

Embryos and Expectation:

Does Identity Matter in the Survival and Flourishing of an Embryo?

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Introduction

What would be good for an embryo, and what would be bad for an embryo? These are questions that some of us—those of us who think that human embryos lack moral status—may not bother to think about. In our view, it is not a morally important question what is in their interest. However, failure to think carefully about these questions may lead us to caricature views on which all embryos have the full moral status of persons. We may then underestimate the plausibility and resources of our opponents' views. In this essay, I develop a novel account of what would be good and bad for an embryo. This account would enable proponents of the view that all embryos have the full moral status of persons to resist some natural arguments against their view.

One argument claims that if embryos have the full moral status of persons, then it is a tragedy whenever an embryo twins, because the embryo ceases to exist. But this is not a tragedy. This argument relies on the claim that it is bad *for the embryo* when the embryo twins; I argue that this claim can be rejected. Another argument holds that if embryos have the full moral status of persons, then this is because of their potential to become persons; but some ordinary human cells also have the potential to become

persons (via cloning); but if ordinary human cells have the full moral status of persons, then it is a tragedy when we fail to turn them into persons; but this is not a tragedy. This argument relies on the claim that it is bad *for a human cell* that could become a person if it fails to become a person. I argue that this claim can be rejected.

I will develop a view on which while getting to develop into a person would be good for an embryo and would be good for a human cell, some alternatives in which they fail to become persons would be equally good for them: twinning into two embryos that each become a person is equally good for an embryo as becoming a person itself; and participating in the life of a person, by being one of her skin cells, is equally good for a human cell as becoming a person itself would be. These claims are inspired by consideration of the value of survival for persons.

1. What matters in the survival of a person

If you are like most people, it is good for you if you survive and bad for you if you cease to exist. What makes survival good for you? That is, what matters in survival? Is what is valuable in survival crucially about *survival*—that is, there being someone in the future who is *you*, so that you have continued to exist—or are there futures that preserve what matters in your survival though you do not exist in those futures?

It has been argued that identity does not matter in the survival of persons. More specifically: that there can be futures that contain what would have been valuable for you in surviving although you do not survive in them.

If your body were scanned and then destroyed and then two duplicates of your body were created from new material—and these duplicates seemed to remember your

whole life—then this outcome may preserve what matters in your survival. That is, this outcome would not be just about as bad as death ordinarily is. Rather, this outcome would be just about as good as continuing to live ordinarily is. When we want to continue to live, what we want is something that would be satisfied by this outcome.¹ In anticipating such an outcome, one should anticipate the two lives that will be led by one's duplicates. One might *make plans* for what to do upon waking up, and one might *look forward* to some of the good experiences ahead. One should not anticipate it the way one would anticipate death—an anticipation of no experience at all. – It has been argued that this outcome would be as good as survival, not as bad as death.² I will take this view about what matters in survival seriously and ask what lessons we could draw from it, if it were true. This view will serve as inspiration for a quite distinct view I will develop about embryos and human cells.

There are two lessons that emerge, if this view is true. One lesson I have already mentioned: that what matters to someone's well-being in whether she survives can be present in a future in which she does not survive. The same is true of *flourishing*: what matters to someone's well-being in whether she flourishes in the future can be present in a future in which she does not survive (and thus, does not flourish). You have an interest in surviving. But you also have an interest in flourishing. You may have an interest in flourishing in a particular way. Suppose you are twenty-one years old, just out of college, with a deep love of architecture. Consider the possible future in which your

¹ Perhaps there are disadvantages to having a duplicate out there. For example, a person and her duplicate might find themselves fighting over a single spouse to which each believes she is married. But this does not make the outcome *like death*; it just makes it a somewhat worse future than other futures that would also preserve what matters in survival.

² Derek Parfit, *Reasons and Persons*, Part III (1984).

body is scanned and destroyed and then two duplicates are made, who go on to live fulfilling lives as architects in distant countries. A future as an architect would be good for you; on the view we are considering, this possible future in which you do not exist, but two architects who seem to remember your life do exist, is good for you in much the same way: it satisfies your interest in flourishing as an architect.

There are moral upshots to these lessons. We have weighty reasons not to cause people's deaths, and not to allow others to cause people's deaths. Furthermore, if we face a choice between saving someone's life and saving someone else's arm, we generally should save the life. But in fission cases like those above—in which someone would die but duplicates of her would be created—we do not have correspondingly strong reasons to prevent the death, if this view about survival and flourishing is true. These outcomes are not bad for people in the way that death normally is, so they do not generate the same strong reasons, if this view is true.

