Personhood and Embryo Adoption

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Abstract

The morality of embryo adoption, or heterologous embryo transfer for rescue, remains controversial despite the issuance of Dignitas personae (2008). When evaluating such bioethical controversies, it is crucial to take account of the personal order. Personalism provides a fresh and heretofore underdeveloped perspective toward resolving this polarized issue in bioethics. I will argue that it is not discriminatory to oppose embryo adoption on the basis of the heterology between rescuer and embryo because the lack of genetic relatedness reflects a more profound lack of personal relatedness. The persons involved in embryo adoption are not meant for the bodily relationship of pregnancy because of the incommunicability of relationships that involve the total gift of the human body. From the perspective of biology, pregnancy is natural life support for the embryo. From the perspective of personhood, pregnancy is fundamentally a relationship of embodied persons, one that is irreplaceable and radically exclusive. The clinical implications of this analysis will be discussed.

Introduction

“Heterologous” means having a different relation. Heterologous embryo transfer for rescue (HETr) is the implanting of unwanted embryos conceived through in vitro fertilization (IVF) into the wombs of unrelated women willing to gestate them to birth, thereby saving them from their suspended and stored frozen existence. Such “embryo adoption” may or may not be followed by adoption after birth. I will argue that HETr is intrinsically immoral because of the import of the

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heterology between embryo and rescuer when viewed from the perspective of personhood, whereas homologous embryo transfer, and post-natal nurturance of an unrelated child (e.g., breastfeeding), are not intrinsically immoral. To appreciate these non-intuitive moral distinctions, it is necessary to review the status of 1) human beings as embodied persons, 2) the inherent relatedness of persons, and 3) the radical incommunicability of personal relationships involving the total gift of the human body.

Opposing Arguments

The morality of HETr, whether for rescue only or rescue with subsequent postnatal adoption, remains controversial, even among Catholic bioethicists docile to the Magisterium of the Church. The controversy has not been settled by the latest instruction on bioethics from the Sacred Congregation for the Doctrine of the Faith, *Dignitas personae* (2008).¹ Proponents of HETr tend to think that adoption may occur before birth and view HETr as the intrauterine equivalent of breastfeeding. Opponents of HETr tend to think that procreation continues after conception and view HETr as violating the goods of marriage and *Humane vitae's* teaching on the inseparability of the unitive and procreative meanings of the marital act. Proponents stress the life and death stakes with embryo rescue and consider the means concordant with the good end. Opponents argue that the end does not justify the means and view the object of the moral act of HETr as intrinsically disordered.

The arguments on both sides of the HETr debate have strengths and weaknesses. The arguments for HETr have the merit of bringing attention to the value of the human person present from the moment of conception, that person's right to life, and the violation of human dignity associated with placing embryos in frozen storage. Yet the arguments for HETr do not seem to fully engage the personal meaning of the human body and are vulnerable to the charge of biological reductionism. The arguments against HETr bring attention to the value of marriage and the natural continuum of procreation and pregnancy to social parenthood. Yet the arguments against it do not seem to adequately distinguish procreation from gestation and are vulnerable to the charge of caring more about the marital covenant than the life of the embryo. Ironically, opponents of HETr may be viewed as being insensitive to the life of the embryonic person, as are pro-choice advocates, whereas proponents of HETr may be viewed as being complicit with the immoral in vitro fertilization industry.

Is Personhood Decisive?

Given the absence of a definitive verdict from the Magisterium on HETr and the ongoing polarized arguments, "new routes into the ques-

tion are called for ... as newcomers and veterans of the debate alike begin to challenge the terms on which the conversation has settled.”² Aware that a person exists from the moment of conception, Fr. Peter Ryan properly notes that “vindicating the claim that HET [for rescue] is intrinsically wrong requires not so much an expansion of the meaning of “procreation” but an independent argument.”³ I assert that a “new route” can be found and an “independent argument” made with regard to embryo adoption by turning to that distinctive contribution of the Catholic Church to philosophical anthropology, namely, the notion of “person.” According to Karol Wojtyla, “the personal order is the only proper plane for all debate on matters of sexual morality.”⁴ By extension, the personal order is also the only proper plane for all debate on matters of bioethics. Surprisingly, the personalist perspective has not been adequately developed in the literature on embryo adoption. When such a perspective is applied to the debate on embryo adoption, a new reason for opposing HETr on the basis of heterology or lack of relatedness is discerned, despite the fact that opposing HETr for this reason has been characterized by one bioethicist as ugly, discriminatory, and unacceptable.⁵

