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Debating Embryonic Dignity in a Liberal Society

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Introduction

How are we to understand the public debate over the morality of the destructive embryo research that is presently required for the derivation of human embryonic stem cells? For some, it is a debate over the question—when does human life begin? However, the scientific evidence that the human embryo is a human being is clear. From the moment of conception, the human embryo is a distinct individual of the species, *Homo sapiens*.^{*} Even Peter Singer, himself an ardent supporter of destructive embryo research, acknowledges this: “even the earliest embryo conceived of human parents is alive and a member of *Homo sapiens*, and that is enough, in the eyes of many, to make it a living human being” (3). Instead, Singer rightly notes that the debate is over the moral status and dignity of the human embryo: “the crucial moral question is not when human life begins, but when human life reaches the point at which it merits protection” (3).

In this brief article, I will agree with Peter Singer. I will argue that the current debate over the morality of destructive embryo research is indeed one over the dignity of the human embryo. More specifically, however, I will suggest that the debate is best understood as a disagreement between individuals who advocate irreconcilable notions of human dignity. Those who oppose the destruction of human embryos hold that embryonic human life merits the protection accorded to adult human life because human dignity is intrinsic. It is a dignity that has to be attributed to the human being

because of the kind of being which he or she is. Thus, it is attributed to the human being as soon as he or she comes into existence. In contrast, those who advocate the destruction of human embryos hold that embryonic human life does not merit the protection accorded to adult human life because human dignity is extrinsic. It is a dignity that is not attributed to the human being because of the kind of being which he or she is. Rather it can only be attributed to the human being when he or she acquires some characteristic or property, which confers moral status.

Finally, there are those who claim that this debate over human dignity is an interminable one. In response, I will argue that an intrinsic account of human dignity is the only account of human dignity that can sustain the ideals of a liberal society articulated in the international documents and constitutions ratified in the twentieth century. Thus, by the standards of liberalism itself, the human embryo merits the protection accorded to all human beings. It should not be destroyed for research.

The Debate Over the Dignity of the Human Embryo

To affirm that human beings have dignity is to affirm that there is something worthwhile about each and every human being such that certain things ought not to be done to any human being and that certain other things ought to be done for every human being.[†] Beyond this basic formulation; however, there is controversy over the

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^{*}For a discussion of the most recent scientific evidence for the integrity, unity, and humanity of the human embryo understood from the perspective of systems biology, see refs. 1,2.

[†]I am indebted to Michael Perry for this notion of human dignity, which I take, with modification, see ref. 4.

precise meaning of human dignity.* As others have done before me, I suggest that the controversy is best understood as a disagreement over whether or not human dignity is intrinsic or extrinsic.[†] Those who oppose destructive embryo research advocate the former account of human dignity while those who support this research embrace the latter account.

According to the Oxford English Dictionary, to call something intrinsic is to affirm that it is something “belonging to the thing in itself or by its very nature” (11). It is a quality that is inherent, essential, and proper to the thing. Thus, to affirm that human dignity is intrinsic is to claim that this dignity is constitutive of human identity itself. To put it another way, to affirm that human beings have intrinsic dignity is to claim that they are worthwhile because of the kind of things that they are. This type of dignity is not conferred or earned. It is a dignity that is simply recognized and is attributed to every human being regardless of any other considerations or claims. Finally, intrinsic dignity is a dignity that can only be possessed in an absolute sense, one either has it completely or does not have it at all, because one is either a human being or not one at all. Or in other words, there is no such thing as partial human dignity since there is no such thing as a partial human being.

Opponents of destructive embryo research affirm an intrinsic account of human dignity. It is a dignity that has to be attributed to the human being as soon as he or she comes into existence because it is a dignity associated with the kind of thing that a human being is. Thus, they argue that embryonic human life merits the protection accorded to adult human life because science has shown that human embryo is already a human being. Therefore, the embryo cannot be destroyed even to save other human beings.

The Catholic Church’s teaching on the right to life of the human embryo is representative of this view of human dignity. In its authoritative Catechism, the Church declares: “from the first moment of his existence, a human being must be recognized as having the rights of a person—among which is the inviolable right of every innocent being to life” (12). Elsewhere, this claim is justified with an appeal to science: “from the time that the ovum is fertilized, a life is begun which is neither that of the father nor the mother; it is rather the life of a new human being with his own growth. It would never be made human if it were not human already. This has always been clear, and ... modern genetic science offers clear confirmation” (13).

In contrast, according to the Oxford English Dictionary (11), to call something extrinsic is to affirm that it is “not included in, or forming part of, the object under consideration.” It is a

quality that can be separated from the very nature of the thing. It does not depend on the kind of thing that a thing is. Rather, it depends on what a kind of thing is able to do. Thus, to affirm that human dignity is extrinsic is to claim that dignity is not constitutive of human identity. Furthermore, different human beings can possess this type of dignity to different degrees since this type of dignity is conditional upon the possession of certain, usually mental traits, traits that can be possessed to different degrees.

