

Table 3-3 The Beginning of Moral Personhood

Transition Point	Underlying Philosophical Rationale
Preconception	Transmigration of souls. Reincarnation—the personal identity (soul) exists before and independent of embodiment.
Conception	Identification of personal identity and/or potentiality with genetic integrity.
Conception + 14 days	Past twinning limit; assumes that individuation of soul, identity, or life is established once genetic integrity is firm.
Implantation	Acknowledges the high frequency of spontaneous abortions before this stage; thus, individual identity or potentiality is tied to the <i>probability</i> of live birth.
Organ function	The beginning of "life" is sometimes dated from the initiation of the functioning of certain key organs, such as the heart or the brain. This is an attempt to make the criterion of the beginning of life parallel to the operational criterion of death.
Quickening	Reflects the ancient view that the fetus was inert matter until a certain point and then it "came alive." The change was usually ascribed to ensoulment (see next item).
Ensoulment	Infusion into the fetus of a soul.
Viability	Emphasizes the possibility of independence as the identifying feature of a person.
Birth	Emphasizes actual independence as the crucial feature of membership in the moral community.
"Personhood"	Usually correlated with certain landmarks in mental and social development, such as a concept of self. Usually based on an analysis of rights.

Reproduced from G. C. Graber, A. D. Beasley, and J. A. Eaddy, *Ethical Analysis of Clinical Medicine: A Guide to Self-Evaluation* (Baltimore: Urban & Schwarzenberg, 1985), 197.

I am convinced that applying this reasoning to the various decisions that might arise leads to a sensitive and morally serious approach.

All the parties affected by choices ought to have some significant voice in decisions, and all parties should take into account the special respect owed to these entities at every stage. In addition, special precautions should be taken if there is a possibility that the entities are to be implanted and allowed to develop. For example, surrogacy contracts ought not to be regarded as indistinguishable from, for example, a contract that a woman might enter into to keep some piece of property in trust for a period of time. In addition to fiduciary duties to the contracting parties, the surrogate mother has special obligations of due care to protect the life that, it is hoped, will result. However, if her life or health were threatened from continuing the pregnancy, it would be unreasonable to expect her to jeopardize her future in order to continue the process. Thus, she would retain her right to abortion in this sort of situation. The legal right to elective

tion might re
 ighty (e.g., the
 contracting partie
 cases for fair
 Surrogacy arra
 at we are not
 entity that m
 tions in the g
 ough agreeem
 Several not
 common are
 to be inv
 ough discu
 ements negot
 may be too mu
 not immediat
 e taken into ac
 ch our thinkin
 o heavy-hand
 at have a reac
 tistic to thrus
 for dealing w
 of sorting thr
 ed human di
 an that max
 ing moral q
 e a moral la
 be filled in t
 as

his chapter, C
 part of the cr
 options are a
 serious ethica
 and the ne
 r uses ethica
 nity.
 tion to comp
 gy also cre
 The chapter
 attitudes to
 offspring or r
 tive technol
 will require
 ough ethica