The rescuer in HETr is not the genetic mother of the transferred embryo. A key issue is whether or not this lack of relation between rescuer and embryo determines HETr as a moral act. If *who* is transferred *to whom* is a mere circumstance of the objective act—which is transfer and nurturance of the embryo resulting in pregnancy of the rescuer—HETr should be morally equivalent to *homologous* embryo transfer for rescue by a woman who has repudiated in vitro fertilization as immoral and seeks to rescue her own embryos. A mother rescuing her own embryos does not seem *intrinsically* wrong. Certainly the circumstance of the embryo’s extracorporeal status does not appear morally decisive. In the hypothetical case of an embryo being removed from its mother’s womb for microsurgery, restoring the extracorporeal embryo to her body after surgery seems morally acceptable. On the other hand, homologous embryo transfer would be wrong as the second phase of the act of which the first phase is in vitro fertilization. Accordingly, if rescuing one’s own embryo may be permissible, and nurturing another’s child after birth is permissible, rescuing and nurturing *another’s embryo* should be permissible. At the very least, the lack of relatedness as a circumstantial factor should not render HETr *intrinsically* wrong.⁶ On the other hand, if lack of relation somehow specifies the objective act itself, HETr precisely as *unrelated* embryo transfer and nurturance would affect the moral species of the act, in which case it could be decisive for rendering HETr intrinsically immoral. It will be shown that that lack of relation does indeed render HETr intrinsically immoral, not because of genetics per se, but because *who* is transferred into *whom* is a specifying circumstance of the objective act of transfer and nurturance of the embryo. The full significance and import of *who* is involved in HETr requires an analysis of personhood.

Personhood and Nature

According to the definition of Boethius, a person is “an individual substance of a rational nature.”⁷ According to Aquinas, there are three aspects to an individual substance: 1) the generic and specific nature, 2) the nature’s mode of existence, and 3) the principle whence arises the mode of existence.⁸ In the Boethian definition, “rational” specifies the nature and “individual” is the mode of existence. For a human person, the principle of the individual mode of existence is individual matter, the actual and determinate matter informed by the rational soul and constituting a given individual human being. The individual matter is something that cannot be shared in common and therefore is not definable.⁹ Even twins with identical genetics do not share the same physical body.

It has been noted that the Boethian definition is insufficient for capturing the radical distinction between “something” and “somebody.”¹⁰ Individualized matter, even when linked to the order of rational substances, is a principle that remains on the plane of nature, or what a being is. Material genetic identity can (usually) distinguish one body from another, but cannot capture the unique and ineffable identity of an individual body whose form is a rational or spiritual soul. Yet Boethius, by including “individual” in the definition of person, was aware that a person is not just an idea or mental construct, but a mode of actual existence.

Richard of St. Victor, to better convey that what is individual or unique about a person cannot be reduced to a part of nature, offered a refined definition of person: “an individual existence of a rational nature.”¹¹ With this definition, personhood is located squarely on the plane of existence, not just that of essence or substance. Furthermore, individual existence for Richard of St. Victor means *incommunicable* existence, a refinement that deepens the notion of individuality.¹² Incommunicability is a key attribute of personhood and refers to that which is not general or capable of being shared.¹³ Unlike a mere individual, an incommunicable person cannot be an instance of a kind.¹⁴ The last existing human being would be ontologically unique, but still one instance of human nature. Beyond ontological uniqueness, a person is like its own form of existence, so radically its own that its ceasing to exist would leave “a kind of irreparable metaphysical hole.”¹⁵ There is a mysterious and elusive “infinity” about a person, an “inability to be relativized” even in the presence of other persons and indicative of a person’s spiritual nature.¹⁶ A person subsists in its nature, but cannot be reduced to that nature.¹⁷ A human being possesses a unique body, but a human person cannot be reduced to his or her body. A person simultaneously integrates and transcends his nature, possessing his nature from within and thereby freely actualizing himself as a person.¹⁸ A person can be recognized, not cognized. A person’s name is a designation, not a connotation. A person is “a certain fullness and intensity of concrete existence,” that which is “most perfect in all nature.”¹⁹

