

Anscombe on Embryos and Persons  
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Abstract

Anscombe's essay "The Early Embryo: Theoretical Doubts and Practical Certainties" (2005) and other works of hers appeal, to a significant extent, to an Aristotelian/Thomistic argument of mediate animation (aka delayed hominization). On this view, the growing embryo is animated by a succession of souls, ending eventually with the rational soul of a human being. This conforms to her belief that while the embryo is an individual thing, an organized body, it is not a human being due to a lack of organs. She also considers monozygotic twinning to pose significant problems to the claim that the early human embryo is a very young human being. Consequently, she argues, though very tentatively, that the earliest human embryo is not a human being. And yet, it nonetheless shares the same life as a future human being. To injure or kill the embryo in its mother's wombs eight and a half months before it was born would have been to harm it. In this paper we argue that it is a common misinterpretation of Anscombe to claim that she maintains that you were never an early embryo or zygote. You did exist then, just not as a human being. We will present Anscombe's argument and demonstrate her philosophical support of the Church's mandate that we treat embryos as one of us. Since Anscombe elicits support from Aquinas, whom she deems to be "intrinsically worth referring to in this context", we will then present a Thomistic argument for rational ensoulment at fertilization. This, we will argue, is compatible with the basic tenets of Anscombe's theory, but is distinct from it in that it places the origin of the human being at fertilization. To do so, we will argue that Aquinas' neo-Aristotelian embryology was—as Anscombe notes—erroneous, and that his delay of rational

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ensoulment is based on this. We will claim that Thomistic metaphysics applied to modern embryology renders much more plausible the embryo having a rational soul from fertilization onwards. This is true even in cases of monozygotic twinning: we will both explain the “problem of twinning” and offer solutions that are compatible with a Thomistic read of embryology. We will suggest that Anscombe overlooked how a hylomorphic account of the existence of two divinely created souls in the zygote is more palatable than a purely materialist account of two co-located individuals being present despite the appearance of just one. Welcome consequences of our view are that, with monozygotic twinning, no human being fissions out of existence when monozygotic twinning occurs and there is no need for ensoulment to occur at different times for different individuals. Finally, our account, unlike Anscombes’s, can unequivocally maintain that we are essentially rational animals because we are human animals at all moments of our existence.

Anscombe's "The Early Embryo: Theoretical Doubts and Practical Certainties" (2005, pp. 214-223), as well as other essays, appeals, to some extent, to an Aristotelian/Thomistic argument of *mediate animation* (aka *delayed hominization*). On the unadulterated Thomistic view, the pregnant woman's womb is the location for a succession of souls, ending eventually with the rational soul of a human being. This conforms to her belief that while the embryo is an individual thing, an organized body, it is not a human being due to a lack of features and organs (2008, p. 214). She also considers monozygotic twinning to pose significant problems to the claim that the early human embryo is a very young human being. Consequently, she argues, though very tentatively, that the earliest human embryo is not a human being. And yet, it nonetheless shares the same life as a future human being. To injure or kill the embryo in its mother's wombs eight and a half months before it was born would have been to harm it. She writes "You would be wronging the prospective human being even by something done to *him* at a stage – if there is such a stage – so early that he was not yet one" (2008, p. 223) and "you can wrong someone by what you do to, say, an early cell cluster which was a stage in *his* development" (2008, p. 223). Her position is based on what she claims to be an (admittedly strange) neo-Aristotelian argument in which there is a time that the early embryo is not of any species of animal; therefore her modified succession of souls does not involve substantial change (2008, p. 217). She concludes, then, that to end the *life* of an embryo is to end the *life* of the human being.

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We will argue here that while it may be a common misinterpretation of Anscombe to claim that she maintains that you were never an early embryo or zygote, she did believe that you did exist then, just not as a human being. Her argument, then, allows for a prohibition on ending the lives of embryos while refraining from the (bold) claim that embryos are human beings. And this, Anscombe claims, is the extent of the Church's mandate on the treatment of embryos: embryos are not (yet) specifically argued to be human beings, but we must nonetheless treat them as such. Hers, then, is a theory on embryos that offers philosophical support for precisely what the Church teaches.

