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The Personhood of the Human Embryo

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This paper was delivered at the International Conference on Health Law and Ethics, Sydney, Australia, August, 1986, in a session on "The Human Embryo and Public Attitudes". Father Daly is affiliated with St. Vincent's Bioethics Centre in Melbourne.

Public attitudes to the human embryo can easily be based on gross ignorance regarding the facts.

1. Did the Warnock Report, which allowed British scientists to do harmful experiments on young embryos, say whether or not an embryo is an individual human being?

No. It refused even to try to answer this questions of fact.1

2. Do medical textbooks say when an individual human being begins its life?

Yes. At fertilization.2

3. Do scientists who wish to experiment on embryos reject these textbooks or criticize them?

No. They simply do not mention them.

4. What authorities do they refer to?

Mr. Ian Johnson, of the Royal Women's Hospital Reproductive Biology Unit, recommended a paper by the British theologian Dr. Gordon Dunstan as "the best possible description that fits my own personal views and many of those working in the field".³

- 5. What evidence does Dr. Dunstan offer in this paper?
- (a) Two scientific concepts and five scientific facts which do not refer to the beginning of individuals.⁴
- (b) Religious writers who relied on the erroneous views of ancient scientists such as Aristotle.⁵

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6. What did Aristotle and the religious writers who relied on him hold regarding the beginning of an individual life?

They held that:

- (a) the early embryo could not be a living human individual because it was formed out of the semen and the bulk of the menstrual blood which had not been shed at the missed period.⁶
- (b) both blood and semen were simply residues from food, and were homogeneous, with none of the complexity of a cell.⁷
- (c) there was therefore no question of a single organized living thing being there from the start.
- (d) The process of formation of the fetus was similar to spontaneous generation, which at that time everyone accepted.8

7. Does Mr. Ian Johnston hold these scientific views?

I presume he does not, and that he has not realized that Dr. Dunstan relies on them. But in this case "the best possible description that fits (his) own personal views" is without any scientific foundation.

8. Why are Dr. Dunstan's arguments from modern science not relevant?

He makes no attempt to show how any of the scientific facts he cites is incompatible, as he claims they all are, with the embryo being "an individual, a human identity". Indeed, if they were, not even you or I, here and now, could be an individual.

He assumes criteria of individuality that would exclude adults like you and me.

My whole life is a process, yet I can be an individual.

If fertilization can trigger cleavage, it can trigger the development of an individual life.

Cells belonging to an individual can easily have the power to change their function, or to regenerate, as those in a rose-shoot do when it is planted as a fresh cutting, or to move and reorganize as do blood cells and the cells involved in healing wounds, or to delay a while in taking on a specialized function.

9. What is life?

Life is the capacity which an organized individual has for building up its own structure and powers for maintaining and developing these by calling upon external resources that were not part of its own organization, despite the variety of inputs, activities, and challenges.

10. Is there only one life, or are there a number of lives that can be counted?

Life in the abstract can be handed on from generation to generation, but only to new individuals, which can be counted, and each of which had to begin living, and can end life by dying.

11. How can a life end, or a new life begin?

A life ends when it loses its central organization. It can be absorbed into a larger individual, as happens when a living thing is eaten by another, or it can break up into parts which become distinct individuals of another sort, such as organs, cells or molecules.

A new life begins when two organized units join together to form one with appropriate powers for growth or action, as in sexual generation, or when, as in asexual generation, a new organized individual forms from within another and splits off from it.

12. What has the fact of identical twins got to do with the time when a new individual starts to exist?

This fact shows that there existed an individual with enough power to generate another similar individual. This new one will be a few days younger than the first.

13. But aren't there only one or two cells in the hundred-cell embryo that eventually become the human being?

No. All the cells in the trophoblast as well as in the inner cell mass are part of the single organized individual. Some of its organs complete their contribution early in life and are discarded, as are the milk teeth and the ductus arteriosus. The fetal placenta and membranes are no longer required after birth, but before that are definitely parts of the single developing organism.

14. What powers has the zygote or fertilized egg, that is, the single cell which is a new individual beginning its life?

The zygote has the power to develop its own organs, to grow into an adult of a particular species, and to determine its detailed characteristics as a child and as an adult. Every one of the capacities possessed by the mature adult is no more than a development of capacities that were possessed by the single cell zygote. The best food and conditions can produce no more than what the genetic constitution of that cell was capable of.

15. What is a person?

A human person is an individual thing of the sort that has a capacity to see, hear, feel, inquire, understand, invent, communicate, affirm, decide and love.

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16. Is a fertilized egg a person?

Yes. A fertilized human egg is already an individual human person. All human capacities originate in the single fertilized egg and nowhere else.

17. But isn't that blatant speciesism, which Professor Singer condemns so strongly?

No. Helga Kuhse and Peter Singer admit that: "Obviously no plausible theory could condone the random killing of people while they are asleep."

If we move the word "self-aware" in another statement of Singer's to allow for this, we find that: "It would not be speciesist to hold that the life of a being capable of self-awareness, of abstract thought, of planning for the future, of complex acts of communication, and so on, is more valuable than the life of a being without these capacities." ¹⁰

The genome of the human embryo is a particular form of organization that gives it this capability, so I am not a speciesist when I say that the life of a human embryo is more valuable than the life of a being without such capacities.

