal rules formed in the practice of social life and transmitted, from generation to generation, through tradition, have led to the hypothesis that the right of the soul and the bioenergy of beings exists and must be protected and developed from now on, and the problems that arise be investigated in relation to the applicable principles of law, the actors of this law, the institutions and mechanisms of protection and defense.

Any theory of the law of the soul and of the bioenergies of beings can be constructed only by combining these materials: law, respect and gratitude for life (given its sources), being built on a method of research consisting of introspection, experiment and observation. joins, as is natural, elements of the objective methods of the sciences, being mentioned also the energetic personalism as an objective science of the personality (The concept of energetic personalism is widely analyzed in the scientific work of the scientist Constantin Rădulescu Motru). In *Vers un droit de l'âme et des bioénergies du vivant* (Popa Tache 2022, 30-31.) it is shown that `energetic personalism remains a useful theory, a bridge between the reality of matter and the reality of the person and even the possibility of unifying these two realities. Energy personalism is a realism based on the extension of the law of energy to the whole field of human experience, both material and spiritual` (Motru 1984, 631 and the following.).

The topic is discussed extensively in the book *Vers un droit de l'âme et des bioénergies du vivant* (Popa Tache 2022). This paper is based on the observation that we have laws governing access to religion (on beliefs based on soul/spirit) and laws regarding the organization and functioning of the activities and practices of complementary/alternative medicine (In Romania, Law no. 118/2007) (therapies based on energy and auric fields), but we still do not have well determined and regulated a field of law of the soul and biofields, that soul environment that must be protected and unrestricted.

Therefore, social reality, or rather fragments of this reality, is the subject of legislative acts, but from a legal point of view there is no notion subject to regulation itself, which is incomplete. These enumerations reveal a contradictory statement and, at the same time, demonstrable by the fact that the exemplified legislative acts nevertheless constitute a source of law for this matter.

### **Heuristic analysis of the emergence of a new field of law**

The time has come for the notions of soul and biofields of life forms, in their capacity as requirements of the life of the individual or even of society, to benefit from the due attention. To date, although these notions have gone far beyond the limits of custom, they have not been properly regulated in human rights either (The regulation is a general one, affirming the fundamental human rights. The Charter of Fundamental Rights of the European Union states in art. 10 freedom of thought, conscience and religion in the sense that everyone has the right to freedom of thought, conscience and religion. This right implies freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in worship, education, practice and observance. The right of objection on grounds of conscience is recognized in accordance with the national laws governing the exercise of that right. The right guaranteed in paragraph 1 corresponds to the right guaranteed in Article 9 of the ECHR and, in accordance with Article 52 (3) of the Charter, has the same meaning and the same scope as it. Therefore, its restrictions must comply with the provisions of Article 9 (2) above, which reads as follows: in a democratic society, for public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. The right guaranteed in paragraph 2 corresponds to national constitutional traditions and the evolution of national legislation in this field - Official Journal of the European Union C 303/17 - 14.12.2007).

Statistically, starting from the fact that all people have manifested at least once, the perception of the soul and / or the perception of bioenergies (biofields), several series of human opinion polls have been prepared. One of these is the opinion poll that found that almost 70% of Australians believed or were open to the soul. In addition to these statistical issues, the seriousness of these approaches stems from the existence of some widespread legislation to regulate ecclesiastical, canonical or alternative therapies.

As we showed at the beginning of this article, law is a set of relationships and practices found in almost all structures of society. This diversity and spread has also been influenced by the fact that in its history, scientific research has known the possibility of the emergence of a complex science, which could include the legal sciences and could deal with the study of soul phenomena, and this has never been excluded by scientists. The great scientist C.R. Motru was of the opinion that yes, such a science is possible and it even happens for the study of past soul phenomena. Regarding the future soul phenomena, in the sense of prediction, the opinion was expressed according to which the answer is negative, for the time being: "(...) but we will not always ignore the provision regarding soul phenomena, but we ignore it now and for some time, due to the underdevelopment of science. Not ignoramimus, sed ignoramus" (Motru 1984, 258, apud Popa Tache 2022, 28).

