



PROVITA

The University Faculty for Life Newsletter

Vol. 6, No. 2

Summer, 2018

Table of Contents

UFL Update	1
Letter from the President	2
Member News & Publications.....	2
Upcoming scholarly opportunities.....	4
On Campus	4
Legal realities	5
A Scholar's Analysis	6
Opposing Views	10
Web Resources for research and education	11
Masthead	16

UFL Update

- **2019 Life and Learning Conference** The 2019 Life and Learning Conference will break with tradition and be held on a Thursday and Friday, June 6th and 7th. The conference will take place at Mundelein Seminary/University of St. Mary of the Lake. Besides the standard topics, the conference's special topic is "The Disabled and Life Issues."
- **Board of Directors** The president, **Dr. Mary Lemmons**, and the vice-president, **Dr. Richard Myers**, were re-elected for three year terms beginning 2019; Directors **Dr. Peter Colosi**, **Dr. Richard Fehring**, **Dr. Barbara**

Freres, and **Dr. Kathleen Schmainda** were re-elected to two year terms beginning 2018. **Dr. Margaret Hughes** (editor of *ProvVita*, Thomas Aquinas College) and **Dr. Matthew Sutton** (St. John's University) were elected to two year terms beginning 2018, as replacements for **Dr. Eric Manchester** and long serving **Dr. Keith Cassidy**.

- **Report on the 2018 Life and Learning Conference** The 2018 Life and Learning Conference took place at the University of Dallas on June 8th and 9th. The overall theme was "Building a Culture Respectful of Human Life." There were 33 paper presentations. The Smith Award recipient in absentia was **Dr. Frank Zapatka**, with **Dr. Gerard Wegemer** commenting on "Lessons from Thomas More, Patron of Statesmen." Plenary speakers were **Dr. Christopher Wolfe** ("Forging a Prolife Culture"); **Dr. Janet Smith** ("Humanae Vitae: 50 Years Later"); and **Dr. Francis Beckwith** ("Law, Reason, and the Sanctity of Life"). **Dr. Bernadette Waterman Ward's** play, *The Crack in the Door: A Drama about Campus Free Speech*, premiered.
- **Lifetime membership** UFL is now offering Lifetime Membership. Five hundred dollars will enable you to support our mission more easily throughout your golden years. More details are posted on our [website](#).
- **Life and Learning Selected Proceedings** The joint volume of *Life and Learning*, vols. 21 and 22, from 2011 and

2012, has been printed and mailed to members. If you would like extra copies, please contact **Fr. Joseph Koterski, S.J.** at koterski@fordham.edu. In addition, **Fr. Koterski** is accepting submissions now for the proceedings collection from 2018.

- **Dues Reminder** Be sure to pay your 2018 dues. On-line payment is possible through PayPal and our [website](#). If necessary, update your mailing address using the [membership renewal form](#). Dues can also be sent to **Fr. Joseph Koterski, S.J.**, University Faculty for Life, Dept. of Philosophy, Fordham University, Bronx, NY 10458.
- **Social Media** UFL is on Facebook and LinkedIn. On Facebook, you can “like” the “University Faculty for Life” page. Our blog can be found at www.uffl.org/blog/. There is also an active “University Faculty for Life” subgroup of the “Pro-life Professionals” group on LinkedIn.

Letter from the President

R. Mary Hayden Lemmons, Ph.D., President of UFL, Associate Professor of Philosophy, University of St. Thomas, St. Paul, MN.

Hello All,

There are three important items to share with you. First, the conference next year will NOT be on a weekend, but rather on Thursday, June 6th and Friday, June 7th. Those were the only dates available at Mundelein. Besides our typical topics, the special conference topic will be on “The Disabled and Life Issues.”

Second, please be sure to pay your 2018 dues, as we were not able to secure a loan to help pay for the costs of our 2018 conference in Dallas.

Third, please join me in thanking **Dr. Bernadette Waterman Ward** for being our wonderful local organizer of our 2018 conference at

the University of Dallas and Provost Johnathan Sanford for his kind remarks. Also please join me in thanking **Dr. Eric Manchester** and **Dr. Keith Cassidy** for their years of serving on the Board of Directors and thanking **Dr. Margaret Hughes** and **Dr. Matthew Sutton** for being willing to serve. We also owe special thanks to our *Life and Learning* Editor, **Fr. Joseph Koterski, S.J.**, our long serving Secretary and *Life and Learning* Editor. Thanks to his herculean efforts, all the past issues of our peer review proceedings have been published.

Cheers,

Mary

Member News & Publications

In which we highlight the activities of our organization, members, and chapters, including publications, talks, and consultations.

Note: all names in **bold** are members of UFL.

- **Helen Alvaré, J.D.** (Law, George Mason University) wrote “A Children’s Rights Perspective Dissent from Obergefell,” *George Mason Legal Studies Research Paper*, 18.06 (March 2018).
- **Gerard V. Bradley, J.D.** (Law, Notre Dame University) published “Prolegomenon on Pornography” in the *Harvard Journal of Law & Public Policy*, 41.2, (Spring 2018): 447 – 498.
- **Prof. Bradley** reviewed Frederick Schauer’s *The Force of Law* for *The Review of Metaphysics*, 71.3 (March 2018): 596 – 597.
- **Thomas Cavanaugh, Ph.D.** (Philosophy, University of San Francisco) published *Hippocrates’ Oath and Asclepius’ Snake: The Birth of a Medical Profession*. New York: Oxford University Press, 2018.

