



## PHILOSOPHY AND THEOLOGY

Is later abortion worse than early abortion? Would the discovery of a nonhuman rational animal change the personhood debate? Does an individual person arise only after the possibility of twinning is excluded? This reflection touches on these important questions.

### *Late versus Early Abortion*

In a fascinating article, “Late- vs. Early-Term Abortion: A Thomistic Analysis” (*The Thomist*, January 2007), Andrew J. Peach argues that

the moral intuition that late-term abortions are more seriously wrong than earlier-term ones can be accounted for in a different way from the ways proposed by apologists for abortion. Defenders of abortion, it will be remembered, typically resort to a gradualist or achievement account of personhood in order to accommodate this intuition. On these accounts, late-term abortions are worse than earlier ones because the moral status of the fetus changes throughout or during pregnancy. However, by showing how circumstances affect the gravity of a human action and the culpability of a moral agent, one can account for the differences between early- and late-term abortions without compromising the conviction that all abortions are acts of murder and inherently wrong. One need not resort to a dubious account of personhood in order to account for this moral intuition. (139)

One way of accounting for the intuition is the additional evil of inflicting pain in late-term abortions but not in early-term abortions: “A murder that involves pain is, in itself, more grievous than one that does not. An abortion that is performed after the fetus is capable of feeling pain is, for that very reason, more seriously wrong than an abortion that is performed prior to the onset of this capacity. The infliction of pain need not enter into the act of murder, but when it does, it renders the act more grievous ‘by multiplying the ratio of evil,’ to use Thomas’s phrase” (126).

Of course, it is possible to remove this difference by simply anesthetizing the human fetus prior to a late-term abortion procedure, but in second- or third-trimester

abortions as typically performed, this difference remains. Others might object that even the early fetus experiences pain, but the typical advocate of abortion denies this, so Peach's argument would work at least dialectically on his opponent's supposition. In any case, it is certainly true that some killing of early human life (say, killing embryos for research purposes) would involve no fetal or embryonic pain and therefore would be distinguishable from other forms of killing (partial-birth abortion) that, as typically performed, involve pain in a normal human fetus.

Second, there is *ceteris paribus* a difference in the effort required to sustain fetal life that morally distinguishes late and early abortions:

For the woman whose child has passed the point of viability, the effort involved to spare the life of that child is little, if at all, greater than that involved in inducing labor and delivering the child.<sup>1</sup> In earlier stages of pregnancy, say at around four weeks, the woman who no longer wishes to carry the fetus would have to endure approximately twenty more weeks of pregnancy, as well as inducement and labor, to secure the independent existence of the fetus. To do what is good is easier in the former case than in the latter, and so to fail to do what is good in the former case is worse than to fail to do so in the latter. That it is a less-grievous moral offense to fail in what is more difficult than in what is less difficult clearly resonates with our moral intuitions regarding late- and early-term abortions. (127)

As a counter-example, consider a woman who suddenly has to endure bed rest for the last three months of pregnancy, or who is undergoing health problems in later pregnancy. She might very well experience the remaining months of the pregnancy as more difficult and requiring greater effort than a healthy woman does during an entire pregnancy. Nevertheless, Peach's general point would hold if it were understood as defending a *prima facie* moral difference between early-term and late-term abortion.

Third, Peach points out that as a pregnancy develops it becomes more and more difficult to be inculpably ignorant of the humanity of the unborn. Early in pregnancy, it is more plausible that the human fetus is merely a "bunch of cells" that are not really alive, but as pregnancy progresses, fetal movement and sometimes hiccups make such suppositions more difficult to maintain. Vivid three-dimensional ultrasound images taken in later pregnancy make the humanity of the unborn even harder to deny. Insofar as involuntary ignorance is, in a typical case, more likely early than later in pregnancy, culpability will be less for early abortion than for later abortion (135).

