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APRIL 12, 2007

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I would like to thank the members of this Committee for allowing me to present testimony in relation to our current scientific and moral knowledge of the early human embryo specifically as regards stem cell research.

The interest of the Catholic Church as regards the human embryo is founded upon the dignity of the human being. Indeed, the personal dignity of every human being demands the respect, the defense, and the promotion of their rights. These rights are inherent, universal, and inviolable. No one—as an individual, group, authority, or state—can eliminate the moral rights of the human person as such rights find their source in God Himself.¹ It must be recognized that the common outcry today which is justly made on behalf of human rights such as the right to health, to home, to work, to family, to culture—is false and illusory-- if **the right to life**, the most basic and fundamental right and the condition for all other personal rights, is not defended with maximum determination.² This takes on paramount significance in light of the scientific and moral knowledge we have today as regards the early human embryo prior to two weeks of development.

Modern medical science—particularly human embryology and genetics—continues to re-affirm that the early human embryo is from the very beginning a living human being. For example, we know that the human zygote, which is the result of fertilization, possesses from the very start a unique human genome (DNA) that is different from the mother and the father. Current fascinating biomedical technologies such as 4-D ultrasound imaging, amniocentesis, chorionic villi sampling, electronic fetal heart monitoring, radioimmunochemistry, fetoscopy, and contact embryoscopy point to one and only one valid scientific conclusion: from the moment of inception the early human embryo is a living human being at the earliest stage of biological development. While modern biological science provides invaluable contributions to our understanding of the “substance” generated at fertilization, the issue of what constitutes a human person is not properly a biological matter—it is a moral one.

The proper understanding of marriage cannot be understood apart from the Natural Moral Law as illuminated and enriched by Divine Revelation. Each child has the right to be conceived and carried in the womb, brought into the world and brought up within marriage: it is through the secure and recognized relationship to his parents that the child can discover his own identity and achieve his own proper human development.³ Procedures such as In-Vitro Fertilization (IVF) and human cloning⁴ directly violate the Natural Law by refusing to respect this natural right of the child’s conception occurring through the actions proper to his parents love in sexual intercourse. One can easily see why procedures such as IVF which violate the child’s natural right lend themselves toward the child being rendered an object who is readily manipulated leading to the involvement of the courts attempting to answer a fundamental question: who are the true parents of the child?⁵ Some medical studies have found an unexpectedly high rate of congenital malformations among babies generated through IVF and GIFT.⁶ I would suggest that we should in no manner be surprised in seeing such consequences when there exists such an action that is clearly an egregious violation of the Natural Law.

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¹ John Paul II, *Christifideles Laici* (1988), no.38.

² John Paul II, no. 38.

³ Congregation for the Doctrine of the Faith, *Donum Vitae* AAS 80 (1988): II,A,1.

⁴ I use the term “human cloning” throughout this testimony in reference only to any attempts to generate a human embryonic clone as opposed to non-embryonic cells.

⁵ Donald DeMarco, *Biotechnology and the Assault on Parenthood* (San Francisco: Ignatius Press, 1991) 148-168.

⁶ Paul Lancaster, “Congenital Malformations after In-Vitro Fertilization,” *Lancet* (December 12, 1987) 1393.

The dialogue of precisely what constitutes a human person is properly grounded only in moral philosophy and moral theology. This is necessarily the case because of the etymology of the word “person”, which originates from Christianity. Indeed, a person is an individual substance of a rational nature.⁷ How would it be possible to discuss what a “person” is without making reference to Christianity which provides us with such a notion? Some philosophers today have tried to introduce a distinction between a “human being” and a “human person.”⁸ But as John Paul II stated when he addressed the Pontifical Academy of Life on February 27, 2002, the distinction made between a human being and a human person is an artificial distinction without scientific or philosophical foundation. Some today—the noted Australian philosopher at Princeton, Professor Peter Singer,— are attempting to re-define the term “person” as revealed by Singer’s third new commandment: not all members of the species *Homo sapiens* are persons, and not all persons are members of the species *Homo sapiens*.⁹ Still others today reject the classical philosophical understanding of what it means to say something is in “potency” or has “potentiality.” For example, when we say that the early human zygote who is a human embryo is an individual substance with a rational nature, we recognize that the rational nature is in potency. The early human embryo cannot manifest rational operations due to primitive biological development anymore than a newborn infant can. But to possess a rational nature in potency means that by necessity anything with such “potentiality” is already in a state of actual being. To have potency necessarily means that one is already in a state of actual being—not that one will at some point in time come into being. This is critical today as related to the generation of human embryos through IVF. It is unfortunately all too common today for philosophers and scientists to make the claim that human embryos generated by IVF are only “potential” human beings implying that they only become actual human beings if they successfully implant into the uterus or are brought to a live birth.¹⁰ Such arguments allow for Singer to make the claim that the early human embryo is comparable to a head of lettuce! This serious betrayal of what “potentiality” truly reflects is again grounded in an effort to re-define the classical moral vocabulary.¹¹ It fails to recognize that even though the process of IVF is an unethical procedure, what is generated by IVF in a glass dish is a living human embryo who manifests potency which necessitates that he or she is presently alive. It would be absurd to even attempt to make the claim that the first child born using IVF (Louise Brown) did not exist as an actual human embryonic being in the glass dish yet somehow was magically transformed into an actual human being once she successfully implanted into the endometrium of the uterus. Today we know with no equivocation that at the moment of fertilization, a new and unique human genome exists; furthermore, that new DNA contains in potency all of the cells, tissues, organs, and systems of the new human person. Indeed, the separation of actuality from potentiality in any living human organism from inception until natural death can only reflect the death of that organism who was previously alive.

