Theological Opinion:
The Human Embryo as Person in Catholic Teaching

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Development of Catholic Teaching on the Embryo

At least from the Middle Ages until 1869 it was commonly accepted in the West that the human person did not begin until several weeks after conception. This is admitted by the Church:

It is true that in the Middle Ages, when the opinion was generally held that the spiritual soul was not present until after the first few weeks, a distinction was made in the evaluation of the sin and the gravity of the penal sanctions... But it was never denied at that time that procured abortion, even during the first few days, was objectively a grave sin. This condemnation was in fact unanimous.¹

In 1869 Pius IX, in the light of the growing consensus among scientists and philosophers, dropped these distinctions and extended the excommunication for abortion to all stages of pregnancy.² The view that a human individual and person begins at conception grew steadily over the next century.

Second Vatican Council

By the time of the Second Vatican Council the original works of scholars like Karl Rahner, Peter Schoonenberg, and in English, Joseph Donceel, had begun to question whether a human individual and person begins at fertilization.³ In its major Pastoral Constitution, Gaudium et Spes, the Council made the following significant statement: “Life once conceived must be protected with the utmost care; abortion

² Ford, ibid, 58.
⁴ Pastoral Constitution, Gaudium et Spes, 51.
and infanticide are abominable crimes.”

It is interesting to note the previous draft of this text: “Life already conceived in the womb must be protected with the utmost care; abortion and infanticide are abominable crimes.” Some nineteen speakers requested that the phrase “in the womb” be deleted since the fertilized egg, even if not yet in the womb, is something sacred. The document’s drafting commission agreed that the fertilized egg in the fallopian tube ought to be respected and proposed the definitive text quoted above, stating that there was no intention of elaborating on when ensoulment occurs.

It is obvious that the Vatican Council unequivocally declared there is a moral obligation to protect human life from conception even though it was not prepared to commit itself to any statement on precisely when the spiritual soul is creatively infused to constitute a person. The Council did not attempt to specify the meaning of conception beyond the common assumption that human life begins at fertilization. In other words, the Council taught that human life once conceived ought to be respected and protected, regardless of when the individual human person begins.

Declaration on Procured Abortion

The Church has continued to take for granted that human life and the human individual begin at fertilization. However, in the 1974 Declaration on Procured Abortion, footnote 19 says that it does not formally address when ensoulment occurs nor when the fruit of conception is constituted into a person. The Church was primarily interested in offering sound moral advice on the absolute due respect for human life from conception:

This declaration expressly leaves aside the question of the moment when the spiritual soul is infused. There is not a unanimous tradition on this point and authors are as yet in disagreement. For some it dates from the first instant, for others it could not at least precede nidation. It is not within the competence of science to decide between these two views, because the existence of an immortal soul is not a question in its field. It is a philosophical problem from which our moral affirmation remains independent ... supposing a later animation, there is still nothing less than a human life, preparing for and calling for a soul in which the nature received from parents is completed.

It is to be noted that the question of when ensoulment occurs, and consequently of when a human person begins, pertains to the competence of philosophy and not of the biological sciences.

Donum Vitae

After the birth of Louise Brown, the first baby born through in vitro fertilization techniques (IVF), on 25 July 1978, IVF embryos were soon being manipulated

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7 Ibid., 501: “Proponitur ut dicatur: ‘inde a conceptione’ quin tempus animationis tangatur.”
8 Declaration on Procured Abortion, footnote 19.
and discarded around the world. The Church was concerned about this gross lack of respect for human embryos, and gave its first official response to new reproductive technologies in the 1987 document *Donum Vitae*. Questions naturally arose about the moral status of human life in the fertilised egg or the zygote: is this human life a human individual and a person?

The Congregation for the Doctrine of the Faith openly admitted it was

... aware of the current debates concerning the beginning of human life, concerning the individuality of the human being and concerning the identity of the human person.

The Congregation, however, found no convincing arguments in support of claims that a human person begins at any time other than conception, understood as fertilization. A line of prudent caution was adopted by the Congregation in acting on the moral principle that any reasonable doubts about the personal status of human life from conception should be resolved in practice in favor of the zygote. Hence the Congregation found no good reason to change substantially its teachings given in the 1974 Declaration. It simply endorsed them and added:

... recent findings of human biological science ... recognize that in the zygote (the zygote is the cell resulting from the fusion of two gametes) resulting from fertilization the biological identity of a new human individual is already constituted.

