

The following paper outlines some issues surrounding the status of the embryo. It was presented at the Society for the Study of Christian Ethics, Wycliffe Hall, Oxford, September 2004. Although it is a bit technical in parts, it offers a response to the common objection that the embryo is not a person or is not personal. Permission is given for further distribution of complete copies.

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The Bishop and the blastocyst: a case-study in handling science theologically.¹

During Australian public debate over embryonic stem cell research (ESCR), some theological discourse deployed a delayed hominization argument, using the 'natural history' of the embryo, to endorse ESCR.

*Conceding that moral thought deals with things as they are (hence rejecting any appeal to a supposed 'naturalistic fallacy'), the paper considers the extent to which moral theological argument may use any scientifically observed moment in the embryo's life (e.g. primitive streak, incapacity for twinning, implantation) as a pivotal moral 'check-point' to arbitrate the embryo's moral status. A thought-experiment suggests that the observation of early blastocyst microstructures, which prove to be demonstrable precursors to neonatal features, would not defeat practices reliant upon, say, a 14-day 'check-point'. Hence arguments endorsing ESCR appear to use such checkpoints as *ex post facto* justifications for the *a priori* decision that "for our own sake, we do not care for embryos". Theological thought about personhood needs to be approached differently, and the practices of science handled theologically.*

Theologians who endorse the decision against embryos need to show why they think they are speaking theologically. If they cannot, they need to show in what sense they speak on behalf of the church. Meanwhile, we may continue to remonstrate with science: use your genius on other solutions, and give embryos what they need.

In a recent BBC documentary, Arlene Judith Klotzko sums up the state-of-play, scientifically speaking, as regards embryonic stem cells:

[I]f you think of embryonic stem cells as a universal repair kit for the body—that they can become anything and everything in the body that we might need—we just have to learn the tricks to teach them to become what we want them to become, and what we need.²

Embryonic stem cells (ESCs) can be scattered across a petri dish to become a disorderly array of various bodily tissue types—hair cells, muscle cells, nerve cells and so on. In response to this uncontrolled differentiation, Ms Klotzko summarised: "We know that they can do this. It's just a matter of teaching them to give us what we want."³

How is the theologian to respond?

In this paper, I will engage with the approach to embryos and embryonic stem cell research (ESCR) espoused by the Anglican Primate of Australia, Dr Peter Carnley. Dr Carnley subscribes to a delayed hominization view of embryonic development, with his sources

¹ This paper was presented to the annual conference of the Society for the Study of Christian Ethics, Wycliffe Hall, Oxford, September 2004. I am thankful to Tracy Gordon, Russell Powell, Dr Chris Hayward, Rev Michael Hill, Mark Baddeley and Rev Dr Andrew Ford for their assistance in preparation of it.

² Arlene Judith Klotzko, Writer in Residence, Science Museum, London, and author of *A Clone Of Your Own*; as quoted on the BBC World Service *Instant Guide* to stem cells, August 2004. (Aired in Australia 1.15pm Sunday August 15th, ABC News Radio 630.) Unfortunately past editions of the *Instant Guide* are not archived on the Internet, except for the most recent edition that has been aired. My thanks then go to Russell Powell, for transcribing this section of the programme from broadcast tapes.

³ This quotation, from slightly earlier in the programme, is my recollection of it and may be slightly inaccurate. It is, however, a serviceable summary of the position.

including Andre Hellegers,⁴ Prof. Gordon R. Dunstan,⁵ Fr Norman M. Ford,⁶ and the Warnock Report.⁷

Dr Carnley's arguments are of interest, firstly, as a case-study in public theology and bioethics, this time in an Australian context. Secondly, the well-known analysis of the embryo's moral status to which Dr Carnley subscribes has extensively influenced bioethics and law worldwide. This influence makes it worthwhile to rehearse and re-examine the argument, and for our purposes, with special reference to its propriety as a substrate for theological reflection. In my response, I will try to bring together a set of theological insights that I have found helpful.

1. The standard question

The version of Dr Carnley's argument that I will use was published in 2004,⁸ but another statement of it⁹ was prominent in Australian national debate over a 2002 Federal Bill for the licensing of research destructive to embryos, which eventually passed into law.¹⁰

a) Questioning the 'standard question'

Dr Carnley sets himself the task of answering what I will call 'the standard question', that is, "the question of when a human life actually begins"—or as he rephrases it, "when exactly is the embryo to be accorded the status of an individual human person for whom these basic rights [of respect, protection and preservation of life] may be claimed?"¹¹

We should notice at the outset that when Dr Carnley poses the standard question, he assumes that those two ways of phrasing it are the same, as if to ask 'when does human life begin?' is equal to asking, 'when does an embryo become an individual who may claim her rights?'—notwithstanding his use of the passive "may be claimed".

⁴ André E. Hellegers, "Fetal Development," *Theological Studies* 31 (1970).

⁵ Gordon R. Dunstan, *The Artifice of Ethics* (London: S.C.M. Press, 1974); cf. Gordon R. Dunstan and Mary J. Seller, *The Status of the Human Embryo: Perspectives from Moral Tradition* (London: King Edward's Hospital Fund for London, 1988).