- **Teresa Stanton Collett, J.D.** (Law, University of St. Thomas, Minnesota) published “Against Ideological Colonization: The Teaching of *Humanae Vitae* and a Humanely Adequate Global Ethic” in *The University of St. Thomas (Minnesota) Legal Studies Research Paper*, 18-13 (July 2018).
- **Prof. Collett** also wrote “Government Schools, Parental Rights, and the Perversion of Catholic Morality,” which is forthcoming in *Acton Institute’s Journal of Markets and Morality*, 21.1 (Spring 2018): 95 – 115.
- **Peter Colosi, Ph.D.** (Philosophy, Salve Regina University) contributed “The United States Bishops vs. the HHS Contraception Mandate: A Question of Religious Freedom, Moral Truth, or Both?” to *Why Humanae Vitae Is Still Right*, ed. **Janet E. Smith**. San Francisco, CA: Ignatius Press, 2018. 327 – 51.
- **Dr. Colosi’s** “Ratzinger, Habermas and Pera on Public Reason and Religion,” which was published in *Logos: A Journal of Catholic Thought and Culture*, 19.3 (Summer, 2016): 148 – 169, was translated into Polish as “Ratzinger, Habermas i Pera o racji publicznej i religii,” *Chrześcijaństwo, Świat, Polityka*, 21 (2017): 36 – 53.
- **Dr. Colosi** also made several presentations at the 6th Annual Catholic Medical Association Medical Student & Resident Boot Camp, University of St. Mary of the Lake (Mundelein Seminary), Mundelein, Illinois, June 17 – 24, 2018: “Metaphysics of the Human Person and Medical Ethics,” “*Ars Moriendi* (The Art of Dying) vs. Euthanasia: Understanding the Terms of the Debate,” and “Philosophy and Physicians” (panel discussion).
- **Dr. Colosi** made the presentations “Personalism and *Humanae Vitae*: A Close Reading of *Theology of the Body* Audiences 118 – 125: The Ethical Problem” (Plenary session), “The Relation of Theology of the Body to the History of Church Teaching on Marriage, Family and Sexuality” (Plenary session), and “Pedagogical Tips on Teaching *Love and Responsibility* to Young Students” (Special track meeting 3 times with a smaller group) at the Dietrich von Hildebrand Legacy Project, Eighth Annual Summer Seminar: Love, Sex, & the Human Person, Franciscan University, Steubenville, OH, May 29 – June 3, 2018.
- **Fr. John Conley, S.J., Ph.D.** (Philosophy, Loyola University, Maryland) published “Conventual Writing and Context: The Case of Port-Royal” in *Religions*, 9.3 (March 2018): 69 – 80.
- **Richard Fehring, Ph.D., R.N.** (Nursing, Marquette University) wrote “Influence of Contraception Use on the Reproductive Health of Adolescents and Young Adults” with Thomas Bouchard and Maria Meyers, which appeared in *The Linacre Quarterly*, 85.2 (May 2018): 167 – 177.
- **James Hanink, Ph.D.** (Philosophy, Loyola University Marymount, Emeritus) reviewed *Resurrection and Moral Imagination* by Sarah Bachelard for *Faith and Philosophy*, 35.2 (April 2018): 257 – 261.
- **Fr. Joseph Koterski, S.J., Ph.D.** (Philosophy, Fordham) wrote a review of *The Crisis of Modernity* and *The Age of Secularization* by Augusto Del Noce in *International Philosophical Quarterly*, 58.2 (June 2018): 235 – 236.
- **R. Mary H. Lemmons, Ph.D.** (Philosophy, University of St. Thomas, Minnesota) presented “The Contributions of Thomistic Personalism to Christian Natural Law” at the Personalism Conference hosted by Franciscan University of Steubenville in May 2018.
- **Dr. Lemmons** gave a public lecture on “The Crisis of Civilization and John Paul II on the Prophetic Role of Women” at the University of St. Thomas, Houston, TX on June 2018.
- **Dr. Lemmons** also gave a June workshop for the *John Paul II Forum* with four presentations: “Genesis as Prophetic for

Oneself”; “Marian Spirituality and Ecclesiology”; “The Prophetic Dimensions of the Feminine Genius”; and “Implementing the Feminine Genius via Merciful Love, Personalist Feminism, and Government Policies.”

- **Rachel MacNair, Ph.D.** (Sociology and Psychology, Consistent Life Network) wrote “Our Pro-Life Future,” which appeared in *First Things*, (June-July 2018): 41 – 44.
- **Melissa Moschella, Ph.D.** (Philosophy, Columbia University) published “Brain Death and Organ Donation: A Crisis of Public Trust” in *Christian Bioethics: Non-Ecumenical Studies in Medical Morality*, 28.2 (August 2018): 133 – 150.
- **Janet Smith, Ph.D.** (Theology, Sacred Heart Major Seminary) wrote *Self-Gift: Humanae Vitae and the Thought of John Paul II*. Steubenville, OH: Emmaus Press, 2018.
- **Dr. Smith** also edited *Why Humanae Vitae is Still Right*. San Francisco: Ignatius Press, 2018.
- **Lynn Wardle, J.D.** (Law, Brigham Young University) published “Cornerstone or Capstone: The Need to Revive (and How to Renew) a Culture of Marriage” in the *Quinnipiac Law Review*, 36.2 (Spring 2018): 153 – 182.
- **Prof. Wardle** also wrote “Institutionalizing Society’s Commitment to Child Well-Being,” which appeared in the *Southern Illinois University Law Journal*, 42.2 (Winter 2018): 225 – 260.

