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**Are those who subscribe to the view that early embryos are persons irrational and inconsistent? A reply to Brock**

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## **Are those who subscribe to the view that early embryos are persons irrational and inconsistent? A reply to Brock**

**Abstract.** Dan Brock has asserted that those who claim that the early embryo has full moral status are not consistent, and that the rationality of such a position is dubious when it is adopted from a religious perspective. I argue that both claims are flawed. Starting with the latter claim, I argue that Brock has provided no argument why the religious position should be less rational than the secular position, and that this claim is grounded in Brock's absolutist position, which I reject. With regard to the former claim, I argue that those who hold the view that the early embryo has full moral status can be consistent even if they do not oppose sexual reproduction, even if they do not grieve as much over the loss of embryos as over the loss of other humans, even if they prefer to save one child instead of 100 embryos in the event of fire, and even if they do not accept racism and sexism.

### **INTRODUCTION**

In a recent paper Dan Brock identifies two obstacles to human embryonic stem cell research, neither of which he believes 'survives critical scrutiny': firstly, that such research depends on the unjustifiable destruction of embryos; and secondly, that cloning by means of somatic cell nuclear transfer techniques is immoral.[1] In this paper, I address two claims made by Brock to undermine the first obstacle: that those who hold the view that the early embryo has full moral or full personhood status (henceforth: the F view) are not only inconsistent, but also, when they adopt such a position from a non-secular perspective, 'largely impervious to ... rational argument'.[2]

The latter claim will be addressed first. Brock contrasts his own 'secular' position with the position of those for whom 'the belief that human embryos are full human persons is a religious dogma'. Brock expects that only those who hold 'this belief in its secular forms' can be persuaded by 'the arguments' he presents to 'challenge' the 'belief' that human embryos are full persons. This is so because Brock asserts that the religious position 'does not rest on, and so is largely impervious to, rational argument'.[3]

## INTERNAL AND EXTERNAL RATIONALITY

In order to evaluate this claim, we must distinguish between internal and external rationality. With internal rationality I mean consistency. For example, if someone claims that adult human life is precious, but regularly engages in killing adults for trivial reasons, then we can say that such a person is not consistent with their proclaimed value that adult human life is precious. The inconsistency could either result from a failure to live in accordance with one's values, or from a misunderstanding of what one's values are. With internal rationality, what counts as rational and irrational can be decided impartially. Provided that those who engage in a debate accept the importance of consistency, all parties should, in principle, be as open towards the possibility of finding inconsistencies in their own views as in the views of others. For example, someone who accepts the rules of mathematics and denies that two and two make four should be open to the charge of irrationality.

External rationality is the domain of value theory. Natural law theory, for example, is a value theory which holds that there are basic human goods, and that the most important objective of ethical theory is to establish what these goods are. The crucial question here is not whether a particular decision or action is consistent with one's values, but whether particular values (for example consistency, or respect for human life) represent basic human goods. A decision or action may then be logically or internally consistent with one's values, but not be good when evaluated in the light of such a theory of the human good. For example, I could claim that someone who regularly kills adult humans for trivial reasons because he or she does not believe that human life is precious is consistent or internally rational, but lacks an adequate appreciation of what I may consider to be a fundamental human value: the preservation of human life. I could then claim that someone who does not value the preservation of adult human life to the same extent as I do is irrational. However, the same claim could be made by the person who does not have an interest in the preservation of adult human life. He or she could argue, in reverse, that I have an inadequate appreciation of fundamental human goods, for example an interest in killing adult humans, and that I am therefore irrational. The question must be asked, though, if it is still appropriate to use the words 'rational' and 'irrational' here, precisely because a common framework on which to judge what counts as rational and irrational is lacking. Since appeals to rationality are most commonly understood