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<sup>1</sup>The contention that continuing pregnancy after viability requires little or no effort outside of labor and delivery is false. After viability, much effort is involved in continuing a pregnancy, since walking, sitting, and doing other activities typically becomes much more challenging as the unborn child grows larger. In addition, for at least some women, morning sickness continues even into the second and third trimesters. Still, just as carrying a load for ten miles is more difficult than carrying it for two miles, *ceteris paribus* more effort is required to finish carrying a child to term when thirty-six weeks of pregnancy remain than when ten weeks remain.—C.K.

Again, there may be cases when this difference is not in play. Someone well versed in the facts of fetal development may be more culpable for having an early abortion than a mentally handicapped woman aborting later in pregnancy. Still, if the point is to make a *prima facie* case that there is greater culpability for later abortion than for early abortion, the point remains true despite differences in cases where other things are not equal.

Fourth, Peach argues that

when a woman first becomes aware of the pregnancy, the passions are most likely to be at their highest intensity: dread of the burden of carrying the baby arises, apprehension and anxiety at the notion of being a parent for the first time or of having to parent another child, the fear of being financially and emotionally abandoned by the biological father, etc. When one considers that these passions surface all at once at the onset of pregnancy and when the developing human being is at its earliest developmental stages—when it does not “look like a baby” yet—then one can understand how easy it can be for a person, out of weakness and due to difficult circumstances, to fail to apply the general prohibition against murder to the particular case of the person in the womb. (135–136)

By contrast, to choose late-term abortion after having gotten through the initial trauma and having withstood the stormy anxiety of learning the shocking news of pregnancy seems to be more deliberate and therefore more blameworthy. As time passes, passions cool and the expectation of reasonable action increases (136).

One difficulty with this argument is that it does not apply in all cases to distinguish early from later abortion. In some cases of late-term abortion, the mother may wish to terminate the pregnancy because of a diagnosis of fetal handicap that can only be made later in pregnancy. The emotional trauma brought on by the news of a malformed unborn child late in pregnancy may be no less severe than the distress brought about by the early discovery of an unwanted pregnancy. In addition, it can happen that a woman with irregular cycles or obesity only discovers that she is pregnant in the second or third trimester. Still, these exceptions do not undermine the general thesis that late-term abortion is more morally problematic than early-term abortion *ceteris paribus*.

Fifth, Peach points to the fact that, in general, expectant parents experience late-term miscarriages as more traumatic than early miscarriages:

Even if they feel or have judged that abortion is a necessary evil, all things considered, their sense of remorse and loss would have to be more palpable or intense given the level of development of the child; what has been taken away cannot plausibly be denied. This must be particularly true for the woman, whose attachment to the person in her womb presumably develops as the child develops. Just as, in general, late-term miscarriages are likely to impact a woman (or couple) more severely than early-term ones, late-term abortions must surely impact a woman (or couple) more severely than early-term ones. (138)

Anecdotally, it does seem to be the case that late miscarriages are more traumatic for women (and couples) than early miscarriages. Does it follow that late abortions are morally worse than early abortions? Does an attachment develop between the mother and the child through the course of pregnancy such that the greater the attachment the worse it is to detach? Generally, the length of a relationship seems to have some

bearing on the loss involved when the relationship ends. To end a marriage after three weeks involves a less serious loss than ending it after three decades. Perhaps this helps explain in part why later abortion is worse than early abortion, without at all denying that every abortion is a matter of grave, intrinsic injustice which ends the life of an innocent human being.

Although I have raised questions about Peach's five arguments that late abortion is worse than early abortion in terms of circumstances and moral culpability—and although late and early abortions are equally unjust in terms of the intentional killing of innocent unborn human persons—it would seem that Peach's arguments are sound so long as they are understood as not being exceptionless but rather *ceteris paribus* considerations.

An interesting question is why such distinctions do not find any echo in the contemporary magisterial teaching on abortion. Would such an emphasis help or harm evangelization toward a gospel of life? This question may also be related to the various strategies undertaken by pro-life advocates to end abortion. Some, such as Hadley Arkes, seek to end all abortion incrementally by focusing on issues, such as partial-birth abortion, supported by public opinion.<sup>2</sup> Others, most notably perhaps Colin Harte in *Changing Unjust Laws Justly: Pro-Life Solidarity with the "Last and the Least"* (2005), argue that this incremental approach is unjust and inevitably leads to a distortion of the pro-life point of view. Peach's analysis does not definitely answer the question of approach, but it may prove useful in reconciling pro-lifers divided on political strategy as well as reconciling church teaching on abortion as intrinsically evil with the "commonsense" view of many Americans that late abortion is worse than early abortion.