⁶ Norman M. Ford, *The Prenatal Person: Ethics from Conception to Birth* (Malden, MA.: Blackwell, 2002); cf. Norman M. Ford, *When Did I Begin? : Conception of the Human Individual in History, Philosophy and Science* (Cambridge; Melbourne: Cambridge University Press, 1988).

⁷ *Report of the Committee of Inquiry into Human Fertilisation and Embryology (the Warnock Report, Cmnd.9314)* (London: H.M. Stationery Office, 1984), also published as Mary Warnock and The Committee of Inquiry into Human Fertilisation and Embryology, *A Question of Life: The Warnock Report on Human Fertilisation and Embryology* (Oxford, UK; New York, NY: Blackwell, 1985).

⁸ Peter Carnley, *Reflections in Glass: Trends and Tensions in the Contemporary Anglican Church* (Sydney: HarperCollins, 2004), 257-60.

⁹ Peter Carnley, "In the Beginning," *The Bulletin*, 28th August 2002; online: <http://bulletin.ninemsn.com.au/bulletin/eddesk.nsf/All/DC92FDF56886AFDACA256C1E00297FC1> (accessed 22nd August 2004).

¹⁰ Dr Carnley's support for ESCR, which was in opposition to a joint statement by eleven other Australian bishops, was seen as evidence that since Christian views are divided, then Christian commentary is irrelevant. For example Victorian Premier Steve Bracks: "the reality is that I believe that there has been a variety of views. Peter Carney, for example, the Anglican Primate, supports the research. I understand that some other key religious leaders are equivocal about this matter," although Bracks did not mention any. From the transcript of a *Radio National* "Religion Report" interview, 3rd April 2002; online: <http://www.abc.net.au/rn/talks/8.30/re/rpt/stories/s519286.htm> (accessed 27th August 2004).

¹¹ Carnley, *Reflections*, 252.

Those two questions are not necessarily the same, of course. The second question smuggles two major moral claims into the first. For in order that we might think of the embryo as a human person, she must first be *an individual*, and one such *as may be observed by us*; she must then set about ‘claiming’ some ‘rights’—a rather tall order for someone with no neurones yet, and notwithstanding that we adults, with brains entire, cannot settle among ourselves what rights she might be able to claim, nor indeed upon what we might mean by ‘rights’ in the first place.

My deliberate cheek is to show how things can slip past us in moral discussion. But more importantly, Dr Carnley has really only set himself the task of finding when embryonic individuals exist. He thinks that when he does so, he will have something called ‘a scientific reason’ upon which he may suggest normative outcomes; but of course what is normative has already taken place: that humanity’s life together consists of autonomous individuals claiming their rights. In this way, the standard question presumes the standard modern Western account of morality: the embryo is the precursor to the autonomous Western human, who must autonomously prove her way into existence. We might point in contrast to Psalm 8, where as Bernd Wannewetsch rightly notes, God’s mindfulness of and care towards humanity is a wonder that establishes humankind.

The Psalm does not allow us to associate human dignity with the stages of development toward autonomy, but requires the recognition that it is exactly our quality as ‘dependent animals’ (A. MacIntyre), which we are from the beginning, which meets the claim that humans are “precious in God’s sight” (Is. 43.4).¹²

We may wonder at the outset, then, what a theologian is doing in the terrain of the standard question in the first place.

b) Experimenting with the answer

Even so, let us experiment for a while with the question and its answer. The equation of ‘a human life’ with ‘an individual’ does, after all, seem elementary: we persons are each individuals. Norman Ford found it unintelligible to think otherwise of persons than by reference to their individuality,¹³ and so searched for the time in the ‘natural history’ of the zygote when individuation can be said to occur. Likewise Dr Carnley:

To try and answer the question of when life begins is a little like trying to answer the question of when middle age begins. . . . We rightly speak therefore in an adjectival sense of *human* sperm and *human* ova or of a *human* blastocyst, just as we speak of *human* hair. But the crucial question is: at what point should a new creation of this kind be accorded the substantive status of a human *individual* or a human *subject*?¹⁴

Demonstrable individuation is the passport to personhood; hence to call a fertilised ovum, or the slightly later blastocyst, a ‘human subject’ is merely an “alleged scientific fact”, since demonstrable individuation may prove to occur much later.¹⁵

¹² Bernd Wannewetsch, *What Is Man? That You Are Mindful of Him! Medical Aspirations in the Light of Psalm 8* (St Mary’s, Oxford: University sermon, 3rd February 2002), no pagination; online: <http://www.farmington.ac.uk/documents/papers> (accessed per author; forthcoming to web).

¹³ Ford, *When Did I Begin?*, xvii, 161 and *passim*; Ford, *Prenatal Person*, 64f (where the equation ‘person equals individual’ is assumed as the basis for the discussion).

¹⁴ Carnley, *Reflections*, 253.

¹⁵ *Ibid.*, 254.

