

A Person's a Person

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Abstract

As the abortion debate rages, the concept of personhood has come into play as a key point in the morality of abortion. Different arguments for personhood, such as the ability to vocalize you are a person, the ability to think, and the ability to feel pain, have been presented and each discredited due to situational problems. The intricacies of conception are addressed as related to personhood as well as the mother's ownership of her body and the lack of invitation to pregnancy.

A Person's a Person

“A person's a person, no matter how small!” These words were penned by Dr. Seuss in a children's book that countless adults have read (1954, p. 6). Yet, many adults still have not learned the lesson that many children seem to grasp: a person IS a person. For decades, adults have been going round and round about when personhood truly begins. If at conception, then the life is worth preserving. If personhood begins later, then is it allowable to kill the child? And if it is a person, does it have the same right to life that the mother whose life it depends on does?

Dictionary.com defines personhood as “the state or fact of being a person.” If you flip to person you see the definition: “a human being, whether man, woman, or child.” Personhood USA says, “Personhood is the cultural and legal recognition of the equal and unalienable rights of human beings... such as life, liberty, and the pursuit of happiness.” Essentially, every human being is a person and as a person has rights including the right not to have their life taken from them.

But that means every fetus is also a person and should be granted the right to live. So pro-choice advocates have attempted to rewrite personhood in their hope that personhood would be denied to fetuses. Thus the right to life would no longer exist for them, making abortion morally acceptable (Feinberg et al., 1993, p. 58). There have been many arguments about when personhood begins or what it entails. Some of the arguments claim you are only a person if you can vocalize that you are person, or if you can think, or if you can feel pain. Each of these arguments results in personhood being taken away from human beings either permanently or for temporary situations (Kaczor, 2011, p. 74-78).

For those that believe personhood is only granted to those that can vocalize it, they do not grant personhood to infants, disabled individuals, or elderly individuals who cannot speak. Some take the thought farther and say you must be able to vocalize your personhood at that moment, also barring people in a coma or under anesthetic from personhood because they are unable to vocalize their personhood immediately. This theory leads to situational personhood (it comes and goes) which invites the problem of personhood in murder cases. If I kill someone in surgery while under anesthesia, I did not kill a person, because they cannot vocalize their personhood, so therefore I could kill them just like I can kill an animal and not be held accountable for murder (Kaczor, 2011, p. 19-20, 27-29).

To those who believe that thinking brings personhood, there is also the problem of surgery, a coma, disability, and even sleeping. There may be cycles during my sleep where I am not actively thinking, meaning I no longer qualify for personhood unless I am actively taking in stimuli and processing them (Kaczor, 2011, p. 79-81). If pain is required to obtain personhood, then not only fetuses, but people under anesthesia, in a coma, or with Congenital Analgesia (the inability to feel pain) are not considered people either (Kaczor, 2011, p. 74-78).

All these requirements for personhood end up taking personhood away either permanently or situationally from individuals we would otherwise call people. According to all these views, if I was under anesthesia in surgery I would no longer be a person. Someone that undergoes multiple surgeries would continually go back and forth between personhood and non-personhood depending on their cognition, state of wakefulness, and ability to feel pain. This goes against common understanding of

personhood, that once you become a person you retain personhood until death. So there must be another way to assign personhood (Kaczor, 2011, p. 48-49).

The only way to assign personhood in a way that it cannot be taken away is to grant personhood to every human being, whether disabled, in a coma, in surgery or otherwise. Some would reserve personhood until after you have been born so that while you are still in the womb you are not a person. With advancing technology, there are surgeries where all or part of an unborn child will be moved out of the womb (either by the child himself or by another individual) for a short amount of time. This means the unborn child acquires personhood by leaving the womb, but loses it again when they are placed back inside. The only way to avoid situational personhood is to assign personhood to every human being at the moment of conception (Kaczor, 2011, p. 95-96). "A person's a person, no matter how small!" (Seuss, 1954, p. 6).

The moment of conception is when the sperm penetrates the egg and a new life begins. We know it is a new life because there are 46 chromosomes (barring any abnormalities where there may be more or less) inside a single cell. Although all the chromosomes are present they do not combine together creating a new DNA sequence until approximately 22 hours after conception. Some consider the moment of syngamy, the moment the paternal and maternal chromosomes mingle, to be the moment human life begins (Feinberg et al., 1993, p. 57). They consider the egg activated upon conception but not alive until syngamy. "However, the fertilized egg, though not human life until syngamy, has already begun the process of forming human life" (Feinberg et al., 1993, 58). The sperm has already penetrated the egg and begun a sequence that will result in human life if uninterrupted, it is not just a potential for human life, but it is

actively changing into human life.

