

When does life begin? The archbishop's fiat

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Andrew Cameron explores the science, the theology, and the confusion behind the stem cells debate.

We have recently witnessed the interesting spectacle of someone trying to justify a moral position purely on the basis of science, without reference to ethics or religion. Finding 'viability' to be a dubious basis for defining human life, Kristina Kerscher Keneally attempts a moral critique of embryonic stem-cell research, but without standing on traditional moral platforms:

Proponents of stem cell research on embryos often accuse critics of relying on religion and ethics to answer the question. What if we look to science?

The human species is scientifically identified by its DNA, and each human is characterised by a unique DNA code. An embryo, like any collection of human cells, contains DNA. But an embryo's DNA is a new genetic code. It has never been seen before and will not be seen again. The new DNA code found in an embryo signifies the beginning of a new human existence. It is complete and equal to any adult. Scientifically speaking, an embryo and an adult are exactly the same—each a distinct human being.

... [W]e must resist the temptation to destroy human life even in the hope of saving it. If we don't, our efforts may backfire, and we may end up destroying ourselves. [The Sydney Morning Herald, Wednesday March 27th 2002 p. 15]

Has Keneally succeeded in establishing the preciousness of the embryo? Yes, in a way, but not solely by relying upon science.

Her science is correct. DNA is unique to

each human person, and the embryo *does* have unique DNA. But can scientific logic give us that people and embryos are precious? No. Ms Keneally has discerned the preciousness of the embryo because of its uniqueness and humanity, and I believe her discernment is correct. But she had hoped to evade traditional moral discourse, and to rely instead upon the cool, clear facts of science. Instead she has done no such thing. She has simply short-circuited moral argument to make a claim about the embryo, and her claim relies upon existing judgements about 'uniqueness' and 'humanity'. (But why are these precious? That is the moral argument she has short-circuited.) Her judgement has included some science, but her judgement is much more than a 'scientific' judgement. Science can only tell us how things are arranged, rather than what makes them precious.

A common modern illusion holds that we can use science to side-step the epic conflict between those who trust in humanity's power to decide good and evil, and those who trust in the God who unveils what matters. The side-step is attempted when we call upon science to settle matters, as if it is an independent arbiter. But it is not; it simply gets pressed into service to bulwark pre-existing positions. Science is coopted in a manner distinctly unsuited to it.

Even more interesting, then—and the main subject of this article—is another recent attempt to do the same thing, this time by the premier bishop among Australian Anglicans. The Primate, Peter Carnley, has also attempted to justify a moral evaluation



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of early embryonic life entirely in reference to science, also without any substantive reference to religion. (See http://www.media.anglican.com.au/news/2002/2002_03/ivf_primate.html .) The attempt is a failure, for as we shall see, the argument is not so much a moral argument as a moral assertion. Moreover, it is a kind of assertion which illustrates the peril of thinking that science can act as some independent ground upon which competing moralists might meet.

At the outset, Carnley points to a new question or questions:

Since the widespread application of human reproductive technologies in the early 1980's moral debate has been dominated by some interrelated questions relating to the origin of life, such as 'When exactly does life begin?' or 'At what point is an embryo to be accorded the status of an individual human being, with rights to care, protection and, indeed, life?'

We should pause with him at the outset and ask—why? That is, what made it necessary for these questions only to emerge in response to the application of these technologies? Carnley gives the obvious answer: “because of the destruction of some fertilized ova in the process of medically assisted reproduction procedures”.

But we might equally frame the situation as follows. Because human embryos were being killed, it became apposite to cast doubt over the commencement time of human life, using the form of questioning which Carnley recounts. Prior to this kind of killing, there was never any such question. It only occurred to us to cast doubt upon the moral status of embryos once the killing had begun.

The Primate recounts a parallel situation. In discussing the concept of risk, he observes how “the first use of the atomic bomb raised the question ‘Should we ever have made it?’”.

There was, of course, an alternative order of events that we can imagine. Imagine that human beings considered the theoretical possibility of the bomb, agreed together that such a thing should never be made, and left it at that.

Sadly of course, humans are incapable of acting out an alternative such as this. This

propensity of human beings to act first and ask questions later is one of the most frustrating aspects of moral discourse for ‘conservatives’, who do not believe that every next step constitutes ‘progress’. For everywhere they are told that such-and-such advance is ‘inevitable’. And once the ‘inevitable’ transpires, everywhere conservatives become embroiled in picking up the pieces, as brows are furrowed and we all take counsel together on how to ‘live with’ this ‘inevitable’ development. So quick is this process that the conservative counter-suggestion is never heard: were humanity willing to wait, its profound ingenuity might discover morally tenable ways to end wars or to assist infertility—or, as in the case of stem cell research, to cure terrible maladies.