Person and nature are not the same and are not separate. “Who” a human person is refers to identity, and “what” a person is refers to nature; yet identity does not exist apart from nature, namely, body and soul. There is no dualism of person and nature. The body is a constitutive principle of the human person as an actually existing subject; it is not a substance distinct from the person. It is part of that nature possessed and exercised by the human person. Although a human person has a body, all living bodies are not persons. Adam encountered many living bodies in the garden, but when he encountered Eve’s body he recognized her as a “body amongst bodies,” as a body finally expressing another person, marking the end of his original solitude as a person.²⁰

Any proper moral evaluation of HETr must take into account the fact that “in the body and through the body, one touches the person himself in his concrete reality.”²¹ The two living human bodies involved in HETr express two persons, therefore the order and dignity of persons is at stake. Only persons through their potency for self-possession and self-determination are capable of a radically new activity: moral acting in response to value.²² Only persons are capable of moral behavior. It is the unique moral vocation of persons that constitutes their peculiar dignity as persons. Moral actions must, in turn, correspond to the dignity of persons. Arguably the best definition of personhood is offered by Aquinas: an individual substance “distinct by reason of dignity.”²³ Eternal death is worse than biological death for persons, which is why there is a struggle to determine what is the *moral* thing to do about frozen human embryos, who also possess the dignity of persons.

Personhood and Relatedness

There is more to a person than an incommunicable existential identity. Persons are fundamentally *relational*. Persons are from persons and for persons. The interpersonal belongs to the perfection of personhood.²⁴ According to Cardinal Ratzinger, theological reflection on personhood has elevated the status of relation to a “third specific fundamental category between substance and accident,” offering yet another definition of personhood: “the event or being of relativity.”²⁵ Cardinal Ratzinger astutely read the history of Christology as a battle to avoid reducing person to nature, although he seemingly went to the other extreme of reducing person to pure relation. A human person has a singular ontological identity irreducible to relation. Only the Triune Persons are purely relational. A more balanced approach is that of W. Norris Clark, who described a person as a “living synthesis of substantiality and relationality.”²⁶ A person is self-conscious and self-determining in the substantial pole of its being, and self-communicative and other-receptive in the relational pole of its being. A person is *substance-in-relation*.²⁷ A person’s relatedness to other persons is therefore not a circumstance or accident of his personhood, something incidental to who he is, but a constitutive element of his very identity—a fact of cru-

cial significance for evaluating the morality of HETr. The association of identity and relatedness is reflected on the natural or material level by the fact that genetics can not only identify a given human being, but also that individual's relations, as with paternity testing. Yet one cannot deduce the import of personhood and personal relatedness from genetics. According to Cardinal Ratzinger, the only way the concept of "person" dawned on the human mind was through the struggle to interpret the figure of Jesus of Nazareth; that is, through theological reflection upon the mystery of the Incarnation.²⁸

Genetic identity and relatedness is actually a mere shadow of the unique and ineffable identity and relatedness of persons. The body cannot fully express such radical individuality and relational exclusivity, which is why HETr is biologically possible. Even the most divergent human bodies are recognizably human, yet even the most similar human bodies express unique persons. Identical twins share the same genetics, but are distinct as persons. Siamese twins actually share part of the same body, but this does not lessen their distinct identity as persons.