Upcoming scholarly opportunities

- The **2018 Annual Educational Conference of the Catholic Medical Association** will meet in Dallas on September 20 – 22, 2018. The

theme will be “Restoring Healthcare in a Technocratic Age: Building Parallel Structures to Deliver Compassionate Care.”

- The **National Catholic Bioethics Center** will host a conference on **Advancing Humanae Vitae: Best Practices and Next Steps in Catholic Health Care Delivery and Education** at St. Louis University from October 11 – 13, 2018.
- The **Society of Catholic Social Scientists** will meet from October 26 – 27, 2018 at Belmont Abbey College in North Carolina. The call for papers is [here](#).

On Campus

- The twentieth annual **Cardinal O’Connor Conference on Life** will take place at Georgetown University on Saturday, January 19, 2019. Registration information is [here](#).
- Collegiate pro-life organizations may apply for the **Rev. Thomas King, SJ Award**, which is given in recognition of the pro-life work done over the last year. Applications are due by January 10, 2019.
- **Feminists for Life** is accepting applications from college students for fall, winter, and spring **internships**, including telecommuting internships. To apply, email a resume, phone number, a cover letter explaining the applicant’s beliefs, history with the pro-life and women’s causes (especially Feminists for Life) and sample writing or design (depending on your interest) to info@feministsforlife.org.
- **Family Research Council** is also accepting applications for spring and summer 2019 internships. More information about the internships and instructions about how to apply can be found [here](#).

Legal realities

Richard S. Myers, J.D. (Professor of Law at Ave Maria School of Law, UFL Vice-President) provides a brief overview of significant legal developments since the last issue of ProVita.

The most important legal developments since the Winter/Spring issue of *ProVita* concern the United States Supreme Court. On June 26, 2018, in [National Institute of Family and Life Advocates v. Becerra](#), the Court issued an important decision that protects the free speech rights of crisis pregnancy centers. As discussed in my most [recent column](#), many states and local governments have tried to impose onerous regulations on crisis pregnancy centers. Such regulations have included requirements that the centers promote abortion. These regulations have been challenged in the courts with mixed results. Now, by a 5-4 vote, the Supreme Court has strongly weighed in in favor of the free speech rights of crisis pregnancy centers.

A 2015 California law requires crisis pregnancy centers to comply with a variety of requirements. One regulation requires centers with medical licenses to inform their patients about the availability of free or low cost abortions and to disclose information to help women connect with abortion providers. Another regulation requires centers that do not provide medical services to include notices (in multiple languages) that they do not provide medical services. Crisis pregnancy centers challenged both requirements, but the centers failed to obtain a preliminary injunction. The Supreme Court reversed the decision of the lower court denying the injunction. The Supreme Court concluded that the centers are likely to succeed on their First Amendment challenge and sent the case back to the lower courts. As stated in a good [commentary by Elizabeth Slattery and Melanie Israel](#), “This ruling is a victory for all Americans because regardless of whether you agree with the message these pregnancy centers stand for, we all should be wary of government compelling dissenting voices to communicate a message that

directly contradicts and undermines their very reason for existing.”

In another case, [Azar v. Garza](#), on June 4, 2018, the Court vacated a lower court decision requiring the government to allow an undocumented teenager to obtain an abortion. The DC Circuit had allowed an undocumented teen who was in custody to obtain an abortion over the government’s objection. Because the teen obtained an abortion, the Supreme Court considered the case moot and, pursuant to its standard practice, vacated the DC Circuit’s decision and remanded the case to the lower court. The Administration had asked the Court to sanction the teen’s lawyers for “what appear to be material misrepresentations and omissions” that were “designed to thwart” Supreme Court review. Without delving into the factual disputes about the teen’s lawyers’ conduct, the Court did not sanction the teen’s lawyers. The Court’s decision did not resolve the broader issue of whether undocumented teens in governmental custody have a right to an abortion.

The most important Supreme Court news, though, relates to the retirement of Justice Anthony Kennedy. Kennedy was nominated by President Reagan in 1987 (after the failed nominations of Robert Bork and Douglas Ginsburg) and began service on the Court the next year. For decades, he has been the swing vote on the US Supreme Court on a variety of contentious issues, including abortion. His departure opens the door for the possible reversal or modification of *Roe v. Wade* and *Planned Parenthood v. Casey*. On July 9, 2018, President Trump nominated Judge Brett Kavanaugh to replace Kennedy. Kavanaugh is widely viewed as [being more receptive to upholding laws restricting abortion](#).

States have continued to be aggressive in passing laws restricting abortion. Many of these laws have been struck down in recent months by courts that have relied on the authority of *Roe v. Wade* and *Planned Parenthood v. Casey*. For example, [Mississippi’s law prohibiting abortion after 15 weeks was struck down by a federal court](#), as was [Iowa’s law prohibiting abortion after it is possible to detect a fetal](#)

heartbeat. Indiana’s law prohibiting abortion for various discriminatory reasons (the race, sex, or disability of the unborn) **was held unconstitutional by the United States Court of Appeals for the Seventh Circuit** on April 19, 2018. Judge Manion wrote an opinion concurring in the judgment in part and dissenting in part. Judge Manion’s opinion is a must read. Judge Manion stated: “Indiana made a noble attempt to protect the most vulnerable members of an already vulnerable group. That it must fail is not due to lack of effort by the legislators who drafted it or the Solicitor General who ably argued before us. The Supreme Court’s abortion jurisprudence proved an insurmountable obstacle despite their best efforts. More than anything, this case illustrates the extent to which abortion has become the most favored right in American law. Without a significant recalibration, the States sadly cannot protect even unborn children targeted because of their race, sex, or diagnosis of Down syndrome. But this court is powerless to change that state of affairs. Only the Supreme Court or a constitutional amendment can do that.”