Carnley typifies this unwillingness to hear what conservatives actually want to contribute. In his assessment, the conservative is simply one who fearfully wishes to control the stampede of science, wishing that we would instead revere the ‘natural’. Against this, Carnley is himself a believer in the kind of ‘progress’ where “the intentional human intervention in reproduction, and even genetic interventions, should be seen fundamentally as a step more towards the perfecting of the human...pro-human rather than anti-human.” He goes on to celebrate the human capacity for creative, rational engagement with the creation.

Christians should not therefore adopt a fundamental attitude of suspicion and fear, let alone condemnation, with respect to the application of human reason and research to the area of human reproduction and the elimination of human imperfection by tackling inherited defects by gene therapy...

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 without killing embryos (and to end wars without the invention of nuclear warheads). It takes no prisoners, this ‘progress’ for which Carnley stands.

The Primate does go on to acknowledge that human rationality alone is not an adequate safeguard of morality, given the fact of

sin—"a deliberate, rational, human choice of acts either of commission or omission that may be inhuman or anti-human and thus contrary to the will of God." (We are intrigued—even perhaps the irreligious among us—to find a bishop declaring that God himself is bound by whatever is 'human'.) Carnley's response to this fact of sin is "to bring to the developing world of human reproductive technology and genetic research a set of criteria for determining what may be thought admissible and what would best be avoided." Presumably, this will be a set of decisions about what constitutes 'the human'. Presumably, it will be a decision about 'when human life begins.' Humans then, will decide the will of God by deciding what is human.

Specifically then he moves to consider "the discarding or sacrifice of fertilized ova". The wait is short, for sure enough, "It is at this point that the question of when a human life actually begins becomes absolutely crucial." (We might well wonder how 'sacrifice' instead of 'killing', and 'fertilized ova' for 'human embryo', somewhat pre-empts the discussion.)

Carnley asks "the important question of whether what is grown in the glass dish to 8 or 16 cell stage [is] rightly described as a 'newly conceived human being'?" The phrasing of this important new question is, we surmise, intended to drive a wedge between 'human being' and 'clump of cells'. It is a well-worn strategy: the blastocyst as just a lump of human tissue. Of course there is an important sense in which the Primate himself is just a lump of human tissue, and he is no less precious for that.

But less is meant for a blastocyst than for a bishop. Perhaps blastocysts confuse us, because unlike Primates, they cannot, for example, write erudite essays. But since there are other (less disputed) examples of humanity who cannot write like the Primate, this objection to the blastocyst will not do at all.

This turns out to represent the Primate's main concerns; but he makes the point more circuitously, by distinguishing between 'fertilisation' and 'conception' in order to dehumanise the blastocyst.

For one thing, what comes into existence at fertilization has the potentiality for

becoming a human individual only if a third condition is present. This is its successful implantation in the lining of the womb. It quite simply does not have this potentiality if it is not implanted. Also, given recent advances in our understanding of the development of the embryo, we must begin to think of conception less as a moment and more in gradual and continuous terms as a process. During the course of this process, which takes some days, the embryo may divide and give rise to identical twins. If we insist that the embryo is endowed with a soul from the moment of fertilization are we then, in the case of twinning, to say that one soul has become two souls? Moreover, I understand from the literature that sometimes the two divided parts may reunite in a process termed mosaicism. In this case, instead of identical twins only a single child results. It would be logically necessary, on the view which is being discussed, to suppose that two souls have united to become a single soul. This should alert us to exercise caution in relation to soul talk - and certainly to the question whether fertilization of an ovum can be identified as being synonymous with the conception of a human individual.

The attack on "soul talk" is instigated by the Primate's own introduction of a cluster of older Roman Catholic positions. Science complicates "soul talk". But do these scientific discoveries about a process, upon which all agree, really complicate the notion of a human beginning? Whoever does not rely on "soul talk", but still treasures embryos from their beginning, is somehow blighted by association.

"It is only at implantation at the earliest that we even can begin to say that conception has occurred." By observing that fertilisation entrains a process—which is indisputably true—the Primate then simply *rules* implantation as the only beginning that matters. That this is merely a ruling is beyond doubt ("only", "at the earliest", "even can begin"); and 'conception' is only established in this way by further ruling 'fertilisation' to be out-of-court. It is important to note that no moral argument has occurred

1. That is, the *Report of the Committee of Inquiry into Human Fertilisation and Embryology* [Cmnd.9314]. London: H.M. Stationery Office, 1984.