The insufficiency of the body for expressing the radical individuality of personhood is evident in early embryogenesis, when the very individuality of the body appears unstable. Yet the phenomenon of non-procreative conception, whether artificial cloning or natural cloning (e.g., twinning), is not an obstacle to acknowledging a distinct person from the moment of conception because individuation is not synonymous with indivisibility, otherwise asexual reproduction could not be said to proceed from an individual.²⁹ Very early human individuals develop to indivisibility. The totipotency or pluripotency of cells separated from such an individual with a natural exigency to grow and develop in another life system animated by a new soul reflects early divisibility, which is a potency, not actual division, which is an act.³⁰ After early division, either the first individual dies and two new individuals arise, or, more likely, one of the two is the first individual, since cell division is truly replication, not annihilation.³¹

The insufficiency of the human body for expressing personhood is most evident in those anomalies of development in which there is doubt as to whether or not a human body is even present, which is a *sine qua non* for human personhood. Parthenotes, hydatiform moles, teratomas, and chimeras all have some appearance of human development. Although a full treatment of this subject is beyond the scope of this essay, a few comments are in order. Philosophically, the identity of such entities is not based solely upon cellular analysis, but on formal organization and consequent behavior. A parthenote lacking totipotency would not be human. Teratomas and hydatiform moles are human tissues, not human beings. As for chimeras, subhuman animal genes or cells added to a human being would be subsumed by the substantial form or soul organizing and developing that individual. To change the substantial

reality of a human being, a “global reconstitution of the entire organism” would be required.³²

Despite the insufficiency of the human body for expressing personhood, the body is nonetheless the “ground” of the human person, part of “what” a person is and integral to the person’s relatedness. Given the actual inseparability of person and nature, the living human body is the exclusive medium through which the human person is actualized and relates to other persons. In turn, nature is stamped or marked by the existential incommunicability of the person. This means that even the bodies of persons and the relatedness of bodies have an *essential incommunicability*, extending to the level of individualized nature and partly reflected by genetics, albeit irreducible to genetics. It is as if each human being “is a sub-species of humanity.”³³ In a sense, *what* a person is becomes radically individualized by *who* the person is. Existential incommunicability becomes actualized and expressed through essential incommunicability.

Relatedness, as a constitutive element of persons, is determined by the essential incommunicability of the embodied person and, to some extent, determines it. Persons are from certain other persons and for certain persons. Recall that incommunicability is the premier attribute of persons and refers to that which cannot be shared. An incommunicable being has a certain metaphysical absoluteness and so cannot just instantiate a type.³⁴ In general, as incommunicability increases, so does relational exclusivity. There are certain relationships that are incommunicable and exclusive as relationships. The relationship between husband and wife is one such relationship that invokes the radical exclusivity of personhood. The love between husband and wife cannot be reduced to the love of spousal attributes, or to an instance of matrimonial love as a type. Love for a spouse is to the exclusion of all other persons and involves the essential incommunicability of persons; such love is inseparable from the *bodies* expressing the spouse-persons. Their interpersonal relatedness is expressed through an exclusive physical relatedness. In contrast, respect for the dignity of persons in general appears to be related to their existential incommunicability, not their particular bodies.³⁵ The point is that there are incommunicable interpersonal *bodily relationships*.

Which relationships are inherently incommunicable? The answer is those relationships that engage or mobilize the entire embodied person. Given the actual inseparability of person and nature and the essential incommunicability of the body, those relationships that involve the total gift of the body-person are themselves incommunicable and therefore exclusive. The exclusivity of such relatedness is *imperfectly* reflected on the level of the body by the antigen-antibody reaction when one human being is exposed to another’s antigens. The immune system distinguishes self from non-self. Allogenic organ transplant requires immunosuppressant medication to attenuate the recipient’s immune

response to non-self somatic cells, thereby preventing organ rejection. Conversely, graft-versus-host disease is a common complication of bone marrow transplant and involves functional immune cells in the transplanted marrow not recognizing the recipient as self and mounting an immunologic attack. On the other hand, seminal fluid contains a mild immunosuppressant, which facilitates a woman's body recognizing the male seed as self and the "two-in-one-flesh" intimacy of the marital act.³⁶ Furthermore, "the immune system makes a permanent record of the hormones of the partner. They literally become one flesh for life."³⁷ On the biological plane, immunology is the dynamic equivalent of genetics with regard to identity and relatedness.

It is consistent with the dignity of human persons that interpersonal bodily relationships be exclusive. Personal dignity is not diminished by such exclusivity, but actualized and expressed by it. As a person is one, total personal relatedness is one. A person is not a commodity to be shared by other persons, a means to an end, an object to be used, or a possession to be owned. *Persons are not substitutable.*

Husband and wife are not substitutable, reflecting the incommunicability of interpersonal bodily relatedness in marriage. Marriage is exclusive and cannot be shared with other persons. It cannot be made an instance of a kind through divorce and re-marriage. The relatedness of spouses remains even if the responsibilities of marriage are abandoned. Similarly, the relatedness of genetic mother to her embryo remains, even if she abandons her maternal role. A person may abandon a role, but not a relation.