Whether you consider conception or syngamy the moment of life, once syngamy has occurred there is a new, unique DNA sequence which will dictate the development and characteristics of this individual for their lifetime. This DNA is not a replica of the mother, or of the father, but a completely new set of DNA derived from both, showing this life is a new life in itself. It is not a cell from the mother or father, but its own first cell.

From that first cell, there will be thousands of replications and a differentiation of cells to bone marrow, nerve endings, heart tissue, and so on. Nine months later, from one cell, a fully developed and functional human being is generally born (provided there is no handicap). There is no additional external work that either parent must contribute to keep the baby developing; it will develop on its own if provided the opportunity. Granted, a mother must consume an extra amount of calories on a daily basis to provide the nutrition the baby needs, but this is usually done unknowingly and isn't a significant inconvenience. While check-ups, vitamins, and giving up smoking and alcohol are recommended, none of them are necessary for the baby to continue developing (as Fetal Alcohol Syndrome and Cocaine addicted babies clearly show). The baby is self-developing regardless of your behavior because it is a distinct individual separate from you although it is inside you for the time being.

But even if the unborn human being is a person, does it have the right to use the mother's body when it has taken up residence without invitation? I believe that participating in sexual activity (disallowing the circumstance of rape) is opening up the door, implicitly or explicitly, to conception. Others say if the mother used birth control or

contraception, using a screen door to prohibit the fetus from making it in, then she was preventing conception and has clearly denied the fetus access. Actually, it is clearly printed on every birth control or contraception that they do not work 100% of the time, there is still the possibility of pregnancy. So having sexual intercourse knowing full well pregnancy might occur is still an invitation to gestation with intention to carry full-term (Feinberg et al., 1993, p. 68).

Does the unborn human being have the right to use the mother's body for the 9 months of gestation if she does not want to allow the child access to her body? Many pro-choice individuals view the mother's supposed right to her body as more significant than the baby's right to use her body. If you could remove the baby from the womb unharmed and deposit it in another womb where it would finish gestation, it might be moral to disallow the child the use of the mother's body. But we do not currently have this technology and to remove the fetus from the mother it must be dismembered either by suction (in the first trimester), or forceps and then suctioned out (in the second trimester), or it must be delivered breech and have scissors stabbed into the brain by the neck and have their brain matter sucked out with a vacuum (partial birth abortion). All current forms of abortion entail bodily harm to the fetus as well as destroying their life (Kaczor, 2011, p. 151-157). So does the mother's right to her body trump the baby's right to life and right to have no bodily harm committed against them?

Even if the mother does have a right to her body, the right would be comparable to a property right; her body is her property. In many countries, the United States included, the right to own your property and to use it in any way you desire does not surpass the right to life of another individual. If an unknowing and innocent trespasser

comes across your property you do not have the right to hurt or kill them, quite contrary, you are legally and morally responsible for any hurt that person may incur while upon your property. In the same way, the unknowing and innocent child within you was conceived by your own actions, in your body (your property), and you now have an obligation to make sure the child does not come by any harm while inside your body (Feinberg et al., 1993, p. 68).

What if the mother's life is in jeopardy and the only way to save her is to abort the child? Because of advances in modern medicine, this situation is rare and should not set the precedent for cases on abortion but should be considered an entirely separate matter. The most common appeal for aborting the child to save the mother's life is the right of self-defense: killing the child is obviously not a desired outcome but is pardonable because the mother was acting to save her own life. I would argue this appeal is completely invalid unless the child is directly the cause of the mother's pending death. If you are in a scuffle with someone to save your life, it is still considered manslaughter to kill a third party in the room. If you are battling cancer to save your life, it should still be considered manslaughter to kill the child in the womb. So would I have the mother sacrifice her life for the child? If the unborn child is a human being and a person, they have an equal right to life just like you do, and because they are in your body (your property), they have a right to protection above and beyond their right to life. Because of the child's double rights, the mother should sacrifice herself until the child has reached viability. Upon reaching viability, the child should be delivered (most likely by C-section) in order to preserve their life, and to allow the mother to receive treatment to preserve her life.

What about rape or incest and the emotional pain it will cause the mother to carry the child to term? When did the emotional pain of one individual supersede the right to life and right to protection (double right) of another equal individual? I understand the delicacy of the situation and the trauma the mother endured, but if the child has a right to life, that right should not be taken away so the mother can claim better mental health. By allowing abortion for cases of rape and incest based on the mother's emotional health, we crack open the door to allowing abortion for all cases of mental health including anxiety over pregnancy or sadness over a lost career. If life is life, it needs to be preserved at all costs.

As we have seen, the process of life begins at conception. And only by assigning personhood at conception as well, are we able to avoid the situational problem of personhood. But not only is the unborn child a human life and a person, but they have been invited into the body of the mother and have received the right of protection by her because they are in her body (on/in her property). Abortion, according to these criteria, is both morally and legally impermissible.

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