2. For Warnock's lack of moral argument, see further Michael C. Banner, *Christian Ethics and Contemporary Moral Problems* (Cambridge: Cambridge University Press, 1999) p. 63 and passim.

3. The theologian behind this dissenting statement in the Church of England Board for Social Responsibility Report, *Personal Origins*, is identified by Richard Higgins as being Oliver O'Donovan. Cited in Richard Higginson, *Whose Baby?: The Ethics of In Vitro Fertilisation* (Basingstoke, Hants: Marshall Pickering, 1988), pp. 55-56.

4. It has been argued, of course, that the Church has nothing more to say, given that embryonic research is commonplace in IVF research, and also given that abortion is commonplace. But defenders of the embryo will of course concentrate their arguments against a practise whose future remains undecided. The critique of well-established practices is simply a different project for a different forum.

Even so, many in the Christian community remain implacably hostile to current abortion practises, and by extension, some remain opposed to current embryonic research while others grow uneasy about it. The 'argument' that our 'silence' compromises us, is based on a false premise. There has been no such 'silence'.

here, just an episcopal fiat. Certainly no theological argument has occurred either. The Primate has observed a process in God's good world, and then simply declared that a chunk of it is irrelevant to moral consideration until such time (14 days) as we deign "to say categorically that 'a unique individual has been conceived'. ... Each of us can say that we came to be in the sense that we were each conceived, as a potential human individual fourteen days after the fertilization of an ovum and not before."

We should not imagine that this kind of fiat is just an example of episcopal excess. He honestly declares his authority here to be the Warnock Report¹. Again, neither the Primate's nor the Committee's science are in dispute; they have done their embryological homework. But sadly, we also look in vain to that report to discern their reasons for deciding that somehow, the existence of a process surrounding the embryo consigns it to a fourteen-day moral limbo.²

The Primate continues: "It is important to note that the question of when life is to be accorded the status of a conceived human individual with rights to protection and care is in the first instance a physiological question, not just a theological question." But he has not established its status as a question. Evidently, from what he has told us, the 'question' primarily entails a moral *statement* about the moral relevance of certain physiological moments.

Theology certainly has no controlling force in this statement. What rather controls the statement is the force of individualism, for the statement assumes and applies the givens of liberal individualism. It is only the individuality of the conceptus, as defined by its incapacity for twinning, which finally merits its release from moral limbo. (That the emergence of the primitive streak constitutes the emergence of an individual suggests, apparently, that we can only know we have an individual when we are sure we do not have two.) Oddly, the unique capacity of the early embryo to give rise to two individuals does not cause us to grant it additional respect. Its 'indecision' just makes it a bit morally suspect.

For Carnley, "Once we are more clear about what actually happens in physiological terms

we can begin to see what ethical norms should result". But this is not true, for Ms Keneally is equally clear about these physiological truths, and comes to an entirely opposite conclusion.

A different theologian is able to see what Ms Keneally sees, and has the space to state the matter in a more nuanced way:

Consider the contrast between a new-born baby and the old lady, 80 years later, who has grown out of that baby; nevertheless we can say that the two are the same person. ... We call the two the same, because behind every presentation of the individual human phenomenon we are accustomed to discern a subject, a 'someone' whom we call by name, who is bearer of a particular life-history. In Christian faith this insight is expressed in terms of the vocation of every individual by God, and the final judgement of each life-history, which gives it a meaning, for good or ill, in the eyes of the Almighty. Starting from the conviction the human beings are subjects, must we not ... press back our perception of the continuous subject as far as we can see objective grounds for doing so? ... This approach, then, traces the individual story back as far as fertilisation, where the sheer contingency of that meeting of those gametes, one possible meeting out of millions, seems to constitute a wall of arbitrariness behind which the story of the individual cannot be taken any further.³

We have seen an attempt to deny this individual story for fourteen days. During that time, this discounted one can be used up in various ways by fully formed individuals. Perhaps this debate, finally, is a theological one. Perhaps only theology can interpret the kind of approach which imperiously denies any moral status to the youngest lives.

Not all new developments are necessarily 'progress'. It is by gradual consensus on small evils that humanity colludes to contrive its most truly horrible evils. The mass killing of embryonic human life, for consumption by others (for 'research'), is a charnel-house well along this road. Science cannot settle this. It will only be settled by theology—or by the lack of it.⁴ **B**