

PHILOSOPHY AND THEOLOGY ABSTRACTS

Bioethics

R. Lovering, The Substance View: A Critique, Bioethics 27.5 (June 2013): 263–270

• According to the theory of intrinsic value and moral standing called the “substance view,” what makes it *prima facie* seriously wrong to kill adult human beings, human infants, and even human fetuses is the possession of the essential property of the basic capacity for rational moral agency—a capacity for rational moral agency in root form and thereby not remotely exercisable. In this critique, I cover three distinct *reductio* charges directed at the substance view’s conclusion that human fetuses have the same intrinsic value and moral standing as adult human beings. After giving consideration to defenders of the substance view’s replies to these charges, I then critique each of them, ultimately concluding that none is successful. Of course, in order to understand all of these things—the *reductio* charges, defenders of the substance view’s replies to them, and my criticisms of their replies—one must have a better understanding of the substance view (in particular, its understanding of rational moral agency) as well as its defense. Accordingly, I address the substance view’s understanding of rational moral agency as well as present its defense.

R. Lovering, The Substance View: A Critique (Part 2), Bioethics published online (September 19, 2012) • In my initial critique of the substance view, I raised *reductio*-style objections to the substance view’s conclusion that the standard human fetus has the same intrinsic value and moral standing as the standard adult human being, among others. In this follow-up critique, I raise objections to some of the premises invoked in support of this conclusion. I begin by briefly presenting the substance view as well as its defense. (For a more thorough presentation, see the first

part of my critique.) I then raise objections to three claims involved in the substance view’s defense: the claim that the standard human fetus’s intrinsic value and moral standing is a function of its potentiality; the claim that the standard human fetus’s intrinsic value and moral standing is a function of its essential properties; and the claim that it is the possession of the basic potential for rational moral agency that best accounts for the wrongness of killing the standard human fetus, among others.

Christian Bioethics

P. McCruden, The Moral Object in the “Phoenix Case”: A Defense of Sister McBride’s Decision, Christ Bioeth 18.3 (December 2012): 301–311 • The “Phoenix Case” brought into public scrutiny a contemporary debate in Catholic moral theology over competing views on the relation of the object of the act to the physical structure of acts that arise from moral choices. A procedure that was described by hospital officials and their parent company as an indirect abortion was judged by the local ordinary, Bishop Thomas Olmsted, as a direct abortion. A debate ensued between Bishop Olmsted and Catholic Health Care West and their advisors. Eventually, Bishop Olmsted excommunicated Sister Margaret Mary McBride for her role on the ethics committee approving the procedure and publicly announced his refusal to recognize the hospital as authentically Catholic. This author addresses the theological position of the hospital and addresses implications for other professionals in Catholic health care facing similar dilemmas.

P. Reed, The Danger of Double Effect, Christ Bioeth 18.3 (December 2012): 287–300 • In this paper, I argue that the doctrine of double effect is disposed toward abuse. I try to identify two distinct sources of abuse of double effect: the conditions associated

with standard formulations of double effect and the difficulty of fully understanding one's own intentions in action. Both of these sources of abuse are exacerbated in complex circumstances, where double effect is most often employed. I raise this concern about abuse not as a criticism of double effect but rather as a problem that defenders should observe and try to prevent. I go on to suggest certain methods for avoiding the abuse of double effect such as hesitating to use it, applying it only with other agents, and selectively and carefully propagating it.

R. Whittington, Embryonic Stem Cell Research: A Pragmatic Roman Catholic's Defense, Christ Bioeth 18.3 (December 2012): 235–251 • The potential benefits of embryonic stem cell research have been clarified by the last ten years of research so that it is necessary to re-examine the foundations for the restrictions imposed on this research. Those who believe that life begins at the moment of fertilization and is imbued with a full complement of human rights have opposed all embryonic research. As one who accepts this premise, I will demonstrate that there are certain limited circumstances in which parents may donate embryos to establish stem cell lines that fully respect the rights of the embryonic person. In these circumstances, their action is morally equivalent to organ donation from a dying child to save the lives of others.

Ethical Theory and Moral Practice

H. Baranzke, "Sanctity-of-Life": A Bioethical Principle for a Right to Life? Ethical Theory Moral Pract 15.3 (June 2012): 295–308 • For about five decades the phrase "sanctity-of-life" has been part of the Anglo-American biomedical ethical discussion related to abortion and end-of-life questions. Nevertheless, the concept's origin and meaning are unclear. Much controversy is based on the mistaken assumption that the concept denotes the absolute value of human life and thus dictates a strict prohibition on euthanasia and physician-assisted suicide. In this paper, I offer an analysis of the religious

and philosophical history of the idea of "sanctity-of-life." Drawing on biblical texts and interpretation as well as Kant's secularization of the concept, I argue that "sanctity" has been misunderstood as an ontological feature of biological human life, and instead locate the idea within the historical virtue-ethical tradition, which understands sanctification as a personal achievement through one's own actions.

