Editorial

Human embryos and the argument from potential

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There seems little doubt that if something has the potential to be valuable then there is good *prima facie* reason to value it. One values the unimpressive brown objects that one plants in autumn for their potential to become the snowdrops of the winter's end and the daffodils of the spring's beginnings. One values the lump of thoroughly bashed about cold and slimy clay for the pot it has the ential to become. The battery hen farmer values the eggs in his incubators for their potential to become chickens and thus profits. In each case however the value of the initial entity is not generally as great as the value of the entity it has the potential to become and in each case destruction of the initial entity is generally of less importance than destruction of the entity it has the potential to become. Are things different with human beings? All right-thinking people acknowledge an intrinsic value pertaining to all people such that they are intrinsically valuable and such that it is wrong to destroy them (or at least wrong to destroy them unless they are in some sense unjust aggressors, or unless they have, in certain intolerable circumstances, requested such destruction).

Does the potential of early, living human beings to become people require us to acknowledge the same intrinsic value and the same right to life in early human beings such as human embryos, human fetuses and newly born human babies that we acknowledge for people? Traditional religious attitudes to abortion have often asserted and argued that this is indeed the case and that 'human beings with potential' (as distinct from potential human beings – a crucial distinction in, for example, Roman Catholic discussion of these issues), should, from the time of conception, be accorded the same moral respect and protection as developed human beings are accorded; in particular, that from the moment of conception an innocent human being has a right to life. Opposing this view is the 'pro-choice' view that regards the matter of abortion as mainly a matter for the pregnant woman and which sees the embryo and fetus (though not usually the newborn child) as only *potentially* the sort of human being that has a right to life. This position rejects the claim that the argument from potential justifies ascription of the same rights to embryos and fetuses as are ascribed to adult people. It argues in

opposition that embryos and fetuses while they have the *potential* to be human persons do not yet have the attributes or properties that make them human persons and therefore do not yet have the rights that are intrinsic to human persons, and in particular the right to life.

In this issue of the journal Ms Poplawski and Dr Gillett argue that while 'the standard' version of the argument from potential is indeed inadequate to support a conclusion that embryos and fetuses ought to be ascribed a right to life, there is another, Aristotelian version of the argument from potential that does require, if not the ascription of an intrinsic individual right to life for all human beings, then at least the ascription of 'a relative sanctity for all human life' – a sanctity 'attached to the human form as a whole where that form is viewed in a longitudinal sense and therefore present from conception and onwards throughout an entire life' (1).

The outline of their argument is given in the following quotation: 'We will give a more Aristotelian analysis ... and argue that the *form* of a human being extends beyond that present at a given slice of time to take in the breadth of an entire life. There is a phase of development, a phase of moral engagement with others and a phase of dying (which may be abrupt or more drawn out). On this view the process of becoming a person is a progression through a series of linked developmental stages. Because each stage is an essential component of the whole, the form of humanity involves a life with a characteristic longitudinal "shape".'

'At one stage of this whole the individual becomes a rational social being and an inherent moral value is realised. We then take this moral value, inherent to human beings as rational social beings (persons), and attach it to the form as a whole.'

There can be little doubt that a temporally 'longitudinal' view of the form (or nature?) of human beings is what underlies our appreciation of the potential of human embryos and fetuses and even babies to become 'fully fledged' human people. Indeed in the case of early embryos what other reason could there plausibly be for ascribing some special moral value to the ball of cells that constitutes the early human embryo, other than a 'longitudinal' view of the

potential development of that embryo over time? Thus there is no significant dispute that it is the early human being's potential over time to become a very special sort of entity – a human person with all the remarkable attributes of human people – that gives at least a *prima facie* special value to human beings from the earliest stages in their development. Undoubtedly the arguments propounded by Ms Poplawski and Dr Gillett lend further support to this belief. Thus the argument from potential, as seen from the Aristotelian longitudinal perspective they describe, shows that the value which everyone agrees is to be ascribed to developed human people ought, *prima facie*, to be ascribed to human embryos from the moment of conception and at all intermediate stages thereafter until death – because human embryos have the potential to become human people with the intrinsic moral value inherent in people.