Within this search for demonstrable individuation, Dr Carnley also seeks to show that the zygote and blastocyst have, on their own, no *potentiality* for true humanity. Mere *fertilisation*, then, should not be called ‘conception’, for to have ‘conceived’ a child requires several factors, including a that blastocyst be received into a uterine wall.¹⁶ Since a blastocyst’s implantation into a womb is essential for its ongoing maturity, then without implantation, it has no future; hence (thinks Dr Carnley) no potential:

What comes into existence at fertilisation has the potential to become a human individual only [after] its successful implantation into the lining of the womb. It quite simply does not have this potential if it is not implanted.¹⁷

He cites Norman Ford: “not even adults can realise their potential without nutrition and fluids and the right temperature and environment”,¹⁸ adding that “developmental potential has to be matched by a favourable environment”.¹⁹ But that all members of humanity—adults and embryos alike—develop and need support, only serves to show that persons need such support. Developmental potential must indeed be matched by a favourable environment—but this observation only proves that intrinsic potential requires the proper historical circumstance. The absence of a favourable environment only demolishes *hope*, not potential. Dr Carnley has confused natural and historical teleology, which once teased apart, leaves the distinction between ‘fertilisation’ and ‘conception’ as merely semantic, and not nearly as useful or important as Dr Carnley believes. After all, the practice of ‘embryo adoption’ is about giving a future to that which always has a potential while it lives.²⁰ If the unimplanted embryo retains potential, then the semantic claim that we are in error to have described the embryo as ‘conceived’ prior to implantation, simply does not advance the main argument. We are no wiser as to when a person, *qua* individual, comes into being. The standard question hasn’t gone away.

Therefore the nub of the argument as to when we may indubitably demonstrate individuation surrounds a set of “significant changes [that] occur in the embryo, all of which must be completed before it is possible to say ‘A unique individual has been conceived.’”²¹ This frequently espoused argument for delayed hominization at a cellular level, relies heavily on a metaphor of ‘fluidity’: “a great deal of cellular fluidity”²² is said to be exhibited by the cells of the blastocyst, and “[b]ecause of the fluidity of the process there is no fixed or predetermined path for each cell and its multiplying progeny.”²³ The ‘fluidic’ metaphor extends upon the scientific language of ‘mosaicism’, which names the observation that embryonic cells can reconfigure themselves in interesting ways. The observation that some embryos divide, giving rise to a twin, heightens the mood of ‘indeterminacy’, since it is assumed that all embryos have

¹⁶ Ibid., 257-60.

¹⁷ Ibid., 258.

¹⁸ Ford, *Prenatal Person*, 68.

¹⁹ Carnley, *Reflections*, 259.

²⁰ Cf. the ‘Snowflakes’ embryo adoption program: online at www.snowflakes.org (accessed 22nd August 2004). For an interesting Roman Catholic evaluation of the practice, see John Berkman, “Adopting Embryos in America: A Case Study and an Ethical Analysis,” *Scottish Journal of Theology* 55 no. 4 (2002).

²¹ Carnley, *Reflections*, 259.

²² Ibid., 258.

²³ Ibid., 262.

the capacity so to divide. Dr Carnley thinks that these aspects of the early embryo, which I will summarise as ‘fluidic indeterminacy’, constitute “very sound scientific reasons for not according the status of a conceived human individual to a fertilised ovum”.²⁴ With Norman Ford and the Warnock Report, Dr Carnley thinks that the appearance of the embryonic primitive streak signals the earliest point at which “we are able to speak of the conception of a human individual.”²⁵

The difficulties here, if we may pause to observe them, are manifold.

Embryonic individuation is *not*, in an important sense, the start of the human’s life. The primitive-streaked embryo does not come from nowhere: it is inchoate in whatever ‘mosaic’ of cells the embryologist observes, possibly existing beneath the threshold of his powers of observation. As Banner wryly queries concerning the observation about twinning, “does it suggest that we can only know we have an individual when we can be sure we do not have two?”²⁶

Anthony Fisher and Nicholas Tonti-Fillipini have already challenged Norman Ford over his highly tendentious interpretation of the matter of twinning. Whereas Ford assumes the trigger for twinning is environmental, it may in fact be genetic, which might connote the existence of two individuals from fertilisation. Or, rather than being perceived as ‘indeterminate’, the ‘parent’ embryo might equally be seen as an individual who exists through a process of asexual reproduction; or as an individual who gives rise to two new individuals but itself dies in the process.²⁷

Dr Carnley, like Ford before him, is highly reliant upon the metaphor of ‘fluidic indeterminacy’ as he considers the embryo. But as Fisher says of Ford,

little evidence is offered for this interpretation, which runs quite contrary to the understanding of ... any viewer of photographs of a multi-cellular embryo with the cells firmly pressed against each other, restricting each other’s shape and position.²⁸

But if our own eyeballing of photographs is not considered expert enough, then the discovery of early blastocystic microstructures should at least give Dr Carnley pause. As early as the eight-cell (or morula) stage, there is differentiation on the outer and inner surfaces of the cells (or blastomeres), a distinct asymmetrical distribution of extracellular microvilli, intracellular components, and intercellular organisation. In short, cells are already working in concert toward the next stage of embryonic development.²⁹

²⁴ *Ibid.*, 262. Dr Carnley states the argument thus: “Given that twinning can occur up to the fourteenth day of this process, it is not logically possible to talk to the conception of a unique human individual (as distinct from the fertilisation of an ovum) prior to the completion of this process.”

²⁵ *Ibid.*, 263—although note that not even the *Warnock Report* went quite as far as to predicate the inauguration of individual personhood at the fourteen day mark, preferring only to speak demurely of it as “a reference point in the development of the human individual” (§11.22).