2. What matters in the survival and flourishing of an embryo

The fission cases above involve no physical continuity, but they do involve psychological continuity. It might be thought that the lesson here—that what matters in survival and flourishing may exist in futures without survival—applies only to cases that involve psychological continuity. I will argue that the lesson may apply more generally.

Consider an embryo. It is bad for it if it dies or is destroyed. It is better for it that it survive. But it is not so great for that embryo if it survives without developing; it is much better for it to get to develop into a person. An embryo has an interest in getting to

become a person. You are I are lucky—we were once embryos, and we got to become persons. Other embryos would be benefited by also being so lucky.³

Many embryos come into existence and then die quickly. Spontaneous early miscarriages are very common. Some embryos are created in labs and then destroyed in labs in a process that removes stem cells for laboratory use. If embryos have the full moral status of persons, then there is a very serious moral reason against this practice of creating and then destroying stem cells.

If embryos have the full moral status of persons, then early miscarriages are tragedies. But some of these involve defective embryos, that could not have survived very long anyway. Perhaps these miscarriages themselves are not so bad for the embryos, though being defective may be bad for them.

There is another way that embryos sometimes go out of existence. Sometimes an embryo twins: it splits into two embryos. Sometimes these embryos both go on to become persons. When twinning occurs symmetrically, the original embryo definitely goes out of existence. To see this, let's call the original embryo A and the resulting embryos Lefty and Righty. Lefty and Righty are not the same embryo as each other. If Lefty is the same embryo as A, then Righty isn't. If Righty is the same embryo as A, then Lefty isn't. But there's nothing that could make it the case that A survives as Lefty rather than Righty, or vice versa, because the twinning was symmetric. So, when symmetric twinning occurs, the original embryo goes out of existence.

³ Note that we can separate the question of what would be good for an embryo from the question of whether an embryo has moral status. Sometimes an outcome is bad (or good) for an entity although the entity lacks moral status. For example, it's bad for the weed growing in my backyard that it be deprived of light; but the weed lacks moral status.

It has been argued⁴ that the phenomenon of symmetric twinning shows that embryos cannot have the full moral status of persons. Here is the argument:

1. When symmetric twinning occurs, an embryo goes out of existence.
2. If embryos have the moral status of persons, it is a moral tragedy whenever an embryo goes out of existence.
3. It is not—at all!—a moral tragedy when twinning occurs.

Therefore:

4. Embryos do not have the moral status of persons.

It certainly is not a moral tragedy when twinning occurs. It is true that when symmetric twinning occurs, an embryo goes out of existence. But is it true that if embryos have the moral status of persons, then it is a moral tragedy whenever an embryo goes out of existence? We have already seen that this may not be true for *persons*. This may be false of persons for two reasons: some persons' deaths are better for them (as when their futures include nothing but suffering and they want to die); and some persons' deaths occur while what matters in their survival is nevertheless preserved, as in cases of fission. I have already commented that some deaths of embryos in early miscarriages may be like the deaths of people whose futures would involve suffering; those deaths may not be bad for those fetuses. Now let us consider the ceasing-to-exist of embryos that twin.

What would be good for an ordinary embryo? As I've already said: getting to develop into a person. This would involve radical physical change, but there would be physical continuity. The cells of the embryo would divide and differentiate, dividing

⁴ By Jeff McMahan, in "Killing Embryos for Stem Cell Research," *Metaphilosophy* 2007.

further; the embryo would grow and change and develop into a fetus, then a baby, then a person.

Compare the following three futures for an embryo:

- (i) ordinary development: the embryo becomes a person
- (ii) death: the embryo dies in an early abortion
- (iii) twinning: the embryo undergoes symmetric twinning and ceases to exist; each new embryo becomes a person

Focusing on what would be good or bad for the embryo, how do these three futures compare? Is twinning more like death, or is it more like ordinary development?

Twinning seems much more like ordinary development than like death. In both twinning and ordinary development, there is physical continuity between the embryo and a future-existing person; in both cases, the embryo gives rise to a future-existing person.