This is a modest but undoubtedly helpful achievement. It helps us to formalise our intuition that even though a thing at present does not manifest characteristics that are intrinsically valuable, nonetheless if it has the potential to do so we tend to value it because of that potential. It can help us formalise, for example, why it is that we value the daffodil bulbs – because they are members of the natural kind of thing that at a later stage in development characteristically develops an intrinsic beauty widely acknowledged as in some sense valuable; *prima facie* this intrinsic beauty can be properly attached to, perhaps even 'seen in', all stages of daffodil development, even in the rather mundane early stages of daffodil seed and daffodil bulb. Furthermore the 'longitudinal form' of daffodils, including the potential of daffodil seeds and bulbs to become daffodils, *prima facie* confers greater beauty on daffodil seeds and bulbs than the longitudinal form of puffballs confers upon puffball spore (assuming, quite shamelessly, that daffodils are more beautiful than puffballs).

Few people would dispute this claim, but it is, as stated, a rather modest one. In particular it does not lend support to the traditional argument from potential whereby if *x* has the potential to develop into *y* which has a right to life, then *x*, though admittedly not yet manifesting the characteristics of *y*, nonetheless has the same right to life as does the *y* that it has the potential to become. It seems worth making this clear for some of the language used by Ms Poplawski and Dr Gillett may be understandably interpreted otherwise. Thus they claim that: 'We can now justify a relative sanctity for all human life. The justification is that to violate that life does violence to a basic feature of our moral attitudes This sanctity is attached to the human form as a whole where that form is viewed in a longitudinal sense and therefore present from conception and onwards throughout an entire life ...'.

Given that 'sanctity' means 'sacredness' or 'inviolability', and that these concepts are widely applied to developed human beings, even in a secular context, as grounding an individual and intrinsic right

to life, such an assertion might lead us to suppose that if the 'relative sanctity' attaching to *all* human life is to apply to the human embryo by virtue of its being an early phase of the longitudinal form of human life, then since human adults have a right to life in the sense of a right not to be killed (at least if they are not unjust aggressors) then so too should human embryos have such a right. Thus research on human embryos followed by their destruction would presumably be ruled out by such a conclusion, just as similar research followed by destruction would be ruled out on a more developed human being.

It seems clear that such a reading of Poplawski and Gillett's paper would be mistaken. They believe that embryos *may* indeed be destroyed provided there has been serious consideration, decisions have not been taken lightly, the embryonic life has been balanced against the rights of other human beings and moral weight is attached to what is being destroyed. Since it is reasonable to suppose that no such considerations could possibly justify research followed by destruction if the human being was, say, a six-year-old child, it is clear that the 'relative sanctity' of human life as it attaches to the individual human embryo does *not* confer the same intrinsic individual right not to be killed that (we may assume) Ms Poplawski and Dr Gillett would ascribe to a six-year-old child – or indeed to any other clearly developed human being. Thus regardless of any impression to the contrary conveyed by the passages quoted, the argument from potential as developed by these authors does not support the extension of the intrinsic individual right to life acknowledged to be inherent in human persons to human beings who are not yet in the phase of personhood; in particular it does not extend such a right to life to human embryos. This position is made utterly explicit in their 'postscript' in which human embryos are explicitly denied to have individual rights, and explicitly specified to be morally intersubstitutable.