18. How then can Singer reject any appeal to the human spercies?

Professor Singer claims frequently that "mere membership in our own biological species cannot be a morally relevant criterion for this right [to life]." But he rarely gives any indication of what he means by "biological species", still less of what he means by "membership". The closest indication seems to be possession of the appropriate set of chromosomes. He seems to miss the fact completely that an individual with the set of chromosomes belonging to "a member of the species *Homo sapiens*" has, precisely in those chromosomes, the capacities that will enable it to exercise the characteristics that he speaks of and that most people would say mark it out from all other animals.

19. What relevance has all this to public attitudes to the human embryo?

Any assessment of public attitudes to the human embryo will be worthless unless it has included an investigation of the assumptions of respondents regarding the facts.

My paper shows that assumptions by the public that a human embryo is not a person from the time of fertilization are likely to be based on a distortion of the history of embryology, a neglect of basic inquiry, and ignorance of the relevant results of contemporary biological science.

References

- 1. "Although the questions of when life or personhood begins appear to be questions of fact susceptible of straightforward answers, we hold that the answers to such questions in fact are complex amalgams of factual and moral judgements. Instead of trying to answer these questions directly we have therefore gone straight to the question of how it is right to treat the human embryo". (The Government Committee of Inquiry into Human Fertilization and Embryology [The Warnock Committee], Report, 1984, par. 11.9)
- 2. "The formation, maturation and meeting of a male and female sex cell are all preliminary to their actual union into a combined cell, or zygote, which definitely marks the beginning of a new individual. This penetration of ovum by spermatozoon, and the coming together and pooling of their respective nuclei, constitutes the process of fertilization". Leslie Brainerd Arey, *Developmental Anatomy*, (Philadelphia: Saunders, 7th edition, 1975), p. 55.

"An egg is programmed to form a new individual organism when activiated by a sperm Almost every multicellular animal is a clone of cells descended from a single original cell, the fertilized egg". Bruce Alberts and others, *Molecular Biology of the Cell*, (New York: Garland, 1983), pp. 800, 813.

- 3. Mr. Ian Johnston to the Senate Select Committee on the Human Embryo Experimentation Bill 1985, *Hansard Report*, 26 Feb. 1986, p. 632, with reference to G. R. Dunstan, "The Ethical Dilemma", *ibid.* p. 633-640.
- 4. "If, then (as I learn), conception is a process, not an event a process observable from the maturation and first meiotic division of the oocyte in the dominant follicle, through several days of fluidity, from which a human being may or may not emerge; "if, secondly, fertilization, or whatever else may trigger cleavage, is a stage in this process; "if thirdly, during cleavage the pre-embryo is not yet a product but still a process, an activity in which there are periods of cellular totipotency, periods when separated blastomeres can regenerate, periods of movement and reorganization;
- "if, fourthly, there is yet in the pre-embryo no determinate differentiation, no morphogenesis;
- "if, finally, there is in early embryonic cells normally no molecular identity of a sort which would trigger an immune response —
- "if all this be true, then one cannot assume the existence of an individual, a human identity, at this stage." (G.R. Dunstan in Senate Select Committee on the Human Embryo Experimentation Bill 1985, *Hansard Report*, p. 635.)
- Dunstan, G. R., ibid. pp. 636-6, and more fully, "The moral status of the human embryo: a tradition recalled", Journal of Medical Ethics, 10(1984) pp. 38-44.
- 6. "Aristotle's notion that the menstrual blood is the substance from which the embryo is formed reigned unquestioned for many centuries It can be seen pictured in 16th century obstetrical books Its falsity was decisively demonstrated by William Harvey, . . . (1651). The expected mass of blood and seed was never found; a source of great perplexity to Harvey himself, since the mammalian egg was not discovered until long after his death." A. L. Peck, footnote to Aristotle, Generation of Animals, (London: Heinemann, 1979), Loeb edition, p. 100.
- 7. "The action of the semen of the male in 'setting' the female's secretion in the uterus is similar to that of rennet upon milk. Rennet is milk which contains vital heat, as semen does, and this integrates the homogeneous substance and makes it 'set'. As the nature of milk and the menstrual fluid is one and the same, the action of the semen upon the substance of the menstrual fluid is the same as that of rennet upon milk". (Aristotle, Generation of Animals, II.4, 739b pp. 21-27)
- 8. "The semen's power is to the animal nature produced from the semen as the power in earthly elements is to the animal natures produced from earthly elements (as, for example, with those things generated by putrefaction).... Therefore the animal souls produced from semen are generated by the power in the semen." (Thomas Aquinas, Summa Theologiae, I, q. 118 a. 1 sed contra.)

"And thus in man, as in the other animals, the final substantial form comes about through many comings-into-being and dissolutions. This is apparent in the case of animals brought into being by the process of putrefaction. Therefore it must be said that the intellective soul is created by God at the completion of man's coming-into-being. This soul is at one and the same time both a sensitive and nutritive life-principle, the preceding forms having been dissolved." (Thomas Aquinas, Summa Theologia, I, q. 118 a. 1, a. 2, ad 2)

 Kuhse, Helga and Peter Singer, Should the Baby Live?, (Oxford: O.U.P., 1985), p. 138.

10. Cf. Peter Singer, *Practical Ethics*, (Cambridge: C.U.P., 1949), p. 54, which has "a self-aware being, capable of abstract thought, etc."

11. Singer, Peter, Animal Liberation, (London: Cape, 1976), p. 7.