Twinning seems to involve an embarrassment of riches, in terms of what in the future might be good for the embryo, rather than a future without value for the embryo: rather than giving rise to merely one person, the embryo gives rise to two. It may seem that twinning preserves what matters in survival for the embryo, and that twinning preserves what matters for the embryo in its interest in getting to develop into a person. This may be so, even though in ordinary development the embryo itself is later a person; while in twinning the embryo merely gives rise to two people.

It is good for the embryo to get to develop into a person. It is bad for the embryo to die. But twinning is not like death, one might hold; while the embryo ceases to exist in twinning, twinning is not bad for it. Rather, twinning (in a case in which both embryos go on to become persons) is just as good as getting to develop into a person, for the

embryo. If this is right, then premise 2 in the argument above is false. The phenomenon of twinning would give us no particular reason to deny that embryos have the full moral status of persons. (I think there are other reasons to deny this; but I will not discuss them here.)

3. What matters in the survival of a human cell

Reproductive technology and cloning technology have advanced to the point that we could in principle do the following thing: take a cell from an adult and create a new person out of it. That is, we could clone a person. It is possible that the right way to understand this process is that the human cell itself would *become* a person. That is, the human cell would stand to the person created in the way that an embryo stands to the later-existing person: the human cell would be an *early stage* of the person. I will assume that this is indeed what we can do: we can *turn* a human cell into a person.

As I've already mentioned, some people think that all embryos have the moral status of persons. Some people think that if this is true, it must be because embryos have the *potential* to become persons—and thus that any entity with the potential to become a person would have the moral status of a person. But then, given recent advances in technology, it would turn out that some human cells (those that could be turned into persons) have the moral status of persons.

Here is an argument that has been made against the view that embryos have moral status⁵:

⁵ By Agata Sagan and Peter Singer, in “The Moral Status of Stem Cells” *Metaphilosophy* 2007. This is my reconstruction of their argument.

1. If embryos have the moral status of persons, this is because anything with the potential to become a person has the moral status of a person.
2. Some human adults' cells have the potential to become persons.
3. Nothing morally bad happens if we do not remove one of those cells from a person and enable it to develop into a person.
4. If something has the full moral status of a person, and is not yet a person but could develop into a person, then something morally very bad happens if it does not get to develop into a person.

Therefore:

5. The human cells mentioned in 2 do not have the full moral status of persons.

Therefore:

6. It is false that anything with the potential to become a person has the moral status of a person.

Therefore:

7. Embryos do not have the moral status of persons.

As I've said, I will assume that there are some human adults' cells that have the potential to become persons. I will argue that premise 4 can be rejected.

Consider the following two possible lives for one of these cells:

- (iv) ordinary existence: come into existence as a cell of an adult human, survive as part of this human for a while; the human goes on to continue to live a normal life

- (v) extraction and personhood: be extracted from the adult human of which it has been part, and be turned into the equivalent of an embryo and then develop into a person

The first thing I want to point out is that option (iv) is very different from option (ii) above for the embryo, in which the embryo comes into existence and dies. Death for an embryo means never being able to be part, in any way, of the life of a person. If an embryo dies, it is never a person, and it is not part of a person. In the ordinary existence of a human cell, it is part of a person. That is already, one might think, a more significant and better existence than the life of an embryo that is brought into existence and then dies.

We have already seen the view that an outcome may be as good for an embryo as *getting to become a person* though in that outcome, the embryo does not get to become a person. Similarly, an outcome may be as good for a human cell as *getting to become a person* though in that outcome, the human cell does not get to become a person. It may be equally valuable to be *part of a person* as it is to *become a person*. Both outcomes involve participating in the life of a person. My claim is that outcome (v) may not be significantly better for a human cell than outcome (iv). Premise 4 of the argument can be rejected.

4. Conclusion

It is important whether human embryos have the moral status of persons. If they do, then engaging in stem cell research may be seriously morally wrong, equivalent to killing innocent people for the sake of medical research. If they do not, then failing to

engage in stem cell research is seriously morally wrong, in that it involves allowing preventable suffering without a compelling moral reason to do so.

In my view, embryos lack moral status. But we should not be too quick to dismiss the views of those who believe that embryos have the moral status of persons. Their view is not as patently absurd as the two arguments I have discussed maintain. Once we carefully examine the questions *what futures would be good for an embryo?* and *what futures would be good for a human cell?* we realize that there are plausible answers to these questions which undermine the two arguments I have examined in this paper. Even if I we are not convinced of these answers, we can see that they are *available* as responses to those arguments.