

PHILOSOPHY AND THEOLOGY

ABSTRACTS

American Catholic Philosophical Quarterly

M. Gorman, Personhood, Potentiality, and Normativity, Am Cathol Philos Q 85.3 (Summer 2011): 483–498 • The lives of persons are valuable, but are all humans persons? Some humans—the immature, the damaged, and the defective—are not capable, here and now, of engaging in the rational activities characteristic of persons, and for this reason, one might call their personhood into question. A standard way of defending it is by appeal to potentiality: we know they are persons because we know they have the potentiality to engage in rational activities. In this paper I develop a complementary strategy based on normativity. We know that the humans in question are persons because we know that lacking the here-and-now ability to engage in rational activities is—for them, unlike for tulips or kittens—a falling-short of some norm. Their personhood, in other words, is established on the basis of their being subject to the norm of having those here-and-now capacities.

D. B. Hershenov, Soulless Organisms? Am Cathol Philos Q 85.3 (Summer 2011): 465–482 • It is worthwhile comparing Hylomorphic and Animalistic accounts of personal identity since they both identify the human animal and the human person. The topics of comparison will be three: The first is accounting for our intuitions in cerebrum transplant and irreversible coma cases. Hylomorphism, unlike animalism, appears to capture “commonsense” beliefs here, preserves the maxim that identity matters, and does not run afoul of the Only x and y rule. The next topic of comparison reveals how the rival explanations of transplants and comas are both at odds with some compelling biological assumptions. The third issue deals

with our practical concerns, most notably, the possibility of an afterlife. It turns out that the hylomorphic treatment of Purgatory raises the spectra of the “too many thinkers” problem and some considerable unfairness. Contrary to expectations, an animalist insistence on uninterrupted bodily continuity between this life and the next does not involve deceptive body snatching.

S. Napier, Vulnerable Embryos: A Critical Analysis of Twinning, Rescue, and Natural-Loss Arguments, Am Cathol Philos Q 84.4 (Fall 2010): 781–810 • Contemporary philosophical discussion on human embryonic stem cell research has focused primarily on the metaphysical and meta-ethical issues such research raises. Though these discussions are interesting, largely ignored are arguments rooted in the secular research ethics tradition already informing human subject research. This tradition countenances the notion of vulnerability and that vulnerable human subjects (of which human embryos are likely members) ought to be protected from research-related harms. This is the basic idea behind the argument from vulnerability, and it enjoys “prima facie” plausibility. This article presents the vulnerability argument and then focuses critically on several lines of attack including: (1) twinning and totipotency arguments, (2) embryo-rescue arguments, and (3) natural loss arguments. The article concludes that there is no good defeater for the vulnerability argument, and, therefore, we have undefeated reasons for protecting human embryos from research related harms.

C. Tollefsen, No Problem: A Response to Bernard Prusak’s “The Problem with the Problem of the Embryo,” Am Cathol Philos Q 83.4 (Fall 2009): 583–591 • Is the human zygote and human embryo a human being?

Such questions are biological questions (although philosophy may helpfully be drawn upon in rebutting objections and clarifying concepts). The issue of personhood is thus best kept entirely off the table when that question is being discussed. What is, or is not, possible for ontological persons, and what would, or would not, be morally warranted for moral persons, should not play a role in the assessment of biological evidence with a view to answering the biological question. Yet this is what happens in a recent essay by Bernard Prusak (*Am Cathol Philos Q* 82:3 [Summer 2008]), an essay devoted to showing why the “problem of the embryo” will always be with us. More careful attention to developmental biology, and greater care in distinguishing scientific from metaphysical and ethical questions, would go some way towards making the problem of the embryo less intractable than Prusak believes.

C. Tollefsen, Some Questions for Philosophical Embryology, Am Cathol Philos Q 85:3 (Summer 2011): 447–464 • A philosophical embryology should have three concerns: first, it should describe the realities discovered by embryology and developmental biology at a higher level of generality than is achieved by those disciplines, and it should integrate this more general representation with philosophy’s other more general concepts. Second, it should answer philosophical questions raised by the study of embryological development if, as I believe, there are some. And third, it must be prepared to engage in a philosophical dialectic with those whose general representations work with a different set of concepts, or who answer philosophical questions differently, or who dispute the boundaries between the scientific and the philosophical. In this essay, I identify a number of questions that belong to the domain I am identifying as “philosophical embryology,” and discuss the answers I think are indicated by sound philosophy and biology.