²⁶ Michael Banner, *Christian Ethics and Contemporary Moral Problems* (Cambridge: Cambridge University Press, 1999), 63.

²⁷ Anthony Fisher, “When Did I Begin?” Revisited,” *Linacre Quarterly* 58 (1991), 60-61, 65, 67; Nicholas Tonti-Filippini, “A Critical Note,” *Linacre Quarterly* 56 (1989), 42. Fisher adds embryologists differ over when twinning occurs in humans (for Ford relies on observations in non-human mammalian embryos). Twinning may occur much earlier, or much later, than on Ford’s account.

²⁸ Fisher, 60.

²⁹ Andrew L. Ford, “The Beginning of the Human Individual: A Response to Norman Ford’s Decisive Moment”

So whether or not there are sufficient grounds for the ‘fluidic indeterminacy’ metaphor is a judgment very much in the eye of the beholder—an observation that should cause us to remember what we know of the complex relationship between a scientist and his data:

Modern philosophers of science have exposed some of the assumptions behind naïve inductivism and shown how illusory are the classical distinctions between fact and interpretation, neutral objective science and committed subjective metaphysics. [Ford] might have been more wary of the ‘expert tuition, advice and constant encouragement’ he says he received from leading embryo experimenters.³⁰

‘Fluidic indeterminacy’ in Ford derives from the observations of these experimenters, but he has missed the way an experimenter’s viewpoint shapes his conclusions. To explore this point, consider the case of Dr Alan Trounson, whom Ford thanks effusively for his time, knowledge, “expert tuition, advice and constant encouragement” and whose observations helped Ford conclude a lack of unity in the early human embryo.³¹ Dr Trounson was a prominent and highly influential advocate of ESCR in the 2002 Australian debate; but was forced to withdraw from the debate just prior to the passing of the Bill, when his 400,000 share holding in a Singaporean ESCR company (ES Cell International) came to light.³² The connection is not intended as a crass *ad hominem*, but rather to illustrate the point well-made by Wannewetsch:

We already have abortion and IVF. We have long employed practices, which not only provide the relevant material [i.e. the embryos that we discuss] but also predict the outcome of our ethical discourse and our self-definition as human beings as it is embodied in the technologies we invent.³³

I find Ford’s ignorance of this point rather poignant, when I read of his opposition to destructive embryonic research,³⁴ and yet of his parallel quest for ‘the truth’ regarding the embryo’s point of hominization, as if that can be established independently of research practices. Ford never asks what assumptions already drive the project of research.

Concluding, then, our experimentation with the standard question and its answer, we may wonder: what if early embryonic microstructures were demonstrated with ever-increasing resolution to precede fetal features? Would that suffice to defeat the current 14-day passport to personhood, and to overturn the practices reliant upon it? Would the proponents of delayed hominization, as argued at a cellular level, admit to their mistake and now argue for personhood at fertilisation? The answer, we begin to suspect, is ‘probably not’.

(Unpublished B.D., Moore Theological College, November 2000), 16, 27, 29. I am indebted to Rev. Dr Ford for making this information available to me. “In addition,” he adds, “there is an apparent need for a certain number of blastomeres for successful compaction of the morula in order to form the blastocyst.” He cites in support R.L. Gardner, “Clonal Analysis of Early Mammalian Development,” *Philos. Trans. R. Soc. Lond. (Biol.)* 312 (1985); and Bruce Alberts, *Molecular Biology of the Cell (Second Edition)* (London: Garland Publishing, 1989), 896-97.

³⁰ Fisher, 59-60.

³¹ Ford, *When Did I Begin?*, xviii, 137, 201.

³² Michael Cook, “Trounson Trips Up,” *Australasian Bioethics Information*, 30 August 2002; online: <http://www.australasianbioethics.org/Newsletters/044-2002-08-30.html> (accessed 29th August 2004).

³³ Wannewetsch, n.p.

³⁴ Ford, *When Did I Begin?*, xii; Ford, *Prenatal Person*, 70; Norman M. Ford and Michael Herbert, *Stem Cells : Science, Medicine, Law and Ethics* (Strathfield, N.S.W.: St Pauls Publications, 2003), 79.

Caught up in a web of interests, preconditions and facts that claim us, we are morally and epistemologically far from a position of being able to objectively and disinterestedly define humanity.³⁵

c) Finding people

I will return in a moment to the “web of interests, preconditions and facts” of modern science and theology’s proper response.

For the moment, let us pause to consider how theology should handle personhood. Theologians, I suggest, should know better than to proceed from a putative ‘fact’, via a demonstration of embryonic individuation, to something as engulfing as personhood. The attribution of personhood can only be a personal activity, not a dispassionate one.