in terms of appeals to internal consistency (where the assumption is that all partners in the debate consider consistency to be a virtue), the question must be asked if it is appropriate to say that a particular view either is or is not rational when that view is evaluated as more or less rational in relation to one's own view of some human good other than the shared good of consistency. In response to this, three answers might be given. One reply is adopted by those who support moral absolutism. This is the doctrine that, when two or more parties involved in a moral debate experience a value conflict, it is appropriate to decide which of the parties has the rational, or more rational perspective. A different response is adopted by those who support moral relativism. This is the doctrine that no party can be either more or less rational than any other party (as the belief that there are values which all people should adopt is rejected). Both responses are dogmatic, since they make universal claims. The former doctrine asserts that it is always possible to access a common framework against which it becomes clear whose values are the more rational. The latter doctrine does not tolerate the possibility that there might be such a framework. A third, non-dogmatic response is Pyrrhonian moral scepticism, the position which I favour.<sup>[4]</sup> Pyrrhonian moral scepticism maintains the absolutist's conviction that one party may well be more rational than another, but refuses to make the claim that those with different values are irrational. When two incommensurable value systems conflict, the response of the Pyrrhonian sceptic is neither to claim that one is more rational than the other (as the moral absolutist would do) nor to claim that both are equally rational (as the moral relativist would do), but to suspend judgment about which system might be more rational. Parties with incommensurable value systems cannot make impartial decisions – that is, decisions that should be accepted by both parties – about what counts as rational, since their definitions of what counts as rational are mutually exclusive. This need not exclude the possibility that the parties might come to a shared value system after discussion. As a Pyrrhonian sceptic, I try to appreciate the fact that I do not know what it means to be someone else, and therefore that I cannot claim that what I perceive as the human good should also be perceived as the human good by someone else. This need not result in the abandonment of the view that there are fundamental human goods. I may hold on to the view that there are goods that should be valued by everyone, but should recognise at the same time that I am not in a position to claim that someone with different ideas about what these goods are, is irrational. While I do not endorse a subjectivist moral theory where there are no

fundamental human goods (but only individual goods), neither do I claim to know that those who have a different view from my own about what these goods are, are irrational period. This distinction between internal and external rationality will be relevant to evaluate Brock's claim that only those who ascribe to the F view from a religious position are 'largely impervious to ... rational argument'.[4]

### **ARE THOSE WHO ASCRIBE TO THE F VIEW FROM A RELIGIOUS PERSPECTIVE IRRATIONAL?**

A first problem with this assertion is why this should only be the case for those who make this claim from a religious perspective. The claim that God decides that early embryos have full moral status (and tells me so) is neither more nor less rational than the claim that I decide that early embryos have such status. Surely, for those who find such a view problematic, the question of which person states such a view, whether it is God or someone else, should not matter. If their concern is with the moral claim of such a position (the claim that embryos have full moral status), their concern should stand (irrespective of the question of which person might make such a claim). If their concern is with belief in God, nothing is yet decided about the validity of their moral claim. They might simply disagree with those who claim that God exists, and therefore conclude that those who claim to argue from 'religious dogma' in fact simply argue from their own, personal dogma. Yet, in that case, while those who argue from a religious perspective might be held to be confused or mistaken about the source of their moral views, nothing has yet been decided about the validity of their views. Therefore, Brock has failed to establish why only those who ascribe to such a position from a religious perspective, not those who cherish 'this belief in its secular forms', would be 'largely impervious to ... rational argument'.[5]

Secondly, Brock's use of the words 'rational argument' suggests that what he criticises is the internal rationality of those who subscribe to this view. This is so because the domain of external rationality is not the domain of arguments, but the domain of values which are simply assumed to be either rational or irrational by those who subscribe to them. The problem, however, is that Brock provides no argument against the internal consistency of those who hold the F view from a religious perspective. To substantiate his claim, Brock could have provided a justification for why he might believe that only religious people are prone to particular

inconsistencies. Yet no such argument is provided. Indeed, all his arguments related to the internal consistency of the F view are addressed against those who subscribe to this view 'in its secular forms'.<sup>[6]</sup> This excludes, therefore, the possibility of Brock thinking that only those who hold the F view from a religious perspective would be inconsistent. In the second part of this paper, I shall argue, however, that Brock's charges of inconsistency are flawed.