#### *Personhood and Rational Capacity*

In his book *Abortion and Unborn Human Life* (1996), Patrick Lee provides a powerful philosophical defense of the intrinsic wrongfulness of abortion. In two recent articles in *Bioethics*—"The Pro-Life Argument from Substantial Identity: A Defence" (June 2004) and "Substantial Identity and the Right to Life: A Rejoinder to Dean Stretton" (February 2007)—Lee defends his book and his view that all human beings by nature have a right to life, against criticisms raised by another philosopher, Dean Stretton.<sup>3</sup> The exchange is crisp, clear philosophy, taking up issues such as the difference between human beings and nonrational animals, the importance of natural capacities in distinction from developed capacities, and responses to bizarre examples of human brain transplants in animals and puppies with rationality. Lee's responses to criticism leave his case intact, but I would like to consider further one of the points Stretton raises.

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<sup>2</sup>Hadley Arkes, "This Heartbreaking Court," *First Things* 166 (October 2006): 11–14.

<sup>3</sup>Dean Stretton, "The Argument from Intrinsic Value: A Critique," *Bioethics* 14.3 (July 2000): 228–239, and "Essential Properties and the Right to Life: A Response to Lee," *Bioethics* 18.3 (June 2004): 264–282.

A bizarre scenario that Dean Stretton borrows from Jeff McMahan is of dogs with a latent brain mechanism that, with years of cognitive therapy occupying virtually every waking hour, eventually allows them to function in a rational way. These dogs would have a (weak) rational capacity, and the question is, would they also have a right to life? If Lee answers no, these dogs do not have a right to life, then he has in fact conceded that natural capacities do not give rise to the right to life. If Lee answers that they do have a right to life, then he embraces an untenable conclusion (argues Stretton) that goes against our intuitions: dogs have a right to life.

Lee responds that “it is not plausible that an animal would have a latent capacity for rationality and self-consciousness but not manifest that capacity given a reasonably favorable environment” (“Substantial Identity,” 95). However, bizarre counter-examples are by their very nature not plausible. One could rule out such examples, but they seem to be a standard tool of contemporary analytic philosophy to, among other purposes, enable one to distinguish conceptually that which—in reality—one finds linked up together. Lee rightly notes that the moral conclusions we can draw from our intuitions about bizarre examples is tentative, “partly because the scenario is so extraordinary, there is reason both to doubt what people’s intuitions about it would be and to disagree with their intuitions if they clashed with basic moral principles” (95).

In a certain sense, the rational puppy scenario is not that bizarre, for certain individual rational animals, mentally handicapped human beings, may find themselves in situations not altogether different from the situation of the dogs in the example. They may be able to function rationally only if a massive effort is made by those around them to give them what other human beings can attain effortlessly. Unless Stretton would deny the right to life to human beings with serious mental handicaps, then it would seem that the dogs in question would also have a right to life. “If the dogs really did have a basic, natural capacity for conceptual thought and free choice, but (inexplicably) could actualize that capacity only through gargantuan efforts, why should this last fact determine whether or not they are intrinsically valuable as subjects of rights?” (95). Of course, if dogs, cats, or horses really were rational, then it would turn out that they are radically different creatures than we had previously thought. It might be appropriate to rename them, snoopies or garfields or mistereds, or perhaps even more appropriately to have them name themselves. Further, just because someone can recover a natural capacity with a gargantuan effort, it does not follow that such an effort must be made. Similarly, life is always a good, but we need not do everything in our power, no matter what the circumstances and no matter what the cost, to preserve human life.