Bioethics

J. Burgess, Could a Zygote Be a Human Being? Bioethics 24.2 (February 2010): 61–70 • This paper re-examines the

question of whether quirks of early human foetal development tell against the view (conceptionism) that we are human beings at conception. A zygote is capable of splitting to give rise to identical twins. Since the zygote cannot be identical with either human being it will become, it cannot already be a human being. Parallel concerns can be raised about chimeras in which two embryos fuse. I argue first that there are just two ways of dealing with cases of fission and fusion and both seem to be available to the conceptionist. One is the “replacement view” according to which objects cease to exist when they fission or fuse. The other is the “multiple occupancy view”—both twins may be present already in the zygote and both persist in a chimera. So, is the conceptionist position tenable after all? I argue that it is not. A zygote gives rise not only to a human being but also to a placenta—it cannot already be both a human being and a placenta. Neither approach to fission and fusion can help the conceptionist with this problem. But worse is in store. Both fission and fusion can occur before and after the development of the inner cell mass of the blastocyst—the entity which becomes the embryo proper. The idea that we become human beings with the arrival of the inner cell mass leads to bizarre results however we choose to accommodate fission and fusion.

B. Baertschi and A. Mauron, Moral Status Revisited: The Challenge of Reversed Potency, Bioethics 24.2 (February 2010): 96–103 • Moral status is a vexing topic. Linked for so long to the unending debates about ensoulment and the morality of abortion, it has recently resurfaced in the embryonic stem cell controversy. In this new context, it should benefit from new insights originating in recent scientific advances. We believe that the recently observed capability of somatic cells to return to a pluripotential state (a capability we propose to name ‘reversed potency’) in a controlled manner requires us to modify the traditional concept of moral status and to consider it as referring not only to intrinsic properties (like ‘to possess reason’ or ‘to be a person’), but also to extrinsic or relational ones.

Ethics and Medicine

D. Sansom, How Much Respect Do We Owe the Embryo? Limits to Embryonic Stem Cell Research, Ethics and Medicine 26.3 (Fall 2010): 161–173 • This article shows that we should treat human embryos with human dignity because of their organic destiny and the morally compelling principle of the love of neighbor, even to that which is potentially a newborn, toddler, etc. Consequently, there should be limits to using them for stem cell research. It concludes that destroying them to further medical therapies violates a fundamental ethical principle—respect of human dignity. Nonetheless, if we follow the ethically acceptable guidelines of surrogate informed consent, it can be ethically legitimate to use embryonic stem cells for medical research of nonviable embryos.

Journal of Applied Philosophy

J. A. Burgess, Potential and Foetal Value, J Appl Philos 27.2 (May 2010): 140–153 • The argument from potential has been hard to assess because the versions presented by friends and those presented by enemies have born very little resemblance to each other. I here try to improve this situation by attempting to bring both versions into enforced contact. To this end, I sketch a more detailed analysis of the modern concept of potential than any hitherto attempted. As one would expect, arguments from potential couched in terms of that notion are evident non-starters. I then ask how the modern notion of potential needs to be supplemented in order to produce a more convincing argument. I then enquire whether the supplementations utilised in the most distinguished recent presentations of the argument have anything better than an ad hoc role to play in contemporary metaphysics. I conclude that the rehabilitation of the argument is unlikely; in any event, the onus of proof seems to be on the friend of that argument to show that it is uncontrived. Finally, I argue that the (modern) notion of potential has an important role to play in any plausible account of foetal value.

I. Persson, The Origination of a Human Being: A Reply to Oderberg, J Appl Philos 26.4 (November 2009): 371–378 • Recently David S. Oderberg has tried to refute three arguments that have been advanced in favour of the view that a human being does not begin to exist at fertilization. These arguments turn on the absence of differentiation between the embryoblast and trophoblast, the possibility of monozygotic twinning, and the totipotency of the cells during the first days after fertilization. It is here contended that Oderberg fails to rebut these arguments, though it is conceded that the first two arguments are not conclusive. They do, however, make it at least as reasonable to deny this early origination as to affirm it. It should be noticed that this is all that is needed by those who have used these arguments to dispute that something with a special moral status exists right from fertilization. Nonetheless, it will be seen that the third argument could be developed to the point of giving a conclusive reason to believe that a human being does not begin to exist at fertilization.