This mode of analysis chosen for the exposition of this theory, belongs to the legal logic. For almost a century, philosophers of law and logicians have done extensive research to decipher the subtle and complex mechanisms by which the system of objective law (understood as autonomous reality, as normative ontology) directs the actions and activities of subjects of law, in their relations as agents of the change from a present situation to a future situation. Legal logic intervenes in the law of the soul and the bioenergies of beings, as an exploration technique to understand this right, which is based on the analysis and evaluation of its forms and schemes from the point of view of reason. His object of study is legal thoughts and texts of all kinds, seeking to make the arguments used in their exercise valid and congruent. Therefore, logic is based on the precept that law and legal activity must be rational. Every rule and every decision of lawyers must be argued logically, and for these reasons, legal logic ideally supports the emergence of the law of the soul and biofields. This phenomenon has been observed but transposed and interpreted differently, on a general level by E. Wilson - who asserted the unified theory of knowledge in disciplines - an Esperanto between physics, biology, social sciences and humanities. We have found that by applying

this method, we can open new doors to new, broader, more efficient solutions, especially in the field of soul law (of the soul environment). Also, C.R. Motru connected the cosmic environment, the soul environment with the natural environment, opposing the soul world to the material world (See Motru 1984, 267-271).

Returning to the customary aspects specific to the field of soul law and the bioenergies of beings, it is observed that their identification takes place, as a rule, by drawing up specific studies, of an official nature, with a large area of spread (See The Professional Chamber Sanator – the Union of Biotronicists of Josef Zezulka 2019. An example is the WHO Global Report on Traditional & Complementary Medicine 2019. Relevant are the data according to which 88% of Member States have recognized the use of T&CM, which corresponds to 170 Member States. These are the countries that, for example, have formally developed policies, laws, regulations, programs and offices for T&CM, and the actual number of countries using T&CM is likely to be even higher, this report shows.). The fact that these states, in a significant number, are concerned and adopt various measures in this field, indicates the existence of concern for the regulation of this field which is based, in most therapies, the bioenergies of life forms.

As presented in the book *Vers un droit de l'âme et des bioénergies du vivant* (Popa Tache 2022, 30-31), this proves the recognition of the “need to develop appropriate laws and regulations” and it is expected that all these codification efforts will be not only feasible, but also based on specific sources of law. Regardless of the religion or denomination chosen, or regardless of the alternative medical practice for which a person opts, in the center of attention is the perception of man on his soul environment, but also on the soul environment of other life forms. This fact demonstrates the search for unified regulations on the road to spiritual evolution, through which the soul and its entire environment to be protected and defended, conclusively, to be protected by law. Regulatory action is supported by both administrative institutions implementing specific rules and education (through educational institutions that should be set up for this purpose).

### **Regarding the definition of biofields**

This term is being defined for inclusion in human dictionaries. Very common in specialized works is the definition of the biofield as an energy plan, a circuit that corresponds holistically to an entire body, inside and out, and that allows rapid communication throughout the body. In short, it is the matrix that connects our physical, emotional and mental dimensions.

In Romania, for example, *The Grand Dictionary of Neologisms* presents the term “biofield” as a field of action specific to living organisms, in which electromagnetic phenomena interfere with bioenergetic phenomena. (bio- + field) (See Marcu 2000, apud Popa Tache 2022, 44.). The term is of legal importance because it appears in the regulations on alternative therapies and complementary medicine.

The importance of establishing a legal regime appropriate to these issues is becoming more and more widespread. To a large extent, one of the most important uncertainties in people’s minds has to do with the rules, with the law that could govern the best possible use of property in the legal sense that life forms have exclusively on their own soul or energy field (see Popa Tache 2022, 55. Also here it is shown that: In these discoveries, as mentioned above, a fundamental difference between matter and energy is that the first is visible, and the second it is invisible (except for the visible part of the light). For example, mitochondrial adenosine triphosphate (ATP) is visible and ATP energy release is invisible; brain cells are visible and consciousness is invisible. Invisibility does not equate to non-existence. To try to understand the human body and the universe, ancient humans divided them into two parts: being shaped and being shapeless (philosophical statements of visible and invisible things), just as modern physics divides the universe into matter and dark matter.). Such a field of research could continue to generate new discoveries (see Liu 2018, 29-34).