#### *Cell Growth and Potentiality*

In an article titled “Individuality and Human Beginnings: A Reply to David DeGrazia,” Alfonso Gómez-Lobo of Georgetown University and the President’s Council on Bioethics brings important considerations to bear on criticisms of the proposition that “we originate as single-cell zygotes at the time of conception” (*Journal of Law, Medicine & Ethics*, Fall 2007, 457). A standard objection to this view is that fact that a zygote can twin, and therefore (it is argued) must not have been an

individual at the time of conception, but rather a “mass of tissue” from which could arise several individuals. Of course, if there is no individual present, then there is no “person” according to the classic Boethian definition of a person as an individual substance of a rational nature.<sup>4</sup>

Gómez-Lobo shows that there is no necessary link between indivisibility and individuality, noting that “If indivisibility were a necessary condition for individuality, then there would be no material individuals. After all, any material object can be pulled apart or dismantled. No car would be an individual car, but only a collection or package of car parts, likewise no living body would be an individual organism, but only a colony of cells” (458). Obviously then, individuality does not require indivisibility.

What if we slightly change the necessary condition and say that “if a living organism can give rise to other living organisms by fission,” then it is not an individual? Gómez-Lobo responds, “On the assumed criterion you could never have, say, three individual amoebas on a lab dish because each of them can divide and reproduce by fission. Nor could you have six because the ones resulting from the division can in turn be divided, etc. In the case of amoebas, we cannot even have recourse to the alternative that they are a mere collection of cells: amoebas are single-cell organisms” (458). Thus, the ability to give rise to others by means of fission does not exclude individuality, unless one wants to say, rather implausibly, that there is no such thing as an individual amoeba, no such thing as three amoebas, etc.

Another argument examined by Gómez-Lobo is that with cloning any cell of the human body has the potential to become a full grown human being, and so the fact that the zygote has potential to develop into a mature human being makes it no more important—on that account—than any skin or hair cell. Every cell in the human body has the potential (through cloning) to become a full grown human being, but obviously every human cell does not have an inalienable right to life. So too, the zygote does not have an inalienable right to life based on its potentiality to become a mature human being.

Gómez-Lobo indicates a difficulty with this view:

It is plainly false that each somatic cell has the potential to become an organism. In terms of its epigenetic state, each of those cells is at an end-stage or unipotent state. The technician performing the cloning extracts a nucleus (thereby destroying the original somatic cell and any potentiality it may have had) and inserts it in an enucleated ovum. The expectation is that the cytoplasm of the ovum will reprogram that nucleus so that it reverts to zygote stage. Not the original somatic cell, but the new cell, the one that starts to live with the reprogrammed nucleus directing the genetic development of the material provided by the ovum, is the one that has the potentiality to generate a full-grown organism. (461)

This critique depends on what constitutes a cell, for one might respond (contrary to the standard view that the nucleus is a part of a cell) that the “cell” is essentially the

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<sup>4</sup>David DeGrazia, “Moral Status, Human Identity, and Early Embryos: A Critique of the President’s Approach,” *Journal of Law, Medicine & Ethics* 34.1 (Spring 2006): 49–57.

nucleus, with other parts such as the cell membrane, mitochondria, and cytoplasm being merely accidental properties like hair on a human being. Contemporary philosophy is rife with competing accounts of what essentially constitutes a human being—brain alone, body and brain, soul and body, etc., and these discussions could in principle be mirrored by similar debates about what constitutes a cell. Gómez-Lobo's critique works given standard accounts of the nature of a cell, but one could imagine critiques of the standard account as philosophically naive (although I am aware of no such discussion in the philosophy of biology). Such a response to Gómez-Lobo's argument seems quite strained, to say the least.

In a sense, the argument from potentiality is misplaced. The standard pro-life position does not hinge on the potentiality of the embryo, fetus, or baby to become a functionally rational adult or, in DeGrazia's words, "one of us." The typical pro-life view is that any human being in any stage of development—embryonic, fetal, or infantile—is already in its actual nature a rational animal, not potentially but already "one of us." So arguments about whether a skin cell has potential to become one of us are irrelevant. No one argues that a skin cell is actually "one of us," for it is merely a part of an individual. The real argument is about whether all human beings in whatever stage of development count as "one of us" in terms of basic human rights, or only those who meet a certain standard of functioning.