Journal of Ethics

P. Montague, Stem Cell Research and the Problem of Embryonic Identity, J Ethics 15.4 (December 2011): 307–319 • A basic component of moral objections to embryonic stem cell research is the claim that human embryos have the same moral status as typical adult human beings. There is no reason to accept this claim, however, unless adult humans once existed as embryos—that is, unless the developmental history of adult humans contains embryos to which the adults are numerically identical. The purpose of this paper is to argue that there are no such identities, and hence that no adult human being ever existed as an embryo.

Journal of Law, Medicine and Ethics

R. Dresser, Stem Cell Research as Innovation: Expanding the Ethical and Policy Conversation, J Law Med Ethics 38.2 (Summer 2010): 332–341 • Research using human embryonic stem cells raises an array

of complex ethical issues, including, but by no means limited to, the moral status of developing human life. Unfortunately much of the public discussion fails to take into account this complexity. Advocacy for liberal and conservative positions on human embryonic stem cell research can be simplistic and misleading. Ethical concepts such as truth-telling, scientific integrity, and social justice should be part of the debate over federal support for human embryonic stem cell research. Moreover, the debate should be conducted in accord with principles of deliberative democracy, including respect for people holding competing views.

Reproductive BioMedicine Online

*L. Purdy, Is Emergency Contraception Murder? *Reprod Biomed Online* 18 suppl. 1 (2009): 37–42* • Hormonal emergency contraception (EC) is engendering fierce moral disagreement that is bleeding over into politics and policy. This paper considers Catholic positions on this issue, as they are the fullest and best developed. Its most extreme opponents, such as representatives of the Vatican, hold that EC is an abortifacient that should be banned. Moderates like Sulmasy believe that it should be available to women who have been raped when a negative pregnancy test suggests that fertilization has not yet taken place, and liberals, like Catholics for Free Choice, believe that it should be available to all women regardless of its mode of action. These positions depend in part on underlying philosophical presuppositions about when valuable life begins and scientific assumptions about how EC works. I argue that there are good reasons for rejecting the criterion of fertilization, and that the best current evidence strongly suggests that EC has no post-fertilization effects. These points by themselves undermine key objections to EC. I also show that none of the remaining considerations are sufficiently compelling to warrant overriding women's right to exercise religious, moral, and political agency in preventing undesired pregnancies.

Theoretical Medicine and Bioethics

*E. Christian Brugger, "Other Selves": Moral and Legal Proposals Regarding the Personhood of Cryopreserved Human Embryos, *Theor Med Bioeth* 30.2 (2009): 105–129* • This essay has two purposes. The first is to argue that our moral duties towards human embryos should be assessed in light of the Golden Rule by asking the normative question, "How would I want to be treated if I were an embryo?" Some reject the proposition "I was an embryo" on the basis that embryos should not be recognized as persons. This essay replies to five common arguments denying the personhood of human embryos: (1) that early human embryos lack ontological individuation; (2) that they are members of the species 'Homo sapiens' but not yet human persons; (3) that the argument for personhood commits the "heap argument" fallacy; (4) that since human procreation in nature is inefficient, human embryos cannot be persons; and (5) the "burning building" scenario proves that all arguments for personhood are irrational or inconsistent. The second purpose is to set forth and criticize in light of the normative judgment defended in part one the present legal situation of "cryo-preserved" embryos in the U.S. The essay ends by proposing legislative reforms to protect ex utero human embryos.

Utilitas

*M. Ramsay, Twinning and Fusion as Arguments against the Moral Standing of the Early Human Embryo, *Utilitas* 23.2 (June 2011): 183–205* • Some philosophers argue that, because it is subject to twinning and fusion, the early human embryo cannot hold strong moral standing. Supposedly, the fact that an early human embryo can twin or fuse with another embryo entails that it is not a distinct individual, thus precluding it from holding any level of moral standing. I argue that appeals to twinning and fusion fail to show that the early human embryo is not a distinct individual and that these appeals

do not provide us with plausible reasons for denying the strong moral standing of the early human embryo. I recognize one possible exception to this general assessment, a particular version of the appeal to

fusion. Embryo fusion that results in tetragametic chimerism provides some reason for doubting the early human embryo's moral standing. But twinning and fusion are otherwise irrelevant in this context.