Thirdly, if the position of those who subscribe to the F view from a religious perspective cannot be distinguished from secular perspectives on the basis of the criterion of internal irrationality, the distinguishing feature must be sought in the external rationality of such a position. Presumably, this is because Brock thinks that those who support the F view because they think that mere species membership is sufficient for personhood are less 'impervious' to reason than those who support the same view because God has told them that mere species membership is sufficient. Yet, as mentioned before, to assess the normative claim of such a view, the question of which person states such a view should be irrelevant. Therefore, Brock has failed to establish why only those who subscribe to the F view from a religious perspective would be 'largely impervious to' reason. Incidentally, if 'being dogmatic' in the negative sense of the word 'dogmatic' includes judging someone's views on the basis of one's like or dislike of the person stating those views or of the group which that person is thought to belong to, then it is Brock, rather than those who subscribe to the F view from 'religious dogma', who is being dogmatic. This must be concluded since Brock does not claim that the F view *per se* is 'largely impervious to ... rational argument', but that it only is when adopted by those with non-secular premises.<sup>[7]</sup> If we now assess the external rationality of the F view in general, it must be concluded that Brock's critique is valid, yet only for those who share Brock's premise that it is the possession of certain properties that are not possessed by early embryos which matters morally, rather than either their own or God's premise. Yet, rather than claim that the F view is 'largely impervious to ... rational argument', a Pyrrhonian sceptic might make the more humble claim that such a view is 'largely impervious to' his or her perspective of what is rational.<sup>[8]</sup> Brock, however, is convinced that only those who share his premise, or can be 'convince(d)' by it, have the right theory of human goods.<sup>[9]</sup> While this might be true, it is not clear why Brock's view would, in contrast to the religious view, 'rest on ... rational argument'.<sup>[10]</sup> Brock acknowledges that he is not sure about what property grounds personhood status, but that 'whatever the

property(s) is ... embryos at the blastocyst stage ... lack any of the properties that have been, or might plausibly be, claimed to confer personhood'.[11] There is a clear bias, rather than a 'rational argument', underlying this statement: whatever property it is we decide on, it must not be one that applies to the early embryo. Even if Brock had committed himself to a property, for example sentience, his account would be biased, since he provides no reason why those who agree with his position should be more rational. Instead, he holds the moral absolutist position which asserts dogmatically that those who side with him on the embryo's status are more rational. Brock simply claims that rational people's intuitions about personhood exclude the possibility of including early embryos. Rather than agree with the Pyrrhonian sceptic's view that no party possesses a privileged vantage point wherefrom value conflicts can be resolved, and therefore that no party can claim to be more rational, Brock hopes that those who accept the F view 'in its secular forms' will come to see that grounding personhood status on the possession of 'some properties' that early embryos lack, rather than species membership, is more rational.[12] Brock might be right that some may shift to his perspective, but the claim that his case would, in contrast to those who argue from 'religious dogma', 'rest on ... rational argument', is problematic.[13] Brock fails to explain why only someone like himself, but not someone who subscribes to the F view from religious premises, could judge whose values are the more rational.[14]

Fourthly, Brock holds that only those who hold the F view 'in its secular forms' can be changed by his arguments and that the belief of those who hold this view 'as a matter of religious dogma ... is not subject to change by' his 'arguments'.[15] Since Brock's arguments, however, depend on the validity of the premise that the possession of certain properties should decide about personhood status - a premise which is taken for granted, rather than 'establish(ed)' by rational argument - there is no reason why only those who start from 'secular' premises might be inspired by Brock's account to reconsider their premises.[16] If the word 'dogma' is understood in terms of one's 'fundamental beliefs', Brock has failed to establish why only those with religious fundamental beliefs should be held to be incapable of change. However, if Brock's reference to 'dogma' must be interpreted in terms of a concern with 'being dogmatic' or 'dogmatic attitudes', I share Brock's concern. The word 'dogma' is then understood in terms of a belief that one's own premises are the (only) basis for discussion and that, therefore, the key to resolving value conflicts is to encourage others to accept the validity of one's own value premises. Yet, on this