Thus while the arguments offered by Ms Poplawski and Dr Gillett lend support to the general intuition that embryos and fetuses in some sense share in the moral value that all of us agree to be intrinsic to human persons, which potentially they are, what their arguments singularly do not address is the question at what stage in the development of the human being are intrinsic individual rights, and in particular the intrinsic right to life that most moral thinking ascribes to human persons, properly to be ascribed to developing human beings? They rightly point to the gradual development of human characteristics, and argue that as with the colour spectrum it is impossible to state where one phase ends and another begins. Nonetheless, as they also point out, different phases of human development can be clearly discerned even if at their interfaces the 'borders' are fuzzy. Thus we can all recognise a typical example of another human person, and it is probably fair to say that those who can recognise a human embryo also recognise that human

embryos are *not* typical examples of human people. If a human embryo is part of the spectrum of development of a human person, then it is quite clearly of a different 'colour' from the humans at the fully fledged end of the spectrum. The crucial moral question remains: at which phases of human development should individuals within those phases be accorded the intrinsic right to life that we all agree must be accorded to individuals who are in the person phase of human development? And alas the argument from potential, in whatever version, does not, as Ms Poplawski and Dr Gillett must presumably agree, give us an answer to that question, even when that argument is seen from the Aristotelian longitudinal perspective they advocate.

There is another aspect of the longitudinal form argument which may be worth enlarging upon. What is true of the natural kind 'human being' as a class is not necessarily true of individual members of that kind. For simple example, it is true of the species *homo sapiens*, as Aristotle pointed out, that we are typically characterised by walking upright on two legs, and by being able to reason. Nonetheless not all of us have these characteristics. Similarly, as has been pointed out before in these columns (2), while it may well be true of the species as a whole that we are characterised by passing through a phase of being people with the very remarkable and morally important characteristics that people have, and by the very great moral importance that inhere in such characteristics, including a 'right to life', this in no way entails that every member of our species has this special moral value or this right to life.

Take first the question whether every member of the species becomes a person. One answer is that every human being from the moment of fertilisation simply *is* a person – and certainly contemporary Roman Catholic theology requires adherents to that faith to treat all human beings as if that were the case (3). But even within that tradition a strand of thought stretching back to Aquinas (and thus of course to Aristotle) casts cogent intellectual doubt upon the claim that a human person *could* come into existence at fertilisation. It is at least a logically coherent position to claim that while a new human *life* starts at fertilisation it does not become a human *person* until later in its development and therefore does not acquire the special moral importance of persons until after fertilisation. If that position is accepted then it becomes possible for a new

human life to come into being and then to die before ever becoming a human person. On such a view being a person would be a *phase* in the life of some human beings but not all. If the intrinsic (as distinct from the conferred) individual rights of human persons, including the right to life, were inherent in the person phase of a human life, then human beings in their pre-personal developmental phases would not have such rights (though of course rights could be conferred upon them where this seemed beneficial).

Yet even those who do not believe that human embryos and fetuses have intrinsic individual human rights, including the right to life, are usually quite unprepared to say that *no* human beings have an intrinsic right to life – that any such rights are simply conferred by those who have power to confer them, and are withdrawable by those who have power to withdraw them. On the contrary it is a widespread moral claim that *people* do have an intrinsic right to life, consisting at least of a right not to be killed (provided they are not unjust aggressors).

While philosophical debate continues to rage about what it is to be person, for many thinkers there is no doubt that a necessary minimal condition for personhood is a capacity for consciousness or sentience; while for others a capacity for *self*-consciousness is also a necessary condition. To those who accept either or both of these premises one thing is clear: since embryos do not, at least so long as they remain embryos, have the capacity for consciousness let alone for self-consciousness, embryos so long as they remain embryos can not *be* persons. It seems to follow that all embryos destined to perish while they are embryos, whether naturally or by intentional intervention, necessarily will perish before they have reached the stage of consciousness and therefore before they can become human persons. That should be of moral comfort to those engaged in research on, followed by destruction of, human embryos.

References

- (1) Poplawski N, Gillett G. Ethics and embryos. *Journal of medical ethics* 1991; 17: 62–69.
- (2) Gillon R. Pregnancy, obstetrics and the moral status of the fetus. [editorial]. *Journal of medical ethics* 1988; 14: 3–4.
- (3) Mahoney J. *Bioethics and belief*. London, Sheed and Ward, 1984: 52–86.