It appears that the exclusivity and totality of love is based in man's embodied personhood, and actualized by the total gift of the body within an incommunicable interpersonal relationship, whereas the inclusivity and universality of the call to love is based in man's common spiritual nature and ensouled personhood, and actualized by charity for one's neighbor. There is a paradoxical character to human love as both limited and limitless that is part of its mystery. One may lay down one's life for a neighbor, but not give one's body to a neighbor.

A person, as both essentially incommunicable and relational, is oriented to other essentially incommunicable persons. A person's identity is expressed by the body and affects *with whom* that body relates. More mysteriously, given the actual inseparability of person and nature, the incommunicable relatedness of bodies is partly constitutive of who the person is. The incommunicable identity of persons and the person's capacity for incommunicable relatedness are therefore both expressed by the body and partly constituted by the body, although not reducible to the body. The human person's identity and relatedness is reflected by genetics, although genetics cannot in the physical order even adequately express individual matter, as in the case of identical twins, much less the essential and existential incommunicability of persons. "Who" a person is affects "what" he is, and "what" he is affects "who" he is.

Personhood and Embryo Adoption

How does all of this apply to embryo adoption? The human embryo is decidedly a human being. I have previously argued that a human being must be a person from the moment of conception.³⁸ The gist of this argument is as follows: 1) the soul is the form of the body, which makes the body what it is; 2) a human being must have a rational or spiritual soul; and 3) a person is an individual substance of a rational nature; therefore, a human being with a rational soul is a person. The Council of Vienne (1311–1312) declared that the rational or spiritual soul is the form of the human body “in itself and essentially.”³⁹ A theoretical non-personal human embryo would not be formally human as it would not have a rational soul, yet science recognizes the presence of a human being with its unique genetic identity and individual body (identical twins are corporeally distinct) from the moment of conception. The inseparability of human personhood and human nature at every stage of development has been trenchantly expressed by Archbishop Luis Ladaria, Secretary of the Congregation for the Doctrine of the Faith: “If it is a human, it is always a person.”⁴⁰ Accordingly, pregnancy is fundamentally *a relationship of persons*. It is the only interpersonal human relationship in which one person’s body is entirely inside another person’s body. As described by Nicholas Tonti-Filippini, “pregnancy is, in itself, a union between mother and child. The child is essentially *of her*, not only located within her, but bound essentially, vitally to her.”⁴¹

In the order of embodied persons, to be “in” the body means being “of” the body. Analogously, incorporation into the Body of Christ requires baptism, a spiritual rebirth by which one becomes related to Christ. In pregnancy, the embryo who is “of” the mother is incorporated “in” the mother, who gives her body and person totally. As such, pregnancy invokes the incommunicable exclusivity of interpersonal bodily relationships. The bodies involved in HETr are biologically and essentially unrelated. The rescuer, despite the best of intentions, enters into a bodily relationship with an embryo that is meant only for its mother, who can never be reduced to just the “genetic” mother. In the order of persons, who is pregnant with whom matters. The mother’s body and being are meant for her child, and vice versa. HETr is not ultimately wrong because the genetics are wrong, but because the bodies involved express unique persons who are not meant for the total embodied union of pregnancy. The body may be distinguished from the person, but not divided from the person. It belongs to the dignity and relatedness of the embryo as person to be only “in” the body “of” whom it was engendered.