interpretation, Brock provides no argument why only religious people would fall prey to such an attitude. Indeed, his own position exemplifies it, precisely because it is contrasted to a position that ‘does not rest on ... rational argument’.[17] Even those who adopt the F view from a secular perspective do not escape from this critique, as Brock does not claim that he disagrees with the basis from which they develop their views, but that they do not provide ‘any basis’.[18] This is wrong, as the basis they provide is mere ‘species membership’, rather than Brock’s basis (the possession of ‘some properties’ not possessed by early embryos).[19] If there is no impartial arbiter to judge whose values are the more rational, Brock claims unjustifiably that only the values of a particular collection of people with different values do ‘not rest on ... rational argument’.[20] If neither the F view nor Brock’s view has privileged access to reason, should we then conclude that proponents of both views are incapable of change? I do not think that such a defeatist attitude, which could mask an unwillingness to engage in debate with others, should be the inevitable outcome. While ultimate values have a certain robustness precisely because they precede rational discourse, critical examination of one’s values and value discussion with others are necessary in order to reveal whether one’s proclaimed values really are one’s values, to foster mutual understanding by sharing with others where one is coming from, and to promote openness to others, which includes accepting the possibility of change.

Three things must be concluded: firstly, that Brock has failed to argue that only those who subscribe to the F view from a non-secular perspective would be ‘largely impervious to ... rational argument’; secondly, that the claim that Brock is ‘largely impervious’ to someone else’s understanding of what is rational could justifiably be made by someone who does not share Brock’s value assumptions; and thirdly, that – provided that those who argue from religious dogma do not share Brock’s dogmatic attitude – there is no reason to think why their views might not be subject to change.[21]

## **IS THE F VIEW INCONSISTENT?**

As mentioned before, Brock provides a number of arguments which purport to show that the position of those who hold the F view is inconsistent. To these arguments I shall now turn.

Firstly, he argues that those who hold the F view 'should reject the practice of sexual reproduction' because 'from each embryo that is born alive from normal sexual reproduction ... three are created who will die before birth' or 'three are sacrificed for each that is born'.<sup>[22]</sup> Brock contends that normal reproduction is morally equivalent with sacrificing embryos for research as both involve embryo loss. The suggestion is that it is inconsistent to object to the latter, yet not to the former. The snake here is the word 'sacrificed'. Brock is wrong to hold that embryos are 'sacrificed' in normal reproduction, at least to suggest that this is no different from their being 'sacrificed' for research. In normal reproduction, some embryos die without deliberately being killed. In embryo research, embryos are deliberately killed. Brock might counter that one is still responsible for the death of the life that one has created, as death can only occur once life has been created. This objection, however, fails. The act of giving life is not an act of killing, even if death will inevitably follow. The difference is morally relevant. For example, the perceived difference explains why it is not inconsistent to oppose the killing of one's children (in normal circumstances), in spite of the fact that they die naturally and would not have died had they not existed. If there is no inconsistency in accepting that one's children die and not accepting their killing (in normal circumstances), Brock has failed to argue that those who hold the F view must oppose normal reproduction.<sup>[23]</sup>