In assuming we could go about this business with the kind of objective perspective that we normally associate with definition, a disinterested distance from the object of inquiry, we fail to give a truthful account of our own situation.³⁶

Treating someone personally relies upon a *prior moral posture*, initially on the basis of various phenomenological signs. When we have correctly adopted that posture, it is eventually confirmed by the structure of the one to whom we attend; and then, as we are met with the attention of the other toward us. Thus their personhood is disclosed; we discover it. Oliver O’Donovan argues this case using Jesus’ parable of the Samaritan and the Jew, who discover each other to be the neighbour of the other (and neighbour is, after all, the NT category for discussion about persons). Jesus simply refrains from offering a criterion-of-neighbourliness; he merely tells a story of its discovery through the expression of mercy, and tells the lawyer to ‘go and do likewise’ [Luke 10:37]. O’Donovan says “there are no ‘criteria of personhood’ by which a person could be recognized independently of, or prior to, *personal engagement*.”³⁷ Hence our attempts to locate personhood in any human attribute, are all category errors, mistaking the person for one of her constituent elements. Even our noticing individuation, although it is so fundamental to the realisation of human kind (and no ordinary ‘attribute’), may not be regarded as an activity prior to personal engagement; indeed, Norman Ford always reckons generously with opponents who see the zygote as an individual, because its various coherent structural and telic features serve to confirm and validate their posture of personal engagement toward it.³⁸

This approach to personhood is avowedly existentialist—but not existentialist in the sense of a human will gratuitously projecting moral order as it sees fit. When we adopt this moral posture toward those entities that finally prove to be personal, there is a deep congruence between our posture, and ‘what is’. In this connection, O’Donovan is intrigued by Robert Spaemann’s ‘existential reason’—a mode of both practical and theoretical reason, where

To grasp the reality of the other person is to grasp that there is a reality apart from oneself ... The ‘value’ of the other person is not a *second* quality alongside the ‘reality’ of the other person: there is an ‘indefinable simple quality,’ both ontological and ethical ... which we call ‘dignity.’ Reason grasps this not in *two* ways, believing the

³⁵ Wannenwetsch, n.p.

³⁶ Ibid.

³⁷ Oliver M.T. O’Donovan, “Again: Who Is a Person?,” in *Abortion and the Sanctity of Human Life*, ed. J.H. Channer, (Exeter: Paternoster, 1985), 127.

³⁸ Ford, *Prenatal Person*, 63-64.

truth of it on the one hand and deciding obediently on the other, but in one way, which Spaemann calls both 'attention' and 'benevolence'.³⁹

We might therefore say of the embryo what Karl Barth says of human persons:

A man may be of value to another man, not because he wishes to be important, not because he possesses some inner wealth of soul, nor because of something he is, but because of what he is—not. His importance may consist in his poverty, in his hopes and fears, in his waiting and hurrying, in the direction of his whole being towards what lies beyond his horizon and beyond his power. ... In him a void becomes visible. And for this reason he is something to others: he is able to share grace with them, to focus their attention, and to establish them in waiting and in adoration. Possessing nothing, he has nothing of his own to offer ... Though fellowship is assuredly in itself an empty and a trivial thing, we cry out for it, because we long to join hands in knocking at the doors of the Kingdom of God and to be moved together by His Spirit.⁴⁰

2. Handling science

But experimentation upon embryos instantiates an entirely opposite prior moral posture:

[It] commits itself in action to a view of the embryo that cannot be demonstrated objectively. Non-personhood is every bit as unsusceptible of proof as personhood. The philosophy [of embryonic experimentation] is demanded not by the phenomena of human beginnings but by the internal requirements of the commitment to scientific experiment itself. Experiment objectifies, assigns its subjects to the status of 'thing'—that is the logic of the undertaking.⁴¹

We are now beginning to see that to 'handle science theologically' is not, in the first instance, a matter of handling scientific *facts* theologically. We can affirm Dr Carnley's impulse to engage with 'what is?'. There is no 'naturalistic fallacy': moral thought is deeply interconnected with the structure of the cosmos, and in this case, with the structure of the embryo. But his 'scientific fact'—the 'fluidic indeterminacy' of the embryo—is actually a scientific metaphor; and what Dr Carnley has missed, is the degree to which as a theologian, he is called to handle theologically the *practices* of scientists, their ways of seeing, and the metaphors they consequently employ.

For while the embryo fills their field of vision, it affects how they see. They pointedly refuse to see its personal potentiality, even as a symbolic possibility ("The fact that every person began life as an embryo does not prove that embryos are persons. ... Despite their developmental continuity, acorns and oak trees are different kinds of things. So are human embryos and human beings."⁴²) They notice their standing comparative to other ESC researchers ("Many opportunities are being missed ... Biomedical scientists are inherently innovators, drawn to new technologies, and these missed opportunities are difficult to accept."⁴³) The precious jewels within the embryo glitter irresistibly ("The discovery of pluripotential, infinitely self-replicating stem cells early in the 1980s ... lit up a whole domain of cellular and developmental

³⁹ Oliver O'Donovan, *Common Objects of Love: Moral Reflection and the Shaping of Community: The 2001 Stob Lectures* (Grand Rapids, Mich.: William B. Eerdmans Pub., 2002), 10.

⁴⁰ Karl Barth, *The Epistle to the Romans* (1933), tr. Edwyn C. Hoskyns, (London: OUP, 1968), 33-34.

⁴¹ O'Donovan, "Again?," 131.

⁴² Michael J. Sandel, "Embryo Ethics - the Moral Logic of Stem-Cell Research," *N. Engl. J. Med.* 351 no. 3 (2004), 208.