One or more of these cases could be brought to the US Supreme Court in the not too distant future. The Court, without Justice Kennedy, might well be open to upholding these restrictions on abortion.

There haven’t been significant recent developments with respect to assisted suicide. In the last two years, many states have considered bills legalizing assisted suicide. Most such laws have been rejected, even though that is inconsistent with the popular narrative that there is an inexorable movement in favor of legalization. Alex Schadenberg makes this point in [an article at Lifenews.com](#). On April 5, 2018, however, Hawaii did become the sixth state to enact a law legalizing assisted suicide. Hawaii joins Oregon, Washington, California, Colorado, Vermont, and the District of Columbia, all of which have laws allowing assisted suicide. In Montana, physician assisted suicide is permitted by court decision.

Another important development relating to physician assisted suicide concerns the American Medical Association. The AMA, which has long

opposed physician-assisted suicide, is in the midst of a reevaluation of this position. A change would have enormous consequences because legislatures and courts often rely on the views of medical organization when they consider this issue in various contexts. Earlier this year, the AMA’s Council on Ethical and Judicial Affairs issued a strong report recommending that the AMA retain its opposition to physician-assisted suicide. In June 2018, however, the AMA House of Delegates voted not to accept that report and decided to further reevaluate the issue. The issue may come up for a vote at the AMA meeting in June 2019.

A Scholar’s Analysis

Christopher Kaczor, Ph.D. (*Professor of Philosophy at Loyola Marymount University at Los Angeles, Consultant to the United States Conference of Catholic Bishops*) engages recent scholarship on life issues. This article is reprinted by permission from *National Catholic Bioethics Quarterly*.

Advocates for life often say that every human being should be protected by law and welcomed in life from conception to natural death. This phrase presupposes that human beings arise at conception. In his article "The Egg and I: Conception, Identity, and Abortion," Eugene Mills offers a novel and well-crafted argument that human beings do not begin at conception.¹ His essay begins with the supposition that you and I are human organisms. This view, called “animalism” in the philosophical literature, is used in many pro-life arguments. Animalism is a rival anthropological view to various forms of body-self dualism according to which you are not a human organism but rather you are your thoughts, desires, and beliefs.² According to advocates of body-self dualism, an early term abortion does not kill “one of us,” since the prenatal

¹ Eugene Mills, "The Egg and I: Conception, Identity, and Abortion." *The Philosophical Review* 117, no. 3 (2008): 323-48. <http://www.jstor.org/stable/40606031>.

² Patrick Lee and Robert P. George, *Body-Self Dualism in Contemporary Ethics and Politics*. (New York: Cambridge University Press, 2009).

human being in his or her first months does not have thoughts, desires, and beliefs. More radical advocates of body-self dualism mark the beginning of “one of us” after birth, around the age two, when we first become self-aware.³ For the sake of argument, Mills grants that body-self dualism is false and animalism is true. We are essentially human beings.

Mills then argues that we cannot originate at conception as a zygote. Rather, we come into existence either before conception as an egg or after conception at some point which he does not specify. At conception, a preexisting living cell (the ovum) is changed when its DNA is combined with the DNA of the sperm. According to Mills, this change does not destroy the ovum as is clear from examining the change under a light microscope. The egg exists before, during, and after fertilization. As everyday speech makes evident, the *unfertilized egg* becomes a *fertilized egg*, but remains throughout the process an *egg*. By contrast, the sperm is destroyed in the change. The head of the sperm is absorbed into the egg, and the tail of the sperm is discarded outside the egg.⁴ No one speaks of a fertilized sperm. Why not just say that both the sperm and the egg are destroyed and something new arises? Mills writes, “If this is true, then eggs can’t survive fertilization. Eggs never become fertilized; nothing is at one time an unfertilized egg and later a zygote. Fertilization annihilates one organism and creates another. The problem with this suggestion is that it seems plainly false, notwithstanding its wide uncritical acceptance.”⁵ If I (a human being) existed as a fertilized egg, then I must also have existed as an unfertilized egg. If I existed as an ovum, then consistent pro-life advocates should also oppose all contraception and abstinence as acts violating the right to life. In fact, however, I was never an egg, so I was also never a zygote. If Mills is right, then the common pro-life view that every human being deserves protection from conception to natural death rests on a mistaken supposition that human beings begin to exist at conception.

³ Alberto Giubilini and Francesca Minerva. “After-Birth Abortion: Why Should the Baby Live?” *Journal of Medical Ethics* 39.5 (2013): 261–63. See too, Christopher Kaczor, “A Dubious Defense of ‘After-Birth Abortion’: A Reply to Räsänen” *Bioethics* 32. 2 (2018) 132–137.

⁴ Mills, “The Egg and I” 332.

⁵ *Ibid.* 328.