Secondly, Brock holds that those who hold the F view are inconsistent, unless they grieve as much over the loss of embryos as over the loss of other human lives, because 'the loss of embryos ... is rarely grieved over in the way the death of a person, or even a fetus, is grieved over'.<sup>[24]</sup> Brock's use of the word 'rarely' is significant as it leaves the door open for the possibility that some may grieve in the same way, who would therefore not be deemed to be inconsistent on this basis. Yet the question must be asked if being less concerned about the death of embryos really is inconsistent with the F view. Brock's view seems to simplify a complex matter. Surely, the reason why people grieve either more or less over the death of one person compared to the death of another cannot just be based on an assessment of their relative moral status. Generally, I am much more affected by the death of one of my relatives or friends than by the deaths of people whom I hardly know. However, when someone I do not know well dies young, I may be affected more than by the death, at a ripe old age, of one of my relatives or friends. An anonymous referee pointed out that, to strengthen my case, I should have compared the way in which we are affected

by embryonic death with the way in which we are affected by the death of a young child. What may be suggested is the view that, since there is a contrast between the relatively smaller amount of mourning over embryonic death and the relatively greater amount of mourning over the death of a young child, there must be a difference in moral status. I do not think the alleged discrepancy weakens my case. My argument is not that the view that there is a difference in moral status between embryos and children is wrong. Rather, it is that the claim that there is such a difference in status does not necessarily follow from a difference in the degree of grief their deaths might cause. I have no reason to believe that Brock thinks some adults have less worth than others either explains why, or follows from the perception that their deaths might not be grieved over to the same extent. In that case, it is not clear why we should conclude that embryos lack full moral status if their deaths are not mourned over much. Not grieving to the same extent over the deaths of embryos is not necessarily inconsistent with the F view.

Thirdly, Brock refers to a scenario (the embryo rescue case) attributed to Michael Sandel: 'if there was a fire in the fertility lab and one could save a tray of 100 surplus embryos or one eight year old child, but not both, virtually everyone would save the child'.<sup>[25]</sup> Brock argues that, if the scenario involved 100 children instead of 100 embryos, 'virtually everyone' would save the 100 children rather than the other child, and that therefore those who hold the F view, yet prefer the eight year old child over the tray of embryos, are inconsistent. I believe this must not necessarily be the case. One could argue that the fate of the surplus embryos has already been sealed, and that therefore what justifies saving the eight year old is that the child will be allowed to develop, whereas the embryos will not be allowed to develop for much longer. Therefore, saving the embryos would be futile. To rule out this possibility, the question must be asked if the outcome should be different when saving the embryos were not futile. Let us imagine, therefore, that all the embryos are about to be implanted. The argument could be made that we should still save the child because we can identify more easily with how the child will be affected by the fire, and can reasonably assume that it will be affected more severely by it than the embryos, at least provided we are justified in assuming that it has more developed capacities to experience pain. Should we therefore conclude that the status of those people with more developed capacities to feel pain is greater than the status of those with lesser capacities? For example, if we compare two adults, one capable of feeling pain, the

other unconscious, should we conclude that the former has more moral worth than the latter? Not necessarily. Yet, while both may have the same moral status, this need not require that their treatment should be the same. In the event of fire, a preference for the one capable of feeling pain may be justified merely on the grounds that, all else being equal, we have a duty to prevent suffering wherever we can. Yet what if we change the scenario to one where a choice must be made between one adult capable of feeling pain and 100 adults who (for one reason or another) are unconscious. One's moral intuition may point to a preference for the latter. If one's moral intuition is to save the former when the 100 adults are substituted by 100 embryos, must it then not be concluded that, even when it is granted that the capacity to feel pain does not affect one's moral status, the F view is inconsistent? Not necessarily. The argument could be made that there are additional factors that need to be taken into consideration to determine who should be saved. In the context of discussing the embryo rescue case, Matthew Liao, for example, has argued for the relevance of 'time-relative interests', a concept introduced by Jeff McMahan, which refers to one's relative capacity to have psychological relations to one's past and future selves: 'For example, an infant will typically have weaker time-relative interests in, for example, continuing to live than a grown adult, since an infant has little or no awareness of his or her future life. Or, someone in the middle stage of an Alzheimer's disease will have weaker time-relative interests than a normal adult'.[26] Liao argues that a difference in time-relative interests does not imply a difference in moral status (as such interests can be overridden by agent-relative reasons, as discussed below), but that it does provide for an additional reason why the person with the stronger time-relative interests should be saved. While this account has its merits, a further factor that I believe to be morally relevant is the fact that most infants, unlike those suffering from Alzheimer's disease, can be expected to increase their time-relative interests rapidly and for a long time. Would this imply that, given a choice between 100 embryos and a person with Alzheimer's disease, the embryos should be saved? Not necessarily. We have already mentioned the relevance of a *prima facie* duty to prevent suffering, which may apply here. This points at a wider issue, being the fact that we are affected differently by embryos than by children or adults. While we have all been embryos, we do not really know what it is like to be an embryo. We do not know what it is like to be another adult or child either, yet we can, and do, imagine what it might be like by extrapolating from our inner experiences. Because we find it easier to place ourselves