⁴³ George Q. Daley, "Missed Opportunities in Embryonic Stem-Cell Research," *N. Engl. J. Med.* 351 no. 7 (2004), 627, 28.

biology and suggested therapeutic approaches to debilitating, and incurable diseases ...”⁴⁴), and so scientists feel market logic bearing down upon them (“If we ignore [the] commercial prospects now, we risk undermining both the business and the science.”⁴⁵), and attend conferences designed to use market logic to coerce and manipulate public ethics (“Key Topics: Discovering the commercial viability of stem cells; Revealing the time-scales for commercialisation; Analysing and overcoming the latest international regulations; Expanding embryonic stem cells”⁴⁶).

I began by asking what a theologian is doing in the terrain of the standard question in the first place. The answer may become clearer when we consider Dr Carnley’s warrant for addressing the ‘standard question’. He introduces it by saying that “we need to bring to the developing world of ... embryo research ... a set of criteria” for arbitrating within it. But this “bringing to” is just that—a late arrival, to a moral field already colonised by the practices of science. I have suggested that addressing these practices is the proper domain of theology, which Dr Carnley has missed.

a) Dr Carnley’s retort

Dr Carnley, though, thinks he is aware of what I am gesturing toward. His worried opponents are, he thinks, fearful and innately conservative.⁴⁷ “Should not science be controlled?” they ask. The relevant technologies risk being “a kind of uncontrollable and stampeding force, driven by an irresistible urge to break new barriers no matter what the cost,” “out of control and threatening the quality of our humanity” and even “ultimately inhuman”. Is there any “human right of entry into such a field [as reproductive technology] at all?” Shouldn’t “an attitude of conservatism and reverence” apply to the “unknowable mystery” of life’s beginning? Aren’t we “usurping the role of God, even playing at being God by creating life” while “destroying some life in the process”? “Are we on a downward slope towards some technologised but dehumanised form of life?”

Putting it in these ways is, in Wannewetsch’s phrase, to clothe the moral point of view “in the garment of an overly anxious aunt who is afraid of her nieces’ awakening the joys of sexuality”.⁴⁸ Conservatives are, it seems, such nervous aunts, whereas Dr Carnley’s account⁴⁹ can liberate us to a freedom and optimism about medical progress.

b) Dr Carnley’s ‘broadly religious perspective’

He cites Joseph Fletcher with approval, who says that “man is a maker, and a selector, and a designer, and the more rationally contrived and deliberate anything is, the more human it is.” Underlying this analysis is a conception of ‘the human’ and ‘humanity’ as benchmarking ethical norms; but putting that aside, we need to notice the connection, as Dr Carnley understands it, between reflection and deliberation.

⁴⁴ Paul R. McHugh, “Zygote and ‘Clonote’ - the Ethical Use of Embryonic Stem Cells,” *N. Engl. J. Med.* 351 no. 3 (2004), 209.

⁴⁵ Debora Spar, “The Business of Stem Cells,” *N. Engl. J. Med.* 351 no. 3 (2004), 213.

⁴⁶ Prepublicity for *Commercialisation of Stem Cells Technologies: For Biotechnology and Pharmaceuticals*, September 2002; online: <http://www.marcusevans.com/events/CFEventinfo.asp?EventID=6490> (accessed 27th August 2004)

⁴⁷ Carnley, *Reflections*, 248.

⁴⁸ Wannewetsch,

⁴⁹ Carnley, *Reflections*, 249.

God has made us with a capacity to reason that elevates us above all other animals, and this distinctively human endowment is intended to be used. What is willed, chosen, planned for, and rationally controlled is what distinguishes *homo sapiens* from other animals. This seems to suggest that the less random, less open to chance and the more planned and manipulated an activity, the more human, not the less human, does it become.

The first clauses are uncontroversial: there is probably no need to put too fine a point on *ratio*, reason, as a defining mark of what it is to be *imago dei*. The Christian tradition has always expressed a degree of consensus on this point, even though we may still fruitfully wonder if there are not other aspects of God that we reflect. More significant is Carnley's uncomplicated move from the existence of this reason to God's intention for us that it be 'used'; for the proper 'use' of our reason, we are told, is *voluntas*, or will. We *reason* in order then to *will, choose, plan for* and *control*. Dr Carnley's analysis is reminiscent of the quotation I began with: "We know [*ratio*] what these cells can do. It's just a matter of teaching them to give us what we want [*voluntas*]."⁵⁰

But human reason is a faculty that results not merely in use, but also in enjoyment—sheer and simple praise and adoration to God for what is,⁵⁰ and may also include moments of appropriately 'virtuous' response to what is.⁵¹

Perhaps Dr Carnley did not mean that reason is *solely* intended for use in deliberation; perhaps his turn of phrase is just an artefact of his main point about human uses of the will. However that possibility seems less likely to be true when we notice how highly voluntaristic is Dr Carnley's account of the will. Moral order is largely what humanity imposes upon it.⁵² Hence *ratio* as grateful, joyful acceptance of what is, becomes less likely when *voluntas* is so close behind, ready to choose, plan and control.

O'Donovan observes the way voluntarism often appears with historicism in modern ethical thought,⁵³ so given Dr Carnley's ethical voluntarism, it is no surprise to find a version of historicism nearby.⁵⁴ In Dr Carnley's reading of the early chapters of Genesis, "humans have been placed at the top of the order of creation with responsibility to tend and perfect the rest of it—to be careful stewards of it." But 'stewardship' does not usually include the task of

⁵⁰ The distinction between 'use' and enjoyment derives from Augustine, but I am again indebted to Oliver O'Donovan's writings for teaching it to me. Cf. O'Donovan, *Common Objects of Love: Moral Reflection and the Shaping of Community: The 2001 Stob Lectures*, 15-16; and Oliver M.T. O'Donovan, *The Problem of Self-Love in St. Augustine* (New Haven and London: Yale University Press, 1980), 25.

