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A Matter of Life and Death

As one who has been responsible for the determination of death, I must contend with those who suggest that the absence of recordable cerebral electrical activity alone is evidence that human life does not exist. This criterion is being proposed to justify aborting fetuses prior to ten weeks.

When so much confidence is placed in this method it conveys the idea that these persons have had little experience in its application or its limitations. I know of no one, who has agonized over the application of electroencephalography in determining death, who shares such confidence. Convincing evidence of electrocerebral silence is uncertain enough in determination of the end of life in the adult; how much more so must it be in the intrauterine determination of the beginning of life.

Elaborate criteria have been drawn up to guard against such arbitrary applications. The Harvard group insists upon a definition of cerebral death that is based on the absence of many clinically observable signs of life, before the "brain wave" is even considered. To use the absence of recordable brain activity as an absolute criterion is therefore unacceptable in the adult. It is even more absurd to suggest that this should be used to determine the beginning of human life; for there are many easily detected and recordable clinical signs of life in the fetus even before ten weeks.

The absence of cortical synaptic integration noted in ten week fetuses at autopsy has also been used to convey the idea that this tissue is not human and therefore dispensable. If one takes as a given that the embryonic neural tissue is not brain tissue, then I suppose it can be assumed that the tissue that pumps blood cells in the embryo is not heart tissue. The idea that embryonic tissue is nothing but aimless wandering cells and that the mysteries of brain maturation are nothing but happenstance is incompatible with the evidence of embryology as well as human reason.

How should we set about determining when this tissue becomes human brain tissue? The process of myelination and the establishment of synapse connection between regions of brain, which begins in the embryo, continues well into middle age. This, I would reason, gives hope: That this brain, which has the potential in humans to record, store and process information, will in time bring more people to understand and accept the biologic definition of life as a continuum extending from conception to death.

The Christian views the entire process as the continuation of God's creation, and therefore as sacred. For such a glorious mystery no one should ever accept an arbitrary definition of its beginning or its end.

— W. J. Duhigg, M.D.