Proponents of destructive embryo research tacitly affirm an extrinsic account of human dignity.[§] A human embryo does not have moral status until it acquires particular, usually mental traits. Thus, until it acquires these characteristics, it can be destroyed, especially to save the lives of human beings who have dignity, in other words, human beings who have moral status. Michael Tooley’s position on the right to life of the human embryo is representative of this view of human dignity. Tooley holds that “an organism possesses a serious right to life only if it possesses the concept of a self as a continuing subject of experiences and other mental states, and believes that it is itself such a continuing entity” (14). Thus, for Tooley, a human embryo, even though it is a human being, does not have a right to life since it does not as yet possess a concept of self.

The Founding Function of Human Dignity in a Liberal Society

There are those who claim that the debate over human dignity is an interminable one that cannot and will never be resolved. It simply has to be acknowledged as a reality of a pluralistic and liberal society. I disagree. Here I will argue that only an intrinsic account of human dignity can sustain the ideals of a liberal society. Thus, by the standards of liberalism itself, the human embryo merits the protection accorded to all human beings in a liberal society.

What role does human dignity play in a liberal society that values human rights and human equality? As Yehoshua Arieli has convincingly argued, one cannot understand the meaning of human dignity and other such concepts used in the Universal Declaration of Human Rights and its subsequent formulations in the other architectonic documents and constitutions of our liberal society, if we deal with them without reference to their textual context (15). These texts reveal that the invocation of the dignity of the human person was the response of the Free World to the ideologies of the Axis Powers in general and of National Socialism in particular. For instance, the preamble of the Universal Declaration of Human Rights declared:

*For different perspectives on the meaning and the importance of human dignity in contemporary discourse, see refs. 5–8.

[†]This distinction is also made by Stetson and John F. Kilner, see ref. 9,10.

[§]Some proponents of destructive embryo research might claim that they hold an intrinsic account of dignity because they believe that once a human being acquires dignity, it is a dignity proper to him or to her that cannot be arbitrarily withdrawn by an external authority. This is to misunderstand the distinction between intrinsic and extrinsic qualities that is being discussed here. To further illustrate this distinction, I ask the following question: is the human embryo a mammal? Recall that, by definition, a mammal is a living thing that can lactate and bear live young. Those who hold that being a mammal is an intrinsic quality attributable to human beings would affirm that a human embryo is a mammal even though it cannot lactate and bear live young. Indeed, they would affirm that all human embryos, even male human embryos, are mammals, not because they can lactate or bear live young, in fact, males will never be able to do this, but because they human beings. In contrast, those who would hold that being a mammal is an extrinsic quality attributable to human beings, might affirm that a human embryo only becomes a mammal when it is able, in fact, to lactate and to bear live young, or when it has the biological tissues required for lactation and the bearing of live young. In the end, to hold that dignity is intrinsic is to claim that the human being is worthwhile as soon as he or she becomes human.

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation for freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind [...] Whereas, it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law (16).

In this wording, the societies of the Free World made three arguments, arguments that Klaus Dicke has called the founding function of human dignity (17). First, they affirmed that human dignity is something that is and has to be recognized. As Dicke makes clear, however, it is important to note that the Universal Declaration excludes an interpretation of "recognition" as the act that constitutes dignity (17). Human dignity is not and cannot be conditioned either by government policy, societal approval, or the fulfillment of some norm. Second, they affirmed that this recognition of human dignity is the foundation of freedom, justice, and peace. It is the basis for human rights. Third, they affirmed that this inherent dignity is a quality possessed by "all members of the human family." Thus, it is the reason for the equality and unity of mankind. In the end, liberal societies affirmed human dignity in the twentieth century in order to reaffirm the rights and equality of those human beings who had been exploited, and in many cases, killed, by tyrannical governments.

With this historical context in mind, however, it should be clear that only an intrinsic account of human dignity can sustain the ideals of a liberal society. First, if human dignity is extrinsic, requiring the possession of particular mental traits, then those who are mentally disabled, are comatose, are senile, or are newborns do not have dignity. Often these are the weakest and most vulnerable of human beings, those individuals who are most in need of the protection that a concept of human dignity is intended to provide in a liberal society. Second, if human dignity is extrinsic, it reduces human beings to what a government, people in general, or a community in particular, values about them, whether it be consciousness, moral agency, or autonomy. In principle, however, this invalidates the very reason for ascribing human dignity to human beings in a liberal society—to shield them from the arbitrary will of governments, peoples, or communities. Only an intrinsic account of human dignity can protect the rights of human beings against those who would marginalize them by denying them moral status. Finally, if human dignity is extrinsic, then not everyone is equal. There will always be individuals who manifest more or less of a particular trait. For example,

there will always be individuals who are more intelligent, more conscious, more autonomous, or more aware of themselves, than others. Only an intrinsic account of human dignity based solely on the common humanity of all human beings can adequately explain the ideal of human equality that grounds a liberal society.

Conclusion

How are we to understand the public debate over destructive embryo research? In this brief article, I have proposed that in essence, this controversy involves a disagreement over human dignity. I have also argued that if an intrinsic account of human dignity is the only account that can coherently sustain a liberal society and if science has shown that the earliest human embryo is a human being, then by the standards of liberalism itself, the human embryo merits the protection accorded to all human beings in a liberal society. Therefore, he or she cannot be destroyed for research purposes.

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