inside the shoes of other adults or children, we are more likely to be affected more negatively by negative things affecting their lives, and may therefore be more inclined to try to prevent these negative things from happening to them. This 'empathy-based reason' may justify saving the person with Alzheimer's. However, what Liao has called an 'agent-relative reason', and what I prefer to call a 'relationship-based reason', may be relevant as well.[27] In recent philosophical debate, the idea that it is appropriate to give moral weight to the fact that one has a relationship with someone has been defended against the common charge that we should adopt an impartialist ethic by John Cottingham, who speaks of 'philophilic partiality'.[28] Cottingham's account provides a justification for my perception that I have stronger duties towards my own children than towards my neighbour's children or towards a stranger's children because of the stronger relationships I have with my own children. Therefore, I have a relationship-based reason to save my children rather than someone else's when a decision must be made about who to save. Should I therefore conclude that the moral status of my own children is greater than the moral status of any other children? Many readers may agree that they have equal moral status. Indeed, Cottingham has argued rightly that my partialism towards my own children is compatible with the view 'that any parent ... ought to favour his own child'.[29] In other words, the claim that everyone has the same moral rights need not imply that everyone has the same duties to respect those rights. On this basis, Liao has argued that a preference for the tray of embryos may be justifiable (yet not a preference for one's beloved Picasso painting, because the painting does not have moral status), if one or more of those embryos are one's own.[30] While this must not necessarily be concluded because of the need to take into consideration the additional factors I mentioned, I have shown that the F view is not necessarily inconsistent if a decision is made to save one eight year old child over a tray of 100 embryos.

Fourthly, Brock suggests that those who base personhood status on mere 'species membership' must also accept racism and sexism, or at least acknowledge that their position 'would be akin to racists' or sexists' claims of special moral status or superiority for their own race or sex'.[31] This critique is a familiar one, and has enjoyed a great deal of support since the publication of Singer's 'Animal Liberation'.[32] A first problem with Brock's contention is that it is not inconsistent to ascribe equal status to all humans, and to hold at the same time that humans are not superior to nonhumans. The claim that the status possessed by humans is superior to

the status possessed by nonhumans is different from the claim that humans are superior to nonhumans. I might well hold that humans are in no way superior to nonhumans, but that humans have stronger obligations towards humans than towards nonhumans, and that this is why humans have a superior moral status. Likewise, racists' or sexists' claims that their members of their race or sex have greater moral status must not necessarily be accompanied by claims of superiority. A second problem is that the analogy is flawed. If the analogy were valid, the same analogy could be made with regard to Brock's position: The claim that possession of 'some properties' confers moral status 'would be akin to' racism or sexism.[33] The analogy is invalid, since speciesists claim that 'mere species membership' matters, rather than race or sex. A third problem is Brock's contention that speciesists do not offer 'any basis' for their position.[34] In fact, they do. They claim that the basis is 'mere species membership', rather than 'some properties' not possessed by early embryos, the basis provided by Brock.

Finally, Brock argues that 'moral arguments fail to ... establish that human embryos are full human persons who should never be deliberately destroyed'.[35] This confounds two issues. Having moral status need not necessarily imply that it is always wrong to deliberately destroy what has moral status. In a different paper I have argued, in fact, that a revised interpretation of the argument from Thomson's famous violinist can justify why the destruction of embryos is not always wrong, even if the assumption is made that they are full human persons.[36] If the argument developed there is sound, those who subscribe to the F view are not necessarily inconsistent by allowing deliberate destruction in some situations.