In condemning surrogacy, *Donum vitae* refers to the dignity and right of the child to be “carried in the womb” of its mother.⁴² Surrogacy is bearing a child who is not one’s own on another’s behalf. HETr is bearing a child who is not one’s own on the child’s behalf. What is biologically possible with human bodies is not always permissible with human persons. “Pregnancy signals and embodies a unique and exclusive rela-

tional bond between mother and child.”⁴³ This is not because pregnancy is “the ontological extension of the conjugal union of husband and wife;” rather, it is a *new* embodied union between mother and child analogous in its exclusivity to the total embodied giving of the marital union, to which it is essentially and incommunicably oriented.⁴⁴

The actual inseparability of nature and person and the incommunicable relatedness of embodied persons help to explain why certain other actions invoking the procreative powers are pathological. In contraception, two persons are united bodily, but the procreative nature of one or both has been neutralized or destroyed. There is an artificial separation of person from nature. In vitro fertilization involves the union of two parts of human nature without the union of persons, another deliberate separation of person and nature. Adultery involves the union of two bodies, at least one of whom is actually bonded to another person by a total mutual self-gift *as persons*, the personal gift having been subsequently sealed and made essentially incommunicable by the bodily union. A competing essential incommunicable relatedness is established in adultery without the existential relatedness of persons marked by permanent vow and complete self-gift. There is a mismatch of embodied persons, a violation of the incommunicable existential and essential relatedness of husband and wife, analogous to the mismatch of embodied persons with HETr.

The identity of the embryo and the rescuer and their lack of relation is a *specifying circumstance* of the act of embryo transfer and uterine nurturance. A specifying circumstance is a circumstance that changes the moral species of an objective act.⁴⁵ The personal heterology of embryo and rescuer is a circumstance that renders HETr a different moral species from homologous embryo transfer for rescue. Instead of just choosing between a bad object and a good end when judging the morality of embryo adoption, the perspective of personhood shines the spotlight on the third component of moral acts, namely, the circumstances. It is the special and specifying circumstance of interpersonal lack of relation that appears decisive for rendering the object of HETr intrinsically immoral.

Embryo Adoption and Theology

Any discussion of persons and relatedness necessarily evokes the origin and archetype of personhood: The Most Holy Trinity. Pregnancy is the human state most analogous to the Blessed Trinity in the sense that different persons are united in being or share a nature; nature does not seemingly distinguish the persons. “It is only in the body of the woman, in the created order, where presence to self and presence to others become one.”⁴⁶ In the Trinity, each Person’s identity is distinguished exclusively by relation to the other Persons—not by nature. Identity and relation are one. Pregnancy images this profound relationship of persons in nature. *Who* is pregnant with *whom* cannot be

reduced to natural capacity, but must reflect the order of interpersonal relationships. Personhood is not merely circumstantial or incidental to pregnancy, but specifying and determinative.

The Incarnation began through a unique and unrepeatable embodied union of a divine Person and a human person. The Second Person of the Trinity chose a particular *person* “in” whom and “of” whom to become incarnate, not just a body. Mary was chosen out of all human persons ever created to be the Mother of God. Indeed, the Council of Ephesus in 431 upheld Mary’s right to the title Mother of God because she was not mother of a nature, but of a *person*, bearing not a human person, but a Divine Person. Conversely, Christ was not the son of a nature, but of an irreplaceable person. Mary’s womb was meant only for Christ. The personal order was decisive for the most incommunicable and exclusive pregnancy of all time.

Clinical Implications

The crux of this analysis of embryo adoption from the perspective of personhood is that it matters morally to whom one gives one’s body, whether in the procreative act or in the gestational act. One implication of this personalist analysis is that the object of HETr is intrinsically immoral. HETr should be opposed by clinicians with the same consistency and vigor given to opposing its progenitor: in vitro fertilization. The good end of rescue cannot justify the bad means of heterologous transfer and nurturance. Although such a conclusion may not be intuitive, it proceeds from and safeguards the order of persons. For many people the proscription against using contraception to prevent HIV is also not intuitive, but ultimately preserves the crucial value of what may and may not occur with regard to the total gift of the embodied person.

Another implication of the analysis of embryo adoption from the personalist perspective is that *homologous* embryo transfer and nurturance does not appear to be intrinsically immoral. If such transfer is undertaken not to complete the project of in vitro fertilization but as a new act of rescue by parents who decline further formal cooperation with immoral artificial reproductive technologies, it would not appear to violate the personal order in that it involves the total embodied union of a mother with her *own* child. This is not to say that it is manifestly licit. Circumstances such as risk, injustice related to preferential selection of embryos, material cooperation with IVF clinics, and scandal may still contravene the practice. Although such an analysis is beyond the scope of this essay, it highlights the caution necessary when dealing with complex actions affecting the dignity of human persons.