How might defenders of human equality from conception (but not before) respond to Mills? In his article “Identifying organisms,” Stephen Napier offers several critiques.⁶ One way of characterizing the disagreement between Mills and Napier is in terms of whether conception involves an accidental or substantial change. In an accidental change, the same subject of change persists before, during, and after the change. For a human being to become tan, the subject of the change, the human being, exists before, during, and after becoming tan. If not, then there is no individual who becomes tan. On the view propounded by Mills, the egg exists before, during, and after fertilization. On the other hand, in substantial changes, a subject is destroyed or created by the change. So, if a blast kills an individual human being, that individual does not survive the change, even if disjointed pieces of corpse are left over. As Napier puts it, “To motivate the view that there is one organism that persists through the ‘significant changes,’ Mills needs give us principled reasons for thinking that the changes that occur at conception and immediately thereafter are not significant enough to conclude that a different organism came into being.”⁷ Napier holds that fertilization is a substantial change which brings to an end two cells (the sperm and the egg). In any case, without using the Aristotelian terminology, Mills holds that fertilization is an accidental change which significantly but not substantially changes the egg which remains after fertilization, specifically as a fertilized egg. But in order to determine whether or not a substantial change has taken place, we must have some account of what differentiates an accidental from a substantial change. Mills does not give any such account, so his argument is deficient, or at least incomplete.

If a new organism arises at conception, this kind of change would count as a substantial change. Does the scientific literature shed any light on whether a new organism arises at conception? Mills claims that, “You’ll look in vain in the embryology literature for any hint that conception is anything other than an important event punctuating—not originating—the life of a single

⁶ Stephen Napier, “Identifying organisms,” *The Linacre Quarterly* 84 (2) 2017, 145–154.

⁷ *Ibid.* 147.

being.”⁸ As counter evidence, Napier cites six different scientific texts that contradict the claim of Mills.⁹ To take just one example, *Patten's foundations of embryology* states, “Almost all higher animals start their lives from a single cell, the fertilized ovum (zygote). . . . The time of fertilization represents the starting point in the life history, or ontogeny, of the individual.”¹⁰ The embryology literature suggests that a new organism arises at conception.

To put the debate in different terms, is an ovum an organism or is the ovum a part of another organism? Both are cells, but how can we distinguish between a cell which is an organism and a cell which is a part of an organism? Napier grounds the distinction between these two types of cells in differences in their behavior and composition. So, does the behavior and composition of the egg cell differ from the behavior and composition of the zygotic cell?

Napier answers yes. The zygote has self-development towards maturity as a member of the human species; the egg does not. The zygote has the ability to self-repair; the egg does not. The zygote has distinct parts ordered to “the end of species-specific maturation”; the egg does not. The zygote behaves differently than the egg because the zygote has a different molecular composition than the egg. This molecular composition allows an egg the ability to be fertilized but not the zygote. The zygote (but never the egg) modifies the zona pellucida to prevent more than one sperm from entering. The behavior and composition of the

zygote is indicative of it being an organism. The behavior and composition of the egg is not indicative of it being an organism. If this reasoning is correct, then a zygote is an organism and an egg is not an organism, but rather a part of an organism.

Napier also appeals to life-span to argue that the ovum and the zygote are significantly different, “It is important to note in this regard that the unfertilized oocyte dies within 24 hours, and the sperm dies within 1–5 days; but the new living system [the human organism] may live on for seventy to eighty years.”¹¹ Here, I think Mills would accuse Napier of begging the question, whether we were zygotes. According to Mills, it is not the zygote but rather what comes to be after the zygote that lives for decades. The zygote, like an egg, continues to exist for only a short time.

In any case, Napier’s reply to Mills is complemented by another article “Human organisms begin to exist at fertilization” by the physician Calum Miller and the philosopher Alexander Pruss.¹² One argument that Mills gives in favor of Egg-Zygote Identity is that a zygote is nothing other than a fertilized egg. But a fertilized egg is still an *egg*, so the entity that proceeded any conjunction with sperm continues to exist after conception.

Miller and Pruss reply that this argument uses the term ‘egg’ ambiguously. For example, eggs are still considered an ingredient in cakes even in cases in which the substance of the egg is utterly dissolved. Just as “counterfeit money” is not really money, a “fertilized egg” is not really an egg. So, the loose and ambiguous use of the term “egg” in the phrase “fertilized egg” cannot serve to ground Egg-Zygote Identity.

A second argument Mills gives in favor of Egg-Zygote Identity thesis is that under a light microscope the unfertilized egg and the fertilized egg survive the process of fertilization, unlike the sperm that fertilized the egg. Before, during, and after conception, the egg remains visibly the same whatever changes take place when the DNA of the sperm and egg combine.

⁸ Mills, “The Egg and I” 333.

⁹ These are, specifically: Carlson, Bruce M. 1996. *Patten's foundations of embryology*. 6th ed. New York: McGraw- Hill, p.3; Langman, Jan. 1975. *Medical embryology*. 3rd ed. Baltimore: Williams and Wilkins, p.3; Moore, Keith L., and Persaud, T.V.N. 1993. *Before we are born: Essentials of embryology and birth defects*. 4th ed. Philadelphia: W.B. Saunders Company, p.1; O’Rahilly, Ronan, and Müller, Fabiola. 1996. *Human embryology and teratology*. 2nd ed. New York: Wiley-Liss, p.8 and p.29; Greenhill, J.P., and E.A. Freidman. 1974. *Biological principles and modern practice of obstetrics*. Philadelphia: W.B. Saunders Publishers, p.17, p.23; and Moore, Keith L. 1988. *Essentials of human embryology*. Toronto: B.C. Decker Inc, p.2. Napier’s argument would have been strengthened by citing more recent scientific texts such as those listed here: <http://clinicquotes.com/list-of-quotes-from-medical-textbooksscientists-proving-life-begins-at-conception/>.

¹⁰ Carlson, Bruce M. 1996. *Patten's foundations of embryology*. 6th ed. New York: McGraw- Hill, p.3

¹¹ Ibid. 149.