## **CONCLUSION**

In the first part of this paper I argued that Brock has failed to establish that only the position of those who claim that the early embryo is a full person from a non-secular perspective is 'largely impervious to ... rational argument'.[37] I also argued that Brock's critique does not stem from a critical consideration of the normative content of such a position, but from dogmatic opposition to a collection of people who base their moral views on religious dogma. Contrary to Brock's assertion that the views of those who defend the F view from a religious perspective cannot be changed, I argued that there is no need for such a defeatist attitude, provided that those who adopt such a

perspective do not share Brock's dogmatic attitude. In the second part of this paper I scrutinised Brock's contention that the views of those who hold the F view in its secular form are inconsistent. Against Brock, I showed that those who hold the F view can be consistent even if they do not oppose sexual reproduction, even if they do not grieve as much over the loss of embryos as over the loss of other humans, even if they prefer to save one child instead of 100 embryos in the event of fire, and even if they do not accept racism and sexism.

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- 2 See reference 1:36.
- 3 See reference 1:36.
- 4 Naess A. *Scepticism*. London: Routledge and Kegan Paul, 1968. Pyrrhonian scepticism is named after the Greek Pyrrho (4<sup>th</sup> century BC). The most comprehensive remaining account of ancient Pyrrhonian scepticism was written by Sextus Empiricus (2<sup>nd</sup>-3<sup>rd</sup> century AD). In recent bioethical debate, Pyrrhonian moral scepticism is adopted implicitly by Häyry M. Can Arguments Address Concerns? *Journal of Medical Ethics* 2005;**31**:598-600.
- 5 See reference 1:36.
- 6 See reference 1:36.
- 7 See reference 1:36.
- 8 See reference 1:36.
- 9 See reference 1:36.
- 10 See reference 1:41.
- 11 See reference 1:36.
- 12 See reference 1:38.
- 13 See reference 1:36,38.
- 14 See reference 1:36.
- 15 See reference 1:36,41.
- 16 See reference 1:39.
- 17 See reference 1:36.
- 18 See reference 1:38.

19 See reference 1:38.

20 See reference 1:36.

21 See reference 1:36.

22 See reference 1:38.

23 An anonymous referee of an earlier version of this paper pointed out that we might view things differently if ‘three out of four born children died just as a result of deliberate action of the parents’. I take it that this refers not to situations where parents kill their children, but to situations where they can foresee a high chance of early death for any child that might be conceived. I grant that it may be irresponsible to procreate in situations where death in early childhood is a significant risk. However, in an imaginary world wherein a seventy-five percentage rate of early childhood death were unavoidable, it would not be irresponsible to procreate. Since this imaginary situation is sufficiently similar to the present rate of embryonic death, my objection to Brock’s argument stands.

24 See reference 1:38.

25 See reference 1:38. The correct reference is Sandel M. The Ethical Implications of Human Cloning. *Perspectives in Biology and Medicine* 2005;**48**:241-247. Sandel, however, refers to Annas G. A French Homunculus in a Tennessee Court. *Hastings Center Report* 1989;**19**:20-22.

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27 See reference 26:144.

28 Cottingham J. Partiality, Favouritism and Morality. *The Philosophical Quarterly* 1986;**36**:357-373.

29 See reference 28:359.

30 See reference 26:146.

31 See reference 1:38.

32 Singer P. *Animal Liberation*. 2<sup>nd</sup> edition. London: Jonathan Cape. 1990:6.

33 See reference 1:38.

34 See reference 1:38.

35 See reference 1:39.



36 Deckers J. Why Two Arguments from Probability Fail and One Argument from Thomson's Violinist Succeeds in Justifying Embryo Destruction in Some Situations. *Bioethics* (in press).

37 See reference 1:36.