

EDITORIAL

When Life Begins . . .

In ancient Sparta, when a child was born, he (or she) was brought by his (or her) father to a council of elders for their inspection. If deemed healthy, he (or she) was given back to his father to be reared; if not, he (or she) was thrown into a pit of water to drown. A few thousand years later, we believe that a newborn baby is a person and that infanticide is morally (and legally) wrong no matter what the reason.

In the United States, late-term abortions have aroused a storm of controversy because many believe that unborn fetuses nearing full gestation are also persons with inalienable rights and that aborting a pregnancy at this stage is therefore infanticide. On the other side of this controversy, there are those who believe that when the life of the mother is at a stake, it is permissible to take the life of this person. Still others believe that the fetus has no moral or ethical status as a person until it is born. Recent advances in reproductive biology and the promises of cloning and stem cell research have further muddled the moral and legal status of the fetus.

The plight of a couple whose child had Fanconi's syndrome has recently achieved worldwide notoriety. Through assisted reproductive technology, the couple has "produced" more than 90 embryos (ready to be hatched) in the hopes that one would have the correct genetic makeup to provide stem cells to treat their sick child. Unfortunately, none of these proved to be a correct match. Now they are required by the reproductive clinic to complete a form indicating whether they want each embryo to be (a) destroyed, (b) given to adoptive parents to raise as their own child, or (c) donated for stem cell research. In an editorial to *The New York Times*, the couple proudly wrote that they checked the box donating the embryos for research.

As a parent myself, I empathize with their plight but was horrified to contemplate the consequences of such an unfettered decision-making process. I asked myself, once an embryo is formed, with all the potential of blossoming into a person, who has the right to deny that potential? Somewhere in the process of gestation, an embryo becomes a person. But when? Is it at conception, at birth, or somewhere in between? From philosophical and moral standpoints, these questions may never be adequately answered. From a legal standpoint, though, we need to define when life begins, even if it is done arbitrarily. In the Supreme Court decision *Roe v Wade*, the Justices ruled in a split decision that they could not define the moment when life begins, but they could arbitrarily declare that not until the third trimester of pregnancy does a fetus attain the status of "person" and acquire inalienable rights. As a result, during the first trimester, the fetus has no legal status as a person, has no legal rights, and can be disposed of at the whim of the mother. In the third trimester, abortions are illegal in the United States (except to save the life of the mother), and in the second trimester, each of the 50 states may define for itself the legal status and rights of the mother and the fetus.

In the United States, *Roe v Wade* defines the law of the land. That means that life begins at the third trimester; a fetus in the third trimester is a person. Such a person may not be discarded or donated to research, no matter what. That person must be allowed to develop to his or her full potential. I'm personally still uneasy about the fate of those 90 embryos, but when and if each attains the age of 6 months gestation, a new person has been created.

Jerry G. Blaivas, M.D.
Editor-in-Chief