It is well known that human body law in particular, although studied in major universities in the form of courses (see University of Southampton n.d.), even today it does not have sufficient regulation as to what ownership of the body means, the right to dispose of that property and its control. As I specified, nothing prevents the proper regulatory process for everything that means life, and here we notice how certain legal concepts discussed and treated as modern legal controversies are overtaken by others such as those that are the subject of our theory.

I also mentioned that just as dictionaries have begun to include in the definition of the individual details such as the fact that legal systems can assign rights and duties to individuals without their express consent (in Cornell Law School), so too and this concept can be extended to some laws, to the whole of nature and animals, in particular on their protection.

It can be said that from a legal point of view the soul and all the energy of their own bodies of beings are part of their property (something that belongs as a natural property to every form of life) over which they exercise consciously, instinctively or unconsciously (by their nature) these rights.

The regulation of the law of the soul and the establishment of its rights automatically extends to the way in which the body of life forms is legally treated. Currently there are human rights, where you can start a supplement to this regulation, or an adapted amendment. There are fundamental rights that represent basic rights and freedoms that belong to all people, regardless of their origin, beliefs or lifestyle, while the law of nature takes the first steps and the law of animals follows closely (In May 2021, the United Kingdom announced that animals would be recognized by British law as beings with rights, and a series of comprehensive laws would be introduced to ban practices such as the export of live animals or the hunting of trophies. Among the animals protected by future legislation are pets, farm animals and wild animals. The new regulations recognize that animals have the ability to feel hunger and pain and are aware of what is happening to them.). However, regulations are expected to give more legal force to attempts at codification such as the Universal Declaration of Animal Rights, solemnly proclaimed at the UNESCO House in Paris on 15 October 1978 and which states that life is one, all creatures having a common origin that diversifies during the evolution in species (The document provides in art. 13 those dead animals must also be treated with respect. In its preamble, the Convention proclaims: respect for animals is the same as respect for one person over another; ignorance and disregard for these rights have led him and continue to lead man to commit crimes against nature and animals; the recognition by the human species of the right to existence of other animal species is the foundation of the coexistence of species in the world; ignorance and disregard for these rights have led him and continue to lead man to commit crimes against nature and animals, and education must cultivate from childhood observation, understanding, respect and love for animals.). In the sedimentation of this new right, the first stage consists of affirming a right of souls and biofields of life forms and therefore the transition from phenomenon to legal norm, and the second stage is given by the establishment of institutions to deal with the observance of these rights. Specious (Popa Tache 2022, 30-31).

For the time being, the law of the soul and of the biofields of life forms can be defined in a general way as that branch of law which regulates the legal relations between its subjects in correlation and in harmony with the totality of the recipients of these norms.

All these rights, as a relationship and legal regime are absolute rights, opposable erga omnes, which can be both patrimonial and non-patrimonial. The degree of autonomy characterizes them as the main rights that offer their holders full security as they produce their effects immediately, definitively and irrevocably, being pure and simple rights (being able to be affected by ways in certain special conditions).

## Conclusions

We reiterate the conclusion that further research could properly establish the absolute nature of these rights when we refer to other forms of life other than the human being, through the prism of existing legal institutions or by adapting them. Scientific analyzes will also take into account the fact that the right of the active subject has the obligation of all others - as indeterminate passive subjects (indeterminate in the sense that only later, the one who disregards the obligation will be the passive subject) - not to do anything to bring infringement of the right of the active subject.

Oriented by the fact that the disciplines differ from each other by principles, methods and object of study, it can be stated that the law of the soul and the environment (including energy) has the potential to be, from now on, a discipline of law and, taking into account a progressive evolution, it is possible that it will be a field of law in the years to come.

It depends on today's man how he will continue to manage his acquired energetic personalism, so that order and harmony are established between himself and his fellows (society), and in his relationship with nature, animals and the whole universe.

Given the global scope of the new right of the soul and the biofields of life forms, we find that this is a matter in which inequalities of legal treatment must not be created by national regulations that can take very different forms and contents.

As a result, international law has the best potential to develop the sources, principles and mechanisms of the law of the soul and the biofields of life forms.

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