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⁷ St. Thomas Aquinas, *The Summa Theologica*, (New York: Benziger Bros., 1948) 1a, q.29, a1.

⁸ Peter Singer, *Unsanctifying Human Life*, ed. Helga Kuhse (Malden: Blackwell Publishers Ltd., 2002) 186.

⁹ Singer, 136.

¹⁰ Singer, 201.

¹¹ Alasdair McIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1984) 81.

John Paul II left the world a legacy of writings which perhaps can best be described as his philosophy of personalism. It is here that we learn one of the basic, fundamental precepts in ethics: Never act such as to treat any human being as a mere means to one's end.¹² To treat another person (from inception until natural death) as a mere means to one's own end assaults the dignity of that person; it exploits, manipulates, and can even destroy such a person's intrinsic, personal dignity in favor of subjective demands. This is precisely why IVF, human embryonic stem cell research, and all attempts at human cloning are intrinsically gravely unethical. Each of these procedures assaults the intrinsic dignity of the early human embryo by treating the human embryonic person as only a "means" to the arbitrary end of the perpetrator. How could one ever define directly and intentionally exploiting other human beings for one's own personal, subjective end as normal? Some scientists have argued that if "surplus" human embryos are going to be destroyed or not utilized anyway, why should we not get some use from them by obtaining their stem cells for research. It must be recognized that the removal of the Inner Cell Mass in order to isolate embryonic stem cells destroys the new human embryonic person each and every time. The issue at stake here must be framed properly: if an adult human person is terminal and death is certain, would it be ethical to remove a vital organ(s) from him and therefore kill him in order to do research or to find possible therapeutic cures? Though many may argue yes, the direct and intentional destruction of an innocent "terminal" embryonic or adult human person to possibly save the life of others constitutes murder from a moral perspective. It is grounded in classical utilitarianism which by definition negates and destroys the rights of innocent and vulnerable human beings in favor of the needs of others who exercise power over them. As the eminent ethicist Fr. John Gallagher testified on September 26, 2006 before the Texas House of Representatives: "To be a human person is to be a living organism. I began to exist at the time when this living organism, here in front of you, began to exist. Either I exist or do not exist. There is no half-way point between these two possibilities."

All attempts at human cloning as well as all forms of research that are not directly therapeutic and without disproportionate risks performed upon the human embryo are intrinsically unethical and must be rejected. One fact continues to remain true: there are, in principle, no ethical quandaries using stem cells obtained from adult tissues or organs nor using hematopoietic stem cells from the placental umbilical cord.¹³ If modern medical science is to be grounded in integrity, it must honestly seek to conduct research in full accord with the dignity of the human person from conception until natural death. It is never morally acceptable to bring about an end which is good by employing an evil means: one can never licitly kill one human being in order to save the life.

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¹² Karol Wojtyla, *Love and Responsibility* (San Francisco: Ignatius Press, 1981) 28.

¹³ For more empirical data on successfully using placental blood as a useful source of hematopoietic stem cells for bone marrow reconstitution see: Pablo Rubinstein et al, "Outcomes Among 562 Recipients of Placental-Blood Transplants from Unrelated Donors," *The New England Journal of Medicine* Vol. 339, no.22(1998):1565-1577.