¹² Calum Miller and Alexander Pruss, “Human Organisms Begin to Exist at Fertilization.” *Bioethics* 31.7 (2017): 534-42. <https://doi.org/10.1111/bioe.12369><https://doi.org/10.1111/bioe.12369>

Miller and Pruss reply that substantial changes may not be visible to the naked eye or even from the perspective of a light microscope. A living human being and new corpse may look quite similar, but there is a substantial difference between them, “the inference from ‘looks roughly the same as’ to ‘is identical with’ is still highly suspect, given that there are changes invisible to simple light microscopes which plausibly constitute changes in identity.”¹³ Mills often speaks as if coming to be or ceasing to be only took place through radical dissolution or annihilation of the course material constituents of an entity. A substantial change need not involve annihilation, if we are using annihilation to mean the complete obliteration of the material composition of an individual. Substantial change does not always involve the annihilation of an individual’s material composition, as the peaceful death of many human beings makes clear.

What exactly is Egg Zygote Identity? Miller and Pruss explore various possibilities. We could construe the Egg-Zygote Identity thesis as making the claim that the Egg and the Zygote are the same organism, or the same cell, or the same chunk of matter, or the same thing. Pruss and Miller explore and evaluate these ways of construing Egg Zygote Identity.

For example, do the arguments adduced by Mills show that the egg is the same organism as the zygote? Pruss and Miller point out that using a light microscope would not enable someone to distinguish an organism from a dead chunk of matter which is not an organism. So, the appearance of the egg and then the zygote under a microscope cannot enable someone to determine that the egg is the same organism as the zygote. Nor does the egg argument work because ‘egg’ is used of hardboiled eggs which are obviously not organisms. We could, moreover, appeal to the arguments mentioned earlier by Napier to indicate that the egg is not the same organism as the zygote.

Does Mills show that the Egg is the same cell as the zygote? Mills and Pruss point out that it is not at all clear that the same haploid cell (23 chromosomes) can survive becoming a diploid cell (46 chromosomes). Miller and Pruss write, “it is far from obvious that an organism’s immediately

becoming diploid from haploid allows the organism to survive.” If an organism went from 46 chromosomes to 23 chromosomes, would the organism even survive, let alone be the same organism? “The organism – if there even were a unified organism – would function completely differently, and it would die very quickly.”¹⁴ Mills therefore does not show that the egg is the same cell as the zygote.

Does Mills show that the Egg is the same chunk of matter as the zygote? Looking under a microscope at the process of fertilization provides some reason to think that the Egg is the same ‘course grained chunk of matter’ as the Zygote. It is equally true to say that the corpse is the same course grained chunk of matter as the living body. But this claim is ethically uninteresting for the debate about physician assisted suicide. Likewise, the claim that the Egg is the same course grained chunk of matter as the Zygote is irrelevant for the debate about embryo ethics.

Does Mills show that the Egg is the same thing as the zygote? To be a ‘thing’ is one of the most general possible descriptions. Miller and Pruss write, “the absence of a highly specific kind that both objects fall under is strong evidence against identity. Indeed, those who hold to relative identity tend to avoid generic sortals like ‘thing’ altogether, and for good reason. So it is difficult to see how appealing to relative identity could help Mills here.”¹⁵ Everything is alike in being a thing, so it becomes trivially true that an Egg is like a Zygote in being a thing. If Miller and Pruss right, Mills has given us no valid argument to accept Egg-Zygote identity in a morally significant sense of identity.

Moreover, Miller and Pruss believe there are good reasons to reject Egg-Zygote Identity. Most people believe on the basis of common sense and intuition that unfertilized eggs and zygotes are not identical. If Miller and Pruss are right that Mills arguments in favor of Egg-Zygote Identity fail, then we have no reason to give up common sense and shared intuitions.

Moreover, while it is clear that material objects can survive small gradual changes, such as a ship having some of its wooden planks replaced with aluminum, it is far from clear that large and rapid

¹³ Miller and Pruss, 536.

¹⁴ Ibid. 538.

¹⁵ Ibid. 537.

change is compatible with an individual organisms continued existence. Miller and Pruss note the enormous change in an organism that even a relatively small change in DNA can make.

While DNA between sperm cells is very similar, the same is true when comparing human DNA with chimpanzee DNA. Even bananas are said to have 50% genetic similarity with humans. There are complicated questions about how to measure genetic similarity, which are beyond the scope of this article. But it can easily be seen both from cross-species comparisons and from theoretical genetics that very small changes in DNA can have enormous effects on the resultant organism – and that a genetic change which is small judging by the proportion of base-pairs involved relative to the entire genome may be enormous using phenotypic measures.¹⁶

If even small genetic differences are indicative of differences between species, it is difficult to see how enormous genetic changes do not result in a different organism entirely. And if enormous genetic changes result in different organisms, then the Egg-Zygote Identity thesis is mistaken. In Pruss and Miller's words:

The greater the difference of genetic endowment, the more plausible—especially in a single-celled organism – that the organism cannot survive the change. But now the difference between being haploid and being diploid is much more significant than the difference between two human genetic endowments. It is much more significant than even the difference between incredibly different species. If species membership is an essential feature of a given organism, or even if it is just evidentially relevant, then the even more drastic change from haploidy to diploidy should be viewed similarly.¹⁷

If the small differences between chimp and human DNA mark the difference in species

¹⁶ Miller and Pruss, 538.

¹⁷ Ibid. 539.

membership (and an essential characteristics of an individual), then the greater DNA change from haploid gamete to diploid organism marks a greater change. If no individual could survive the change into a different species, and differences in species membership are smaller than differences in the DNA change from haploid gamete to diploid organism, then the egg does not survive becoming a zygote.