Certainly no experimental datum can be in itself sufficient to bring us to the recognition of a spiritual soul; nevertheless, the conclusions of science regarding the human embryo provide a valuable indication for discerning by the use of reason a personal presence from this first appearance of a human life: how could a living human creature not be a human person? The Magisterium has not expressly committed its authority to this affirmation of a philosophical nature, but it constantly reaffirms the moral condemnation of any kind of procured abortion.

Thus the fruit of human generation, from the first moment of its existence, that is to say from the moment the zygote is constituted, demands the unconditional respect that is morally due to the human being in his bodily and spiritual totality.

For practical and moral purposes, the Church teaches that the fruit of human generation, from fertilization onwards, should be treated as a personal being, but at the same time stopped short of making an express philosophical commitment to the personal status of the zygote.

*Evangelium Vitae*

In *Evangelium Vitae*, his 1995 encyclical letter on ethical issues concerning human life, Pope John Paul II addressed the status of early human embryo and quoted liberally from the 1974 Declaration and Donum Vitae, thereby personally endorsing the passages cited:

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10 *Donum Vitae*, I,1.

11 Instruction *Donum Vitae*, I,1.
... in fact from the time that the ovum is fertilized, a life is begun that is neither that of the father nor of the mother; it is rather the life of a new human living being \(\text{novi viventis humani}\) with his own growth. It would never be made human if it were not human already. This has always been clear, and ... modern genetic science offers clear confirmation. It has demonstrated that from the first instant there is established the structure or \(\text{structuram seu}\) genetic program of what this living being will be: a man \(\text{hominem}\), and indeed this individual man \(\text{hunc hominem individuum}\), with his characteristic aspects already well determined. Right from fertilization the adventure of a human life begins, and each of its capacities requires time—a rather lengthy time—to find its place and to be in a position to act.”

Even if the presence of a spiritual soul cannot be ascertained by empirical data, the results themselves of scientific research on the human embryo provide “a valuable indication for discerning by the use of reason, a personal presence at the moment of the first appearance of a human life: how could a living human creature \(\text{vivens creatura humana}\) not also \(\text{etiam}\) be a human person?”

Furthermore, what is at stake is so important that, from the standpoint of moral obligation, the mere probability that a person is involved would suffice to justify an absolutely clear prohibition of any intervention aimed at killing a human embryo. Precisely for this reason, over and above all the scientific debates and the philosophical affirmations in which the Magisterium was never expressly involved \(\text{numquam explicate se particeps praebuit Magisterium}\) the Church has always taught and continues to teach that the result of human procreation, from the first moment of its existence, must be guaranteed that unconditional respect which is morally due to a human being in his or her totality and unity as body and spirit: “The human creature \(\text{creatura humana}\) is to be respected and treated as a person from conception; and therefore from that same moment his rights as a person must be recognized, among which in the first place is the inviolable right of every innocent human creature \(\text{creatura}\) to life.”

John Paul II makes it clear that the Magisterium made no decision for or against the common opinion held for centuries that ensoulment and the beginning of the person did not occur for several weeks after conception. In \textit{Evangelium Vitae} he teaches that scientific studies on the human embryo provide grounds to discern rationally a personal presence once human life is present in an embryo \(\text{creatura humana}\). The Magisterium holds there are sufficient reasons to support this position and to warrant presuming its truth and to treat human embryos as persons, that is, with absolute moral respect in private life and in public policy. Hence the Magisterium speaks and writes about human embryos as though they were persons.

The use of the Latin term for \textit{man or human being} in Church documents is \textit{homo}. The theory of “delayed hominization” refers to the human person being formed

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\textsuperscript{12} Declaration on Procured Abortion nn. 12–13.

\textsuperscript{13} Donum Vitae I,1.

\textsuperscript{14} Pope John Paul II, Encyclical Letter, \textit{Evangelium Vitae}, (Vatican City: Libreria Editrice Vaticana, 1995) n. 60. This translation has been modified to be more faithful to the official Latin text in \textit{Acta Apostolicae Sedis}, 87/2 (1995), n. 60, 468–69. See also Ford, \textit{When Did I Begin?} 68–84.
when the spiritual soul is created within the embryo at some time after conception. In the 1974 Declaration the term homo, however, is used to refer to the fruit of human generation both before and after animation by a spiritual soul. It says that it suffices that this presence of the soul be probable (and one can never prove the contrary) in order that the taking of life involve accepting the risk of killing a man [homo], not only waiting for, but already in possession of his soul.\(^\text{15}\)

A biological human organism is a human entity, but cannot be a person if a spiritual soul has not yet been created within to constitute a personal being. The Pope did not use the term homo in this context and instead spoke of a personal presence in a “human creature.”