⁵¹ 'Virtuous' here is meant to gesture toward a constellation of ancient thought—with which NT authors were in serious dialogue—that understands the task of 'virtue' to be habits of feeling and action that are congruent with an order external to the human subject. The conception is very different to that of voluntarism, which presumes (often unwittingly) that Nietzsche's 'will to power' is the only conceivable principle of human activity. For an admittedly incomplete account of this distinction between virtue and voluntarism, cf. Gertrude Himmelfarb, *The De-Moralization of Society: From Victorian Virtues to Modern Values* (London: IEA Health and Welfare Unit, 1995).

⁵² It might be best to call what I have mentioned here 'ethical voluntarism', in order to distinguish it from 'theological voluntarism'—the view that moral order consists solely in God's imposition of his bare command upon his creation. Theological voluntarism is one attempt to defend the absolute *aseity* of God, that is, his freedom and independence from his creation (and in this case, from the moral order that applies to creation). It is an approach that distils and privileges a faculty called 'will' within the Godhead.

⁵³ Cf. Oliver M.T. O'Donovan, "The Natural Ethic," in *Essays in Evangelical Social Ethics*, ed. D.F. Wright, (Exeter: Paternoster, 1978), 22-29, Oliver M.T. O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics* (Leicester: Apollon, 1994), on voluntarism: 16, 38-39, 49-50, and on historicism, 58-75.

⁵⁴ Carnley, *Reflections*, 250.

‘perfection’, which would normally be the prerogative of the owner, or master, of the estate. However for Dr Carnley, the creation’s ‘groaning in travail’ [Romans 8:22] shows it to be “in the process of being brought to a more perfect state, moving, admittedly in fits and starts, toward a more harmonious and peaceful end-time,” Pointing to biblical images of end-time harmony [Isa. 11:6-10 & 65:25 and Rev. 7:16-17 and 21:4], Dr Carnley moves by way of Teilhard de Chardin’s evolutionary anthropology to say that human reason and deliberation are:

... the leading edge of the whole evolutionary process. This means that instead of resisting interventions using human reason in the evolutionary development of humankind, we should welcome them as part of the process leading to an even higher stage in the order of creation.⁵⁵

We are not ‘usurping God’; we are:

involved [with him] in a cooperative exercise aimed at the elimination of physical defects and diseases and the perfection of all things. ... Just as grace perfects nature by helping us humans to deal with sin and to transcend our fallen and imperfect lives in a moral sense, the elimination of inherited diseases ... may also be done in cooperation with God and to the glory of God.⁵⁶

Theologians of Reformed evangelical persuasion call this an ‘over-realised eschatology’. But rather than lingering on that helpful diagnosis, we should note what Dr Carnley thinks he has achieved.⁵⁷ Having placed high technology medicine in a “broadly religious perspective,” as he puts it, we are in such medicine free to exercise “our God-given abilities to act as stewards, to complete and help perfect the work of creation.”

The only brake upon this project is that we must not choose in the direction of what is ‘inhuman’. Any other concerns are unwarranted, and must reflect “fundamental” attitudes of suspicion, fear and condemnation.⁵⁸ Dr Carnley’s historicist voluntarism, like others species in the genus, is utterly hegemonic. The ‘perfection’ towards which he strives brooks no rivals, and takes no prisoners. (A later treatment of eugenics, though, soon finds itself in serious trouble, with only the episcopal fiat of ‘humanity’ versus ‘inhumanity’ holding back the tides of perfection.⁵⁹)

c) Rejoicing in creation

The real warrant for the standard question turns out to be an imperative to perfect creation. No matter that the opening chapters of Genesis also include the six-fold refrain that the creation is good. The Manichean presumption that it is not good leaves us with no choice than to do whatever we must to better it, in a titanic struggle against it, and in a refusal properly to act as stewards to what is within it. O’Donovan’s diagnosis is, again, apt: “Historicism, with its incapacity to distinguish natural from historical teleology, will always tend to confuse the good of natural structures with sin and disorder.”⁶⁰

⁵⁵ Ibid.

⁵⁶ Ibid., 250-51.

⁵⁷ Ibid., 251.

⁵⁸ Ibid..

⁵⁹ Ibid., 264-74.

⁶⁰ O’Donovan, *Resurrection*, 63.

No longer, then, do we tend and care for embryos, seeking to greet their potential with a future of hope, and waiting to enjoy their personhood. No longer may we wait upon embryos. Discoveries of pre-implantation embryonic microstructures can carry no weight in debates about the moral status of the embryo, because delayed hominization arguments function as *ex post facto* justifications for already established practices, which in turn derive from *voluntas*.

When embryos were of no use to humanity, they were an uncontroversial example of human life. But the moment humanity finds a use for them, “the fundamental moral principle of bioethics—the respect for human life and the derivative duty of the protection and preservation of human life”⁶¹ is held in abeyance, for mysteriously, our evolving consciousness ‘discovers’ that embryos are not personal ‘human life’.

