



**Chrtc 390 Module 5 Slides by
Heather Looy and Paul Flaman:
The Beginning and End of
Human Life**

When does a human person begin?

Slides by Paul Flaman

Introduction: When does a human being/person begin to exist?

- We can approach this question in a variety of ways: experience, science, philosophy, law, the Bible, theology, Catholic Teaching ..., opinion?
- The answer is relevant to abortion, abortifacients, embryo research, IVF

■ Ancient Science and Philosophy

- E.g., Aristotle (384-22 B.C.): ancient science view (woman as ‘garden’ and the man’s ‘seed’) influenced his delayed hominization view: first a ‘vegetative’, then an ‘animal’ and finally a ‘rational’ soul

■ Bible

- Some texts, e.g., Ps 139 & Is 49:1, speak of God having a personal (I-Thou) relationship with one before birth
- Ps 51:5 - one is conceived in sin
- Wis 8:19-20 (deuterocanon): identifies “I” with both one’s body & soul
- Lk 1:41-44 re Mary, Elizabeth & their unborn children, Jesus & John

■ Medieval Christian (also Jewish & Muslim) philosophy

- E.g., Thomas Aquinas (1224-74 A.D.) basically followed Aristotle

When does a human person begin?

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■ **Protestant Reformers (16th Century A.D.)**

- Martin Luther and John Calvin: in line with their understanding of original sin (wounded the whole person) they insisted on the full humanity of the fetus (including the soul) from conception (cf. Ps 51:5)

■ **Modern Science including Neuroscience (cf. Readings...)**

- First the development of the microscope (17 C. ff) led to the discovery of ova, sperm and fertilization; cf. also the discovery of DNA; and our 'windows' to the womb with ultrasound, internal cameras, etc.
- Life is a continuum: consider fertilization, zygote, embryo, fetus, infant, child, adolescent, adult ...; brain development continues into old age

The Beginning and End of Life: Adapted from Dr. Heather Looy's slides by Paul Flaman

- Re the beginning of human life watch the videos, *Fetal Brain Development* (5:33)
<https://www.youtube.com/watch?v=tA1Gv3oyotA> and *The Developing Brain* (watch first 9 mins.)
<https://www.youtube.com/watch?v=2NCahToUzkA&t=10s>
- Science tells us:
 - Beginning and end of life are continuous, not punctiliar
 - emergence of mind, consciousness, self-awareness, volition, morality, are gradual
 - about 'normal' and abnormal processes of development, death
 - what to expect under varying conditions—prognosis

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Consider some different contemporary views and “criteria” for being a human being / person: which is the most reasonable?

- Canadian Law (Supreme Court decisions): only a completely born child is a “legal person”. Cf. the Borowski/Shumiatcher case--tried to use science to change Canadian law to recognize the fetus as a human being; cf. before 1929 women in Canada were not ‘persons’ legally.
- Susan Sherwin (pro-choice feminist): personhood is a relational concept; the woman carrying the fetus has the responsibility and privilege of determining its social status and value.
- Sidney Callahan (pro-life feminist): compares defending the rights of the fetus and women’s struggles to gain status and rights as persons.
- Mary Anne Warren: capacities characteristic of persons include consciousness, thought, developed capacity to reason, intentional action, social and communicative abilities, self-awareness, moral agency. Even late- term human fetuses are not persons; human infants are very close to being persons.

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Various personhood 'criteria' continued:

- Canadian Medical Association's Ethics Committee (1991): the fetus is a member of the species *Homo Sapiens* from the beginning but it only becomes a person at about 20 weeks when it becomes capable of sapient cognitive awareness (compare neural development)
- Other times some argue a human being/person begins include 14 days after fertilization (cf. monozygotic twinning) and viability.

Catholic Teaching (1974; 1987; 1995)

- Based not only on faith but also on science & philosophy
- The human zygote already is a new human being
- Has not defined the moment God creates the spiritual soul; probably at the beginning; the contrary can not be proven; morally--treat as a person from the beginning.
- Discrimination regarding the right to life based on stages of development is no less inexcusable than discrimination on other grounds, e.g., race or sex...

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Philosophy/Theology Supporting Catholic teaching:

- John Gallagher: distinguishes the activities (e.g., being awake, talking), powers/capacities (e.g., to be conscious, speak, learn another language), and the being of a person (as a living organism). In this life a human person is identified with a particular living organism which begins at fertilization. There is no evidence that a new organism begins at birth, viability, and so forth.
- Benedict Ashley and Kevin O'Rourke: distinguish passive (cf. clay) and active (cf. sculptor) potentiality; the human zygote has the active potentiality for self-development, to develop capacities such as consciousness; it already is a person

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Philosophy/Theology Supporting Catholic teaching:

- William May: speaks not only of developed or actualized capacities but also of the radical capacity of the human zygote to develop these. Regarding the beginning and end of an individual person's life it is the unity of the organism rather than the functioning of the brain per se that is the relevant criterion.
- My View: in the light of the profound union of the human person (cf. Bible and experience) it makes sense that God would create the human spiritual soul when the individual's body begins to exist. The person is identified not only with one's mind/soul but also with one's body. What happens to one's body and brain, also before birth (e.g., Fetal Alcohol Effect), affects one as a person.