A final implication of the personalist analysis of embryo adoption is that transferring the embryo to an animal or artificial womb would also violate the embryo as person.⁴⁷ Animals and machines are sub-personal. If pregnancy is essentially life support, such environments

could be licit. If, as argued here, pregnancy is essentially a relationship of embodied persons, an animal or machine cannot replace what is fundamentally interpersonal. Being gestated is not an optional stage of existence for human persons.

Whether it is transfer to the wrong person (HETr) or a non-person (animal, artificial womb), or maintenance outside the person of its mother (frozen storage), the embryo as person may not be deprived of “maternal shelter and gestation.”⁴⁸ What science has put asunder (procreation and pregnancy), science may not be able to join. From a clinical perspective, the “absurd fate” referred to by *Donum vitae* of embryos who cannot licitly be transferred to their mother’s womb would appear to be death following release from frozen storage: miscarriages of impersonal science.⁴⁹ As with other children who have died without baptism, the Church would “entrust them to the mercy of God.”⁵⁰

Postscript

A technological and utilitarian age does wonders with bodies, but, unlike Adam before the Fall, has difficulty recognizing the order of persons expressed by bodies. Certain biotechnological practices violate this, often difficult to discern, personal order. Even the goal of saving human life, whether one’s own life or another’s life, can be done only through objectively moral acts. Personal dignity cannot be reduced to biological survival. It is not discriminatory to oppose embryo adoption on the basis of lack of relatedness; rather, it is *discriminating* what may or may not be done to human bodies, which express the ineffable identity, relatedness, and dignity of persons.

Notes

¹ Christopher Oleson, “*Dignitas personae* and the Question of Heterologous Embryo Transfer,” *Linacre Quarterly* 76 (2009): 134; Stephen Napier, “Moral Justification and Human Acts: A Reply to Christopher Oleson,” *Linacre Quarterly* 76 (2009): 153.

² Darlene Fozard Weaver, “Embryo Adoption Theologically Considered: Bodies, Adoption, and the Common Good,” in *The Ethics of Embryo Adoption and the Catholic Tradition*, eds. Sarah-Vaughan Brakman and Darlene Fozard Weaver (New York: Springer, 2010), 141.

³ Peter F. Ryan, “Our Moral Obligation to the Abandoned Embryo,” in *Human Embryo Adoption: Biotechnology, Marriage and the Right to Life*, eds. Rev. Thomas V. Berg and Edward J. Furton (Philadelphia, PA: The National Catholic Bioethics Center, 2006), 312.

⁴ Karol Wojtyła, *Love and Responsibility*, rev. ed. (1960; New York: Farrar, Strauss and Giroux, 1981), 18.

⁵ Napier, “Moral Justification and Human Acts,” 160.

⁶ Ryan, "Our Moral Obligation to the Abandoned Embryo," 303.

⁷ Boethius, "Contra Eutychen et Nestorium," in Boethius, *Theological Tractates, The Consolation of Philosophy*, trans. H.F. Stewart, E.K. Rand, and S.J. Tester (Cambridge, MA: Harvard University Press, 1973), 84–85.

⁸ Thomas Aquinas, *Quaestiones disputatae De potentia Dei*, q. 9, a. 2, ad. 1, <http://dhspriority.org/thomas/QDdePotentia.htm>.

⁹ Ibid.

¹⁰ Karol Wojtyla, *The Acting Person*, trans. A. Potocki (Dordrecht, The Netherlands: D. Reidel, 1979), 73–74.

¹¹ John F. Crosby, *The Selfhood of the Human Person* (Washington, D.C.: Catholic University of America Press, 1986), 59.

¹² Ibid., 59.

¹³ Ibid., 44.

¹⁴ Ibid., 46 note 8.

¹⁵ Ibid., 61, 65.

¹⁶ Ibid., 50.

¹⁷ Thomas Aquinas, *Commentary on the Sentences of Peter Lombard*, III, d. 5, a. 3, <http://dhspriority.org/thomas/Sentences3.htm#5-1-3>.