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**JOURNALS IN  
PHILOSOPHY AND  
THEOLOGY**

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**Bioethics**

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Volume 21, Number 2  
February 2007

**Substantial Identity  
and the Right to Life:  
A Rejoinder to Dean Stretton**

*Patrick Lee*

In this article, the author replies to criticisms by Dean Stretton of the pro-life argument from substantial identity. When the criterion for the right to life proposed by most proponents of the pro-life position is rightly understood—being a person, a distinct substance of a rational nature—this position does not lead to the difficulties Stretton claims it does.

Volume 21, Number 4  
May 2007

**Parental Virtue: A New Way of  
Thinking about the Morality of  
Reproductive Actions**

*Rosalind McDougall*

The author explores the potential of virtue ethical ideas to generate a new way of thinking about the ethical questions surrounding the creation of children. Applying ideas from neo-Aristotelian virtue ethics to the parental sphere specifically, she develops a framework for the moral assessment of reproductive actions that centers on the concept of parental virtue. She suggests that the character traits of the good parent can be used as a basis for determining the moral permissibility of a particular reproductive action. She posits three parental virtues and argues that we can see the moral status of a reproductive

action as determined by the relationship between such an action and (at least) these virtues. Using a case involving selection for deafness, she argues that thinking in terms of the question “Would a virtuous parent do this?” when morally assessing reproductive action is a viable and useful way of thinking about issues in reproductive ethics.

Volume 21 Number 7  
September 2007

**Uses of Respect and  
Uses of the Human Embryo**

*Susanne Gibson*

In most parts of the world, research on the human embryo is subject to tight controls. In the United Kingdom it is restricted by means of both a fourteen-day time limit and the permitted purposes of the research. One of the ways in which the argument for these restrictions has been put is in terms of respect, that is, the human embryo is said to be the kind of thing that is worthy of a measure of respect such that there are limits to what can be done to it. This paper considers some of the ways in which this principle of respect has been understood as well as some objections to the very idea that research resulting in the destruction of the human embryo can claim to show that embryo respect. It will be argued that an account of “respectful destruction” can be articulated on the grounds of our shared finitude as human moral agents, and in particular on the grounds of our shared lack of certainty regarding the moral status of the embryo.

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**Cambridge Quarterly  
of Health Care Ethics**

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Volume 16, Issue 3  
July 2007

**The Moral Imperative for Ectogenesis**

*Anna Smajdor*

“Rather than putting the onus on women to have children at times that suit societal rather

than women's individual interests, we could provide technical alternatives to gestation and childbirth so that women are no longer unjustly obliged to be the sole risk takers in reproductive enterprises. In short, what is required is ectogenesis: the development of artificial wombs that can sustain fetuses to term without the need for women's bodies. Only by thus remedying the natural or physical injustices involved in the unequal gender roles of reproduction can we alleviate the social injustices that arise from them. [The author's] argument . . . is based on work by Justine Burley, who in turn develops her position from Ronald Dworkin's views on the subject of equality in health care distribution."—Excerpt from article.

Volume 16, Issue 4  
August 2007

**The Triumph of Autonomy in Bioethics and Commercialism in American Healthcare**

*Jonathan D. Moreno*

Justifying his proposal for "health savings accounts," which would allow individuals to set aside tax-free dollars against future health care needs, President Bush has said that "Health savings accounts all aim at empowering people to make decisions for themselves." Who could disagree with such a sentiment? Although bioethicists may be among those who express skepticism that personal health savings accounts will be part of the needed "fix" of our health care financing system, self-determination has long been part of their mantra. Indeed, the field of bioethics played an important role in advancing this idea in the medical world when physician paternalism was regnant. Has its popularity caused it to become so vapid as to be ripe for misuse?