P. Nichols, Abortion, Time-Relative Interests, and Futures Like Ours, Ethical Theory Moral Pract 15.4 (August 2012): 493–506

• Don Marquis (1989) has argued most abortions are immoral, for the same reason that killing you or me is immoral: abortion deprives the fetus of a valuable future (FLO). Call this account the FLOA. A rival account is Jeff McMahan's (2002), *time-relative interest account* (TRIA) of the wrongness of killing. According to this account, an act of killing is wrong to the extent that it deprives the victim of future value *and* the relation of *psychological unity* would have held between the victim at the time of death and herself at a later time if she had lived. The TRIA supposedly has two chief advantages over Marquis's FLOA. First, unlike the FLOA, the TRIA does not rely on the controversial thesis that identity is what matters in survival. Second, the TRIA yields more plausible verdicts about cases. Proponents of the TRIA use the account to argue that abortion is generally permissible, because there would be little to no psychological unity between the fetus and later selves if it lived. I argue that advocates of the TRIA have failed to establish its superiority to the FLOA, for two reasons. First, the two views are on a par with respect to the thesis that identity is what matters in survival. Second, Marquis's FLOA does not yield the counterintuitive implications about cases that advocates of the TRIA have attributed to it, and the TRIA yields its own share of implausible judgments about cases.

Kennedy Institute of Ethics Journal

E. C. Brugger, The Problem of Fetal Pain and Abortion: Toward an Ethical Consensus for Appropriate Behavior, Kennedy Inst

Ethics J 22.3 (September 2012): 263–287 • Debate exists over whether fetuses feel pain, and if so what to do about it. Because they cannot provide self-report, certitude on the question cannot be reached. The essay argues that a presumption of reasonable doubt is adequate to inform moral behavior. It looks at the most recent evidence from fetal anatomical, neurochemical, physiological and behavioral research and concludes that a reasonable doubt exists that fetuses from 20 to 23 weeks do not feel pain. It proposes that where abortion is legal, providers should be legally required both to provide full disclosure of the possibility of fetal pain starting at 20 weeks and to offer pain-relief measures to suppress fetal pain to all women seeking an abortion.

Journal of Medicine and Philosophy

A. Giubilini, Abortion and the Argument from Potential: What We Owe to the Ones Who Might Exist, *J Med Philos* 37.1 (February 2012): 49–59 • I challenge the idea that the argument from potential (AFP) represents a valid moral objection to abortion. I consider the form of AFP that was defended by Hare, which holds that abortion is against the interests of the potential person who is prevented from existing. My reply is that AFP, though not unsound by itself, does not apply to the issue of abortion. The reason is that AFP only works in the cases of so-called same number and same people choices, but it falsely presupposes that abortion is such a kind of choice. This refutation of AFP implies that (1) abortion is not only morally permissible but sometimes even morally mandatory and (2) abortion is morally permissible even when the potential person's life is foreseen to be worth living.

J. Morris, Substance Ontology Cannot Determine the Moral Status of Embryos, *J Med Philos* 37.4 (August 2012): 331–350 • Assigning the appropriate moral status to different stages of human development is an urgent problem in bioethics. Many philosophers have attempted to assess developmental events using strict ontological principles to determine when a developing

entity becomes essentially human. This approach is not consistent with recent findings in reproductive and stem cell biology, including the discovery of the plasticity of early embryonic development and the advent of induced pluripotent stem cells. Substance ontology should therefore not be used to determine the moral status of the embryo.

N. Nobis, Abortion, Metaphysics and Morality: A Review of Francis Beckwith's Defending Life: A Moral and Legal Case Against Abortion Choice, *J Med Philos* 36.3 (June 2011): 261–273 • In *Defending Life: A Moral and Legal Case Against Abortion Choice* (2007) and an earlier article in this journal, "Defending Abortion Philosophically" (2006), Francis Beckwith argues that fetuses are, from conception, *prima facie* wrong to kill. His arguments are based on what he calls a "metaphysics of the human person" known as "The Substance View." I argue that Beckwith's metaphysics does not support his abortion ethic: Moral, not metaphysical, claims that are part of this Substance View are the foundation of the argument, and Beckwith inadequately defends these moral claims. Thus, Beckwith's arguments do not provide strong support for what he calls the "pro-life" view of abortion.

Linacre Quarterly

J. Eberl, Metaphysical and Moral Status of Cryopreserved Embryos, *Linacre Q* 79.3 (August 2012): 304–315 • Those who oppose human embryonic stem cell research argue for a clear position on the metaphysical and moral status of human embryos. This position does not differ whether the embryo is present inside its mother's reproductive tract or in a cryopreservation tank. It is worth examining, however, whether an embryo in "suspended animation" has the same status as one actively developing in utero. I will explore this question from the perspective of Thomas Aquinas's metaphysical account of human nature. I conclude that a cryopreserved human embryo counts, both metaphysically and morally, as a person; and thus the utilization of such embryos for inherently destructive research purposes is impermissible.

T. Nelson, Personhood and Embryo Adoption, Linacre Q 79.3 (August 2012): 261–274 • The morality of embryo adoption, or heterologous embryo transfer for rescue, remains controversial despite the issuance of *Dignitas personae* (2008). When evaluating such bioethical controversies, it is crucial to take account of the personal order. Personalism provides a fresh and heretofore underdeveloped perspective toward resolving this polarized issue in bioethics. I will argue that it is not discriminatory to oppose embryo adoption on the basis of the heterology between rescuer and embryo because

the lack of genetic relatedness reflects a more profound lack of personal relatedness. The persons involved in embryo adoption are not meant for the bodily relationship of pregnancy because of the incommunicability of relationships that involve the total gift of the human body. From the perspective of biology, pregnancy is natural life support for the embryo. From the perspective of personhood, pregnancy is fundamentally a relationship of embodied persons, one that is irreplaceable and radically exclusive. The clinical implications of this analysis will be discussed.