In another argument against Egg Zygote Identity, Miller and Pruss point out that if we had different biological parents, we would not be the same biological organism. "But this is a good reason to suppose that neither I nor the zygote whence I came are identical to the oocyte whence I came. For an oocyte can, in different possible worlds, be fertilized by different spermatids from different fathers. If the resulting zygotes and children are different, then by transitivity and symmetry of identity, they cannot be identical with the oocyte."¹⁸ The egg that gave rise to me could have been fertilized by someone other than my own biological father, but the human being who would have arose from this new combination of the egg from which I arose and different sperm could not have been me. We could avoid this conclusion if we suppose that I am not a human organism. But this reply is not open to Mills, for the argument of Mills makes presupposes that animalism is correct.

In his essay, "The Egg and I," Mills makes a strikingly novel argument that human organisms do not begin at conception. This essay has explored two engaging replies to the arguments of Mills in favor of Egg-Zygote Identity. If the argument of Napier, or that of Miller and Calum are right, Mills gives us no reason to doubt that every human being should be protected by law and welcomed in life from conception to natural death.

Opposing Views

In which we draw attention to scholarly journal and online articles and resources regarding abortion, infanticide, and euthanasia representing opposing sides of the issue.

¹⁸ Ibid. 539.

- “Attitudes toward Abortion among the Muslim Minority and Non-Muslim Majority in Cross-National Perspective: Can Religiosity Explain the Differences?” by Sarah Carol and Nadja Milweski, examines attitudes towards abortion in European countries. The authors of the article anticipate a renewed debate on abortion in Europe because of the increase of migration, and hence religious diversity. The article compares Muslim and non-Muslim attitudes towards abortion in particular countries based on country of origin and based on time spent in the adopted country. The article finds that Muslim immigrants tend to adopt the attitude towards abortion of the country to which they have immigrated, and so concludes that religiosity and attitudes towards abortion have little to do with each other. *Sociology of Religion*, 78.4 (Winter 2018): 456 – 491.
- “Internalized Stigma and Stigma-Related Isolation Predict Women’s Psychological Distress and Physical Health Symptoms Post-Abortion,” by Aisling T. O’Donnell, Tara O’Carroll, and Natasha Toole, asks how the stigma associated with abortion affects the psychological distress and consequent physical symptoms of women who have abortions. The article concludes that there is a clear link between women who have “internalized stigma” in relation to abortion and an increase in psychological and physical distress in response to having an abortion. *Psychology of Women Quarterly*, 42.2 (June 2018): 220 – 234.

- *Trust Women: A Progressive Christian Argument for Reproductive Justice*, by Rebecca Todd Peters, takes the position that the contemporary debate about abortion is based on racist and patriarchal assumptions that lead to shaming women, rather than to trusting them. This book argues that a new approach to abortion is necessary for Christians, based on recognizing women as rational, moral agents who should be entrusted with making decisions about their own abortions. Boston: Beacon Press, 2018.

Please begin to think about items for next issue, which will come out over the fall. We need

- Notices of member’s publications, presentations and other activities,
- Calls for papers and notices of upcoming conferences.
- Citations of relevant significant research in any discipline, whether from a pro-life perspective, neutral, or the opposing perspective.
- Useful online and print resources.
- Reviews of promising prolife publications.

Please submit all contributions for the Fall 2018 issue by November 15th. Any contributions should be sent to provita.editor@gmail.com.

Web Resources for research and education

<p><i>Life and Learning</i> The Journal of the University Faculty for Life</p>	<p>http://uffl.org/pastproceedings.html</p>
<p>UFL Blog</p>	<p>http://www.uffl.org/blog/</p>

Member web pages and blogs

Please forward any other member's web pages to provitanews@yahoo.com.

Beckwith, Francis	http://www.patheos.com/blogs/returntorome/	
Colosi, Peter	http://peterjcolosi.com/	
Lemmons, Rose Mary Hayden	http://courseweb.stthomas.edu/rmlemmons/	
Smith, Janet E.	http://www.janetesmith.org/	
Bachiochi, Erika	http://bachiochi.com/erika/	

Conferences

Cardinal O'Connor Conference on Life	http://www.oconnorconference.com/home/	Co-sponsored by UFL. Held in conjunction with the annual March for Life in January.
Notre Dame Center for Ethics and Culture Fall Conference	http://ethicscenter.nd.edu/programs/fall-conference-videos	Held in November
Prolife World Congress	http://www.prolifeworldcongress.org/	The most recent Congress took place in Guatemala in October 2016. The site is in Spanish.