In this paper we will present Anscombe's argument and demonstrate her philosophical support of the Church's mandate that we treat embryos as one of us. We explore her notion that there is a life that is not yet the life of a human being but will later be the life of a human being. Since Anscombe elicits support from Aquinas, whom she deems to be "intrinsically worth referring to in this context", we will present then a Thomistic argument for rational ensoulment at fertilization. This, we will argue, is compatible with the basic tenets of Anscombe's theory, but is distinct from it in that it places the origin of the human being at fertilization. To do so, we will argue that Aquinas' neo-Aristotelian embryology was—as Anscombe notes—erroneous, and that his delay of rational ensoulment is based on this. We will claim that Thomistic metaphysics applied to modern embryology renders much more plausible the embryo having a rational soul from fertilization onwards even in cases of monozygotic twinning.

On Anscombe's account, there was, at one point, *something* human—a zygote—and yet this human substance that was a zygote was not *a* human. Nor was it more than one human (1984, Pp. 111-115). The zygote was *you* however, and we believe that

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Anscombe thought of 'human being' as a phase sortal, rather than a substance sortal. She sees 'human being' as referring to something that you are identical to, but not essentially, in the same way that you can be identical to a teenager but not are essentially one. The phase "human being" begins after twinning is no longer possible, and the embryo bears the marks of a human body, both of which happen early in development.

What persists from the zygote stage to the beginning of the human being phase of your existence is the "life". In "Were you a Zygote?", Anscombe claims that, in the case of the zygote, this existence or life is not that of the sperm and egg, which fused to form the zygote, but that of the zygote itself, a "new kind of thing from what they were" (1984, p. 115). She writes, "the two lives of the sperm and the ovum have ended because they have turned into an individual with a new life, the life carried by the zygote"(1984, p. 115). Here, then, marks the substantial change, wherein the new human substance begins to exist. On her view, the life is carried by a soul, yet, as she writes in "The Early Embryo", there is a "certain lack of determinateness. This one zygote will very likely develop, if all goes well, into one single human being, but it may also develop into more" (2008, p. 221). This soul, then, is a soul that has a life and, when united to the proximate matter that is the fertilized egg, brings into existence a human substance. But she does not yet want to say that it is a human being, and so she draws upon Aristotelian-Thomistic tradition of delayed hominization. Her delayed hominization, however, does not involve the substantial change that comes with the Thomistic succession of souls. And in order to reject substantial change, she draws on a move that both Aristotle and Aquinas (using Aristotle's metaphysics) make, wherein in the process of production, there is animal soul that does not belong to any specific kind of animal, 'there is a stage of living with animal

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life without being, for example, a man or a horse” (2008, p. 217). She thinks that if Aquinas can suppose this—that you can have an undetermined animal soul, an animal without any particular species, become an animal of a certain species—then one need not consider the embryonic developmental changes from vegetative to animal to rational life to involve substantial changes. Anscombe writes

“Why can’t I say that I am the same *living thing* as that zygote? If in its development it could come alive with animal life without having the substantial form of any particular kind of animal, then why should we respect the argument that change from vegetative life to animal life is substantial change, and therefore involves the cessation of what is change and the start – the coming to be – of the new thing it changed into? After discovering what Aquinas was prepared to say about a certain stage of animal life, he seemed to me to be unjustified in inferring a substantial change in the way that I have indicated” (2008, pp. 217-18).

What she seems to believe, then, is that there is a soul present that manifests first vegetative life, then animal life, and ultimately rational capacities. The soul is united to matter to form a human substance that is a human zygote and then an embryo, but not a human being. It is with the formation of organs, the end of the possibility of twinning, and the beginning of human features, that something first becomes a human being. This is one version of delayed hominization, wherein there is a human substance that is a not human being until late in embryonic development (she imagines around 6 weeks; the whole of embryonic