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**The Hastings Center Report**

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Volume 37, Number 6  
November–December 2007

**Protecting Women from Their Abortion Choices**

*Rebecca Dresser*

"The psychological state of women making choices about abortion is no more fragile than that of many other people making medical decisions, and no good evidence shows that women having abortions face increased risk of psychological problems. The debate over abortion's legal status should focus on the basic substantive issue—whether the value of a developing human life justifies depriving women of the choice to have an abortion. It is disingenuous to portray abortion bans and mandatory disclosures of one-sided and inaccurate information as policies protecting women."—Excerpt from article.

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**Journal of Law, Medicine & Ethics**

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Volume 35, Number 3  
Fall 2007

**Individuality and Human Beginnings: A Reply to David DeGrazia**

*Alfonso Gómez-Lobo*

"In a recent article published in the *Journal of Law, Medicine & Ethics*, David DeGrazia criticized the two pivotal assumptions that underlie President Bush's policy on funding stem cell research. Those assumptions are (1) that we originate as single-cell zygotes at the time of conception and (2) that we have full moral status as soon as we originate. In this paper, [the author concentrates] on the first of those assumptions and [shows] . . . in light of recent findings in embryological development, that DeGrazia's criticisms have to be rejected."—Excerpt from article.

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**Journal of  
Medical Ethics**

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Volume 33, Issue 11  
November 2007

**Non-human Primates:  
The Appropriate Subjects  
of Biomedical Research?**

*Muireann Quigley*

Following the publication of the Weatherall report on the use of nonhuman primates in research, this paper reflects on how to provide appropriate and ethical models for research beneficial to humankind. Two of the main justifications for the use of nonhuman primates in biomedical research are analyzed. These are the “least-harm/greatest-good” argument and the “capacity” argument. This paper argues that these are equally applicable when considering whether humans are appropriate subjects of biomedical research.

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**Journal of Medicine  
and Philosophy**

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Volume 32, Number 6  
November 2007

**The Potential of the  
Human Embryo**

*Mark T. Brown*

A higher order potential analysis of moral status clarifies the issues that divide Human Being theorists, who oppose embryo research, from Person theorists who favor embryo research. Higher-order potential personhood is transitive if it is active, identity preserving, and morally relevant. If the transition from the second-order potential of the embryo to the first-order potential of an infant is transitive, opponents of embryo research make a powerful case for the moral status of the embryo. If it is intransitive, then the Person theorist can draw lines between levels of moral status that permit embryo research to proceed.

**Can It Be a Good Thing to Be Deaf?**

*Rachel Cooper*

Increasingly, deaf activists claim that it can be good to be deaf. Still, much of the hearing world remains unconvinced, and continues to think of deafness in negative terms. The author examines this debate and argues that to determine whether it can be good to be deaf it is necessary to examine each claimed advantage or disadvantage of being deaf, and then make an overall judgment regarding the net cost or benefit. On the basis of such a survey she concludes that being deaf may plausibly be a good thing for some deaf people but not for others.

**Disability, Humanity, and Personhood:  
A Survey of Moral Concepts**

*D. Christopher Ralston  
and Justin Ho*

Three of the articles included in this issue of the *Journal of Medicine and Philosophy*—Ron Amundson and Shari Tresky’s “On a Bioethical Challenge to Disability Rights,” Rachel Cooper’s “Can It Be a Good Thing to Be Deaf?” and Mark T. Brown’s “The Potential of the Human Embryo”—interact (in various ways) with the concepts of disability, humanity, and personhood and their normative dimensions. As one peruses these articles, it becomes apparent that terms like “disability,” “human being,” and “person” carry with them great normative significance. There is, however, much disagreement concerning both the definition and the extension of such terms. This is significant because different terms and definitions are associated with different sets of normative requirements. In what follows the authors reconstruct the argument of each of the articles, and then offer some brief critical analysis intended to stimulate further thought about and discussion of the issues that each raises.