¹⁸ Wojtyla, *The Acting Person*, 20–21, 83; S. Thomas Greenburg, *Reflections on the History of Philosophy* (Boston: Pauline Books & Media, 1988), 65.

¹⁹ Crosby, *The Selfhood of the Human Person*, 60; Aquinas, *Summa theologiae*, trans. Fathers of the English Dominican Province (1911; Westminster, MD: Christian Classics, 1981), I, q. 29, a. 3.

²⁰ John Paul II, *Man and Woman He Created Them: A Theology of the Body*, trans. Michael Waldstein (Boston: Pauline Books & Media, 2006), 151 (6:1).

²¹ John Paul II, address to the World Medical Association, October 29, 1983, <http://www.ewtn.com/library/PAPALDOC/JP2GENMP.htm>.

²² Wojtyla, *The Acting Person*, 11; Crosby, *The Selfhood of the Human Person*, 241.

²³ Aquinas, *Summa theologiae*, I, q. 29, a. 3, ad. 2.

²⁴ Crosby, *The Selfhood of the Human Person*, 292.

²⁵ Cardinal Joseph Ratzinger, "Concerning the Notion of Person in Theology," *Communio* 17 (1990): 449.

²⁶ W. Norris Clarke, *Person and Being* (Milwaukee, WI: Marquette University Press, 1993), 64.

²⁷ Ibid., 5, 17, 43, 72–73.

²⁸ Joseph Cardinal Ratzinger, *Introduction to Christianity*, trans. J.R. Foster (1968; San Francisco: Ignatius Press, 2004), 181.

²⁹ Augustine Regan, "The Human Conceptus and Personhood," *Studia Moralia* 30 (1992): 123.

³⁰ Ibid., 124.

³¹ Ibid., 123; S. Heaney, "Aquinas and the Presence of the Human Rational Soul in the Early Embryo," *Thomist* 56 (1992): 40.

³² Thomas Berg, "Human Brain Cells in Animal Brains: Philosophical and Moral Considerations," *National Catholic Bioethics Quarterly* 6 (2006): 103.

³³ Crosby, *The Selfhood of the Human Person*, 64.

³⁴ Ibid., 50.

³⁵ Ibid., 68.

³⁶ Donald DeMarco, "Can Immunology Corroborate the Two-in-One-Flesh Image of Genesis?" *Linacre Quarterly* 77 (2010): 181–181.

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³⁸ Thomas K. Nelson, "A Human Being Must Be a Person," *National Catholic Bioethics Quarterly* 7 (2007): 300–302.

³⁹ H. Denzinger, *Enchiridion Symbolorum (The Sources of Catholic Dogma)* (Fitzwilliam, NH: Loreto Publications, 1955), n. 481.

⁴⁰ As quoted in Hilary White, "If the Embryo Is Human, It Is a Person: Vatican Doctrine Official," *LifeSiteNews.com*, November 13, 2009, <http://www.lifesite-news.com/home/all-stories-on-date/2009/11/13/#if-the-embryo-is-human-it-is-a-person-vatican-doctrine-official>.

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⁴² Sacred Congregation for the Doctrine of the Faith, *Donum vitae (Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation)* (1987; Boston: Pauline Books & Media, 2003), II, n. 3.

⁴³ Tadeusz Pacholczyk, "Some Moral Contraindications to Embryo Adoption," in Berg and Furton, *Human Embryo Adoption*, 43.

⁴⁴ Catherine Althaus, "Human Embryo Transfer and the Theology of the Body," in Brakman and Fozard, *The Ethics of Embryo Adoption and the Catholic Tradition*, 51.

⁴⁵ Austin Fagothey, *Right and Reason*, 2nd ed. (1959; Rockford, IL: Tan Books and Publishers, 2000), 150.

⁴⁶ Althaus, "Human Embryo Transfer and the Theology of the Body," 60.

⁴⁷ Congregation for the Doctrine of the Faith, *Donum vitae*, I, n. 6.

⁴⁸ Ibid.

⁴⁹ Ibid., I, n. 5.

⁵⁰ *Catechism of the Catholic Church*, 2nd ed. (Washington, D.C.: United States Catholic Conference, 1997), n. 1261.