**Is Delayed Personhood Theologically Plausible?**

For many readers of the Catholic teaching stated in the preceding paragraphs, it would seem that the Church has closed the door on any position other than that which maintains that a person begins at conception. I do not think this is so. For a start, Pope John Paul II did not state that a human person is present from fertilization. Evangelium Vitae states that the genetic program is established for what this living being will be, that is, an individual man [hominem]. He articulated the reasons for a personal presence being able to be discerned in the first appearance of human life in the creatura humana, but did not declare that a person begins at fertilization. This does not exclude the possibility of reasonably interpreting the same evidence and arriving at an alternative conclusion.

While there are good reasons to believe the early human embryo is an individual and person from conception, it is difficult to establish this with the certitude required for the Church to formally teach this. The Church has a duty to protect human embryos, but not to the detriment of the truth. The Church cannot teach something to be true unless the Magisterium is convinced this is so beyond reasonable doubt. Hence the Church acted wisely, neither overstating nor understating the truth based on the evidence available.

**The Arguments on the Status of the Early Embryo**

The Church accepts the commonly held view that a human being and person begins at fertilization when the fusion of sperm and egg gives rise to a zygote, a single-cell human embryo whose genetic individuality and uniqueness remain unchanged during normal development. Cell divisions and differentiation are programmed for the organization and growth of the same developing human individual already present in the zygote. From conception, the ongoing unity of the embryo is demonstrated by its unidirectional development and growth as one and the same living human being. According to this account the zygote is an actual human person and not simply a potential human person in much the same way as an infant is an actual human person with potential to develop to maturity. This view is simple, easy to grasp, and is supported by eminent scientists and philosophers.

\(^\text{15}\) Declaration n. 19: for the Latin text see Acta Apostolicae Sedis (1974) 738. n.19: (“periculo se committere occidendi hominis, non tamquam in spe, sed omnino anima instructi”).

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This position may be coherent but not necessarily true. A fetus, with its millions of cells, is definitely an organized human individual with potential for further development as the same living individual. But is the fetus the same organized living individual as the zygote? Put another way, when the zygote divides during normal development to form two cells, do we have a two-cell individual or simply two individual cells? Each of the first two cells has its own organization, nutrients, and life cycle. It seems more likely that there are just two distinct cells even though their membranes touch each other. If this is so, it is hard to claim that the first two or four cells already constitute one organized human individual and person.

It can be replied, however, that the genetic code of the zygote, which is purposefully programmed to produce a human individual, is found in each of the first two cells and then four cells, and so on. This would mean that the genetic code of these early cells work in tandem from the first division onwards to continue to form a human individual.

To this it can be replied that the genetic code is first programmed to produce the external membranes and only then does it form a definitive, organized human individual (or two in the case of identical twins). In short, it can be argued, the presence of the genetic code itself does not suffice to constitute a human individual, but that only its activation does, whereby specialized cells and membranes are produced to form and enclose an organized human individual about fourteen days after fertilization. If this argument is accepted, fertilization is not the beginning of the development of the human individual but the beginning of the formative process and development into one (or more human individuals). Ultimately this issue cannot be resolved in the first instance by appealing to the teaching of the Church, but only by reflection and critical analysis on all the relevant scientific information interpreted in the light of sound philosophical principles.

**Respect Due to Human Embryos**

In the meantime, the Church rightly stands firm on the principle that the fruit of human generation, the *creatura humana* of Pope John Paul II, is morally inviolable from conception and human embryos should be treated as persons. The obligation to show moral respect for human embryos is a profoundly human insight and reflects the respect due to our *shared humanity*. It arises in the heart and mind—not only from religious sources. We have a moral duty to protect human embryos, but no dominion over embryonic human life. We should not settle for the reductionism that sees embryonic human life as no more than mere genetic material, devoid of significance and value. Ethical respect for human embryos should take precedence over pragmatic and utilitarian considerations.