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**Medicine, Health  
Care, and Philosophy**

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Volume 9, Number 3  
December 2006

**Artificial Reproduction  
Technologies (RTs): All the  
Way to the Artificial Womb?**

*Frida Simonstein*

In this paper, the author argues that the development of an artificial womb is already well on its way. By putting together pieces of information arising from new scientific advances in different areas (neonatal care, gynecology, embryology, the human genome project, and computer science), she delineates a distinctive picture which clearly suggests that the artificial womb may become a reality sooner than we may think. Currently, there is a huge gap between the first stages of gestation (using in vitro fertilization) and the twenty-second week (inside the womb). At the present time this gap seems an insurmountable barrier for fully developing a fetus outside a natural womb—a notion better known as ectogenesis. The history of science, however, suggests that impenetrable barriers are such only temporarily. It is just a matter of time (and due research) until someone—intentionally or by chance—accesses the right answer and finds a way to overcome existing obstacles. Despite misgivings that the case of the artificial womb presents too many barriers, it would be naive to suppose things would happen any differently. The author observes that it is time to acknowledge the consequences of new developments in different areas of scientific research which are leading to the advent of an artificial womb; and modestly suggests that we might initiate a discussion on this topic now, while we have still enough time to decide what we may want and why.

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**Metaphilosophy**

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Volume 38, Numbers 2–3  
April 2007

**The Ambiguity of the Embryo:  
Ethical Inconsistency in the Human  
Embryonic Stem Cell Debate**

*Katrien Devolder and John Harris*

The authors argue that (1) the embryo is an irredeemably ambiguous entity and its ambiguity casts serious doubt on the arguments claiming its full protection or, at least, protection against its use as a means for stem cell research, (2) those who claim the embryo should be protected as “one of us” are committed to a position even they do not uphold in their practices, (3) views that defend the protection of the embryo in virtue of its potentiality to become a person fail, and (4) the embryo does not have any rights or interests to be protected. Given that many are willing to treat the embryo as a means in other practices, and that human embryonic stem cell (hESC) research holds great potential to benefit many people, one cannot but conclude that hESC research is permissible and, because of its immense promise for alleviating human suffering, even obligatory.

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**Social Science  
& Medicine**

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Volume 65, Issue 7  
October 2007

**Banking On It: Public Policy and  
the Ethics of Stem Cell  
Research and Development**

*Mita Giacomini, Françoise Baylis,  
and Jason Robert*

If the therapeutic potential of stem-cell-based therapies is ever realized, demand for stem cells and derivative tissues will be tremendous and will create new challenges for health care systems, especially publicly funded health care systems. The authors propose a framework for the ethical analysis of stem cell research and

development that considers the welfare of communities, tissue recipients, and cell sources in relation to a range of stem cell production and distribution options. Ethical desiderata include equitable access, maximized potential therapeutic benefit across demographic and disease groups, and reasonable cost. Other ethical priorities include the minimization of stem cell line and tissue wastage, risk of immune rejection, risk of transmitting diseases, the use of human embryos, and risk to those contributing source cells. The authors array plausible sources of stem cells and distribution strategies to characterize twelve potential models for producing and distributing cells and tissues in the future. They describe “personalized,” “matched,” and “universalized” models, and compare the ethical acceptability of these models. Popular and scientific discourses about stem cells typically emphasize personalized or matched stem cell distribution models. The authors show that universalized models may ultimately best serve the interest of taxpayers, communities, and patients who hold high stakes in the therapeutic success of stem cell science. They are therefore highly worthy of scientific pursuit. This conclusion is provisional, and the framework must be reapplied as scientific knowledge, technological capacity, and ethical mores evolve.

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**The Thomist**

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Volume 70, Number 1  
January 2007

**Late- Vs. Early-Term Abortion:  
A Thomistic Analysis**

*Andrew J. Peach*

“In this paper, it [is] argued that the moral intuition that late-term abortions are more seriously wrong than earlier-term ones can be accounted for in different way from the ways proposed by apologists for abortion. Defenders of abortion typically resort to a gradualist or achievement account of personhood in order to accommodate this intuition. On these accounts, late-term abortions are worse than earlier ones because the moral status of the fetus changes throughout or during pregnancy. However, by showing how circumstances affect the gravity of a human action and the culpability of a moral agent, one can account for the differences between early- and late-term abortions without compromising the conviction that all abortions are acts of murder and inherently wrong. One need not resort to a dubious account of personhood in order to account for this moral intuition.”