Consider the readings also re some other views and questions

- What do you think?

Definitions of death: relevant to organ transplants ...: Flaman's slides cont.

The death of a human being as a biological organism can be considered like the death of any other organism:

- Death occurs when an organism ceases to function as a specific, unified, homeostatic system (Ashley & O'Rourke; cf. De Castro...)
- Death is the event that separates the process of dying from the process of disintegration (Taylor)
- Philosophies and religions that hold that human beings have immortal souls also speak of death as the separation of body and soul

Criteria for determining that death has occurred:

- Total brain death (irreversible cessation of all brain functions) is a widely accepted (medically, legally, philosophically and theologically) criterion today. Ashley & O'Rourke defend this in the light of their definition of death (above).
- Partial brain death: Some (e.g. E.H. Kluge) argue that a living human being is dead as a 'person' when brain functions related to specifically human capacities have ceased (cf. PVS patient).
- Taylor argues for "permanent cessation of the circulation of blood" as the proper criterion but notes that this view is problematic regarding organ transplants.

Defining Death: Adapted from Dr. Heather Looy's slides by Paul Flaman

- Until 1968: irreversible loss of heart & respiration
- 1968 (Harvard criteria): irreversible loss of whole brain functioning
 - if in dispute, two flat EEGs, 24 hours apart
 - change of definition precipitated by developing medical technologies & increased desire for organ transplantation

Altered Neurological States

Coma	Persistent Vegetative State	Minimally Conscious
<ul style="list-style-type: none"> • deep, sustained pathological unconsciousness from dysfunction of the reticular activating system in brain stem, or cerebral hemispheres • at least 1 hour duration • eyes remain closed, person cannot be aroused 	<ul style="list-style-type: none"> • 1st described in 1982 • severe brain damage in which coma has progressed to wakefulness without awareness • functional brain stem & hypothalamus • requires hydration and tube feeding 	<ul style="list-style-type: none"> • 1st described in 2002 • patients may reach for and grasp things, track moving objects, locate sounds, process & respond to words • patients may inconsistently verbalize or gesture to communicate • patients may gain full consciousness

Diagnostic Technologies

- Physical neurological exam
- Coma scales such as Glasgow Comas Scale & Rancho Los Amigos Scale (behavioral measures)
- electroencephalogram (EEG)
- CAT scan
- MRI
- PET scan

Persistent Vegetative State

Characteristics:

- complete unawareness of self & environment (no ability to interact with others)
- sleep-wake cycles
- complete or partial preservation of hypothalamic & brain-stem autonomic functions
- no evidence of sustained, reproducible, purposeful, or voluntary behavioral responses to visual, auditory, tactile, or noxious stimuli
- no evidence of language comprehension or expression
- bowel & bladder incontinence
- 13 ■ variably preserved cranial nerve and spinal reflexes

Persistent Vegetative State

Cause & Likelihood of Recovery

- acute traumatic & nontraumatic brain injuries
 - recovery from posttraumatic PVS unlikely after 12 months
 - recovery from nontraumatic PVS after 3 months is “exceedingly rare” in both adults & children
- degenerative & metabolic brain disorders
 - unlikely to recover consciousness after several months in PVS
 - life expectancy ranges from 2-5 years, survival beyond 10 years is unusual

Terri Schindler-Shiavo

- Feb 1990, at age 26, she collapsed mysteriously and suffered severe brain damage
 - A number of experts said she was in a PVS
 - Some other experts and her parents felt she exhibited some awareness and responsiveness and hoped she could improve with therapy
- 1990: her husband Michael Schiavo was appointed her guardian
- 1992: Michael wins malpractice suit against Terri's ob/gyn/fertility doctor (1 million)
- 1998: Michael seeks court permission to remove feeding tube; her parents, Robert and Mary Schindler, oppose
- 1998-2005 flurry of suits and counter-suits including Florida's legislature passing "Terri's Law" (Oct. 2003)
- 2005 (Mar. 31) she died 13 days after her feeding and hydration were stopped after Supreme Court allowed no further legal action to stop this.

Human Death: Slide by Paul Flaman

Bible

- Presents the human person as an animated body; when a person dies the life/soul/spirit (Hebrew *nephesh*; Greek *psyche*, e.g. Lk 12:20) departs.
- Gen 2-3 presents death as a consequence of the sin (eating from the ‘tree of the knowledge of good and evil’) of the first human beings (God does not allow them to eat of the ‘tree of life’).
- Wis 1:13 (Deuterocanonical): God did not make death...
- Rm 5:12 death came through sin...; grace through Jesus Christ...

Vatican II, GS (1965), n. 18:

- Speaks of human death as a mystery; man would have been immune from bodily death had he not sinned....

How do you understand human death?

Does a human person continue to exist after bodily death? We will consider that question next class.