Taking an *a priori* posture against them, we ransack the precious jewels of life called ESCs within them, “for we know what they can do, and it’s just a matter of teaching them to give us what *we* want.” That is tantamount to saying that “for our own sake, we will not care for embryos,” and Dr Carnley’s “broadly religious perspective” is not a theological argument which seeks to respond to the goodness of God. It functions as a “social legitimation for what [scientists] have achieved”.⁶²

I asked why a theologian might walk in the terrain of the standard question in the first place. When a theologian professes a commitment to autonomous individualism, an expectation that persons should prove their status before us, an unproblematic endorsement of the practises of science, and a questionable commitment to the good of the creation—and as we shall see, a failure to reckon with the bodily conception of our Lord Jesus Christ—the church does well to ask in what capacity he continues to speak as a theologian, and with what authority he speaks.

However in fairness, I should pause to note a key plank in Dr Carnley’s case. He hopes that the tradition of the church will help to settle the matter for him when he claims that Christian consciousness on the status of embryos has been misinformed, led astray by an epistemic error dating from 1869.⁶³ Previously, “it was commonplace to distinguish at least two distinct stages in the process of human conception.” But Pius IX erased this distinction, and condemned all abortions at any and every stage in the progress of the developing human. The implication is that there is no theological novelty in espousing delayed hominization.

But this argument (and others like it⁶⁴) have recently been refuted by a team of twenty-four theologians representing the four major Christian traditions and including the Archbishop of Canterbury (then Bishop of Wales). In brief, any appeal to a tradition that supposedly predates and contradicts Pius IX, to contend that the embryo only possesses a relative value that might be outweighed by the common good, “relies on a misreading of the tradition.”⁶⁵ The authorities adduced to warrant this counter-claim are manifold, and though beyond our scope, repay close attention.

⁶¹ Carnley, *Reflections*, 252.

⁶² O'Donovan, *Resurrection*, 93.

⁶³ Carnley, *Reflections*, 255.

⁶⁴ Cf. its forebear as espoused by Dunstan, *Artifice*, 78-83.

⁶⁵ David Jones, *et al.*, “A Theologian's Brief: On the Place of the Human Embryo within the Christian Tradition and the Theological Principles for Evaluating Its Moral Status,” *Ethics & Medicine* 17 no. 3 (2001), 145; online: <http://www.ethicsandmedicine.com/17/3/17-3-jones.htm> (accessed 27th August 2004), §5.

More pertinent to our purposes are the conclusions of these theologians, that “the status of the embryo is directed related to the mystery of creation” and appears in the Bible as a microcosm of it. The most profound, and final, theological affirmation of both embryo and creation alike is found in the Annunciation and Resurrected body of the Word become flesh. At no point in this biblical story is there any reason to suspect a provisional or relative status of the embryo.⁶⁶

d) Imagining alternatives

“In the meeting of medicine and moral theology,” declares Dr Carnley,

we stand on the threshold of an exciting new land which few have yet entered. The question facing conservative evangelical or Bible-believing Christians is ... will they have anything to say at all in relation to these matters?⁶⁷

In other words, can this particular species of straight-laced aunties seriously imagine they can prevent their niece’s blossoming sexuality forever? Carnley does not seem to conceive of the kind of conservative who thanks God for human ingenuity, who delights in the goods of creation, and who wishes to improve conception rates and vanquish major diseases without killing embryos.

The late Professor Gunton pointed out that when we lose a proper theology of createdness, we lose our connectedness to our bodies and to our very selves. To handle creation well actually entails the recognition that “What constitutes the proper perfecting of any particular created being is not clear, and subject to much argument.”⁶⁸ We simply argue, then, that in the restoration of what is good—and even if we have overestimated the personhood of the embryo—it remains quite possible to imagine scientific practices that wait upon the embryo, where any hint of danger to it was met with horror; and where embryonic experimentation was met with the same kind of disapproval as whaling, vivisection or seal hunting. Human ingenuity would set off down other paths to find cures, even if these paths were more overgrown and circuitous. “God is great enough to like ambitious, daring research. He rejoices in theoretical breakthroughs.”⁶⁹

To tell this story is an aspect of ‘evangelism’—a bearing of glad tidings, and of new ways to see. Our glad tidings are that we may be content, even while the creation groans in travail, and even while we seek to heal the sick. We may live in grateful acceptance of what God gives, and in grateful welcome of whom God gives. We may live in humble service of the sick and suffering in a creation so abundant and good that we may offer embryos their future. We may enjoy scientists who put their collective genius to work on the possibly dozens of other pathways to solutions that they cannot yet see. We may fund such research gladly, as a community with embryos as a ‘common object of love’.⁷⁰

We know what embryos can do. Let us give them what they need.

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⁶⁶ Ibid., 147 §16 and *passim*.

⁶⁷ Carnley, *Reflections*, 277.

⁶⁸ Colin E. Gunton, *The Triune Creator: A Historical and Systematic Study* (Grand Rapids: Eerdmans, 1998), 229.

⁶⁹ Wannewetsch, n.p.

⁷⁰ The concept of a ‘common object of love’ is from Augustine’s account of what gives communities their moral identity, as explicated in O’Donovan’s short book of the same name.

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