Online resources

Academia.edu	https://www.academia.edu/	A place to share research.
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<p>Before Roe v. Wade: Voices that Shaped the Abortion Debate Before the Supreme Court's Ruling (2d edition, 2012)</p>	<p>http://documents.law.yale.edu/before-roe</p>	<p>“In this ground-breaking book, Linda Greenhouse, a Pulitzer Prize-winning journalist who covered the Supreme Court for 30 years for The New York Times, and Reva Siegel, a renowned professor at Yale Law School, collect documents illustrating cultural, political, and legal forces that helped shape the Supreme Court’s decision and the meanings it would come to have over time.”</p>
<p>Culture of Life Foundation</p>	<p>http://www.cultureoflife.org/</p>	<p>Complex moral issues made simple</p>
<p>Global Health and Human Rights Database</p>	<p>http://www.globalhealthrights.org/</p>	<p>“The Global Health and Human Rights Database is a free online database of law from around the world relating to health and human rights. Developed by Lawyers Collective and the O’Neill Institute for National and Global Health Law at Georgetown University, in collaboration with a worldwide network of civil society partners, the database offers an interactive, searchable, and fully indexed website of case law, national constitutions and international instruments.”</p>
<p>Human Life International Truth and Charity</p>	<p>http://www.truthandcharityforum.org/</p>	<p>“The <i>Truth and Charity Forum</i> is an online publication of Human Life International (HLI), dedicated exclusively to the sacredness and gift of all human life, the mission and vocation of the family, and the right to live in accord with our Catholic faith.”</p>
<p>Mirror of Justice</p>	<p>http://mirrorofjustice.blogs.com/</p>	<p>A blog dedicated to the development of Catholic legal theory.</p>
<p>Social Science Research Network (SSRN)</p>	<p>http://ssrn.com/en/</p>	<p>SSRN (the Social Science Research Network). “Our vision was (and still is) to enable scholars to share and distribute their research worldwide, long before their papers work their way through the multi-year journal refereeing and publication process.”</p>
<p>USCCB Human Life and Dignity web page</p>	<p>http://usccb.org/issues-and-action/human-life-and-dignity/index.cfm</p>	<p>United States Conference of Catholic Bishops</p>

Witherspoon Institute Public Discourse	http://www.thepublicdiscourse.com/	Public Discourse is an online publication of the Witherspoon Institute that seeks to enhance the public understanding of the moral foundations of free societies by making the scholarship of the fellows and affiliated scholars of the Institute available and accessible to a general audience.
World Expert Consortium for Abortion Research and Education	http://www.wecareexperts.org/	International research collaboration, Scientific information dissemination, Professional education, Consultation, Expert testimony, Program evaluation, Grant writing
Journals and online publications		
Charlotte Lozier Institute (Susan B. Anthony List)	http://www.lozierinstitute.org/	The education and research arm of the Susan B. Anthony List
Ethika Politika	http://ethikapolitika.org/	Ethika Politika is a publication of the Center for Morality in Public Life. Its purpose is to put the search for wisdom at the service of good practical decisions, and to engage contemporary ethical and cultural issues from an elevated yet common sense perspective.
Human Life Review	http://www.humanlifereview.com/	
Linacre Quarterly	http://cathmed.org/issues_resources/linacre_quarterly/	Journal of the Catholic Medical Association.
Post-Abortion Review	http://www.theunchoice.com/pblresearch.htm	“Documents abortion’s injustice and harm to women”
Organizations		
Bioethics defense fund	http://www.bdfund.org/	Bioethics Defense Fund (BDF) is a public-interest law firm whose mission is to advocate for the human right to life via litigation, legislation and public education.

		BDF provides legal expertise and public education on the issues of healthcare rights of conscience, abortion and its impact on women, human cloning/destructive human embryo research, and end of life issues including physician-assisted suicide and healthcare rationing.
Catholic Medical Association	http://cathmed.org/	
Center for Bioethics and Human Dignity	http://cbhd.org/	“The Center for Bioethics & Human Dignity explores the nexus of biomedicine, biotechnology, and our common humanity. Within a Judeo-Christian Hippocratic framework, we anticipate, interpret, and engage the pressing bioethical issues of our day. As a center of rigorous research, theological and conceptual analysis, charitable critique, and thoughtful engagement, we bring clarity to the complex issues of our day.”
Feminists for Life	http://www.feministsforlife.org/	
Healing the Culture	http://healingtheculture.com/	Promotes the Life Principles of UFL co-founder Robert J. Spitzer, SJ.
The International Center on Law, Life, Faith and Family (ICOLF)	http://icolf.org/	“The International Center on Law, Life, Faith and Family (ICOLF) was established with a view to producing, compiling and providing a broad range of resources and materials for a number of interested parties working on “Law, life, faith and family” issues on the national, regional and international levels.”
National Catholic Bioethics Center	http://www.ncbcenter.org/	Publishes the <i>National Catholic Bioethics Quarterly</i>
Prolife Center at the University of St. Thomas	http://www.stthomas.edu/law/academics/prolifecenter/	Founded and headed by UFL member Teresa Collett to defend the sanctity of human life by training law students and lawyers, by assisting government officials in drafting,

		passing and defending prolife laws, and developing the necessary legal scholarship necessary to create a culture of life.
Society of Catholic Social Scientists	http://catholicsocialscientists.org/Content/Organization/	
News		
Bioedge	http://www.bioedge.org/	Bioethics News around the world
National Right to Life News	http://www.nationalrighttolifenews.org/news/#.Sp5dWSo	
LifeNews.com	http://www.lifenews.com/	
LifeSiteNews	http://www.lifesitenews.com/	
Anti-life resources		
Guttmacher Institute	http://www.guttmacher.org/	Research arm of Planned Parenthood Federation. Guttmacher Policy Review Perspectives on Sexual and Reproductive Health . International Perspectives on Sexual and Reproductive Health
RH Reality Check	http://rhrealitycheck.org/	Reproductive and Sexual Health and Justice News, Analysis and Commentary

Masthead

Publisher	University Faculty for Life
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Pro Vita is the quarterly online newsletter of the [University Faculty for Life](#). Its purpose is to promote research, dialogue and publication by faculty who respect the value of human life from inception to natural death, especially focusing on abortion, euthanasia, and infanticide. More information about UFL can be found on our web site at uffl.org. Editorial correspondence can be sent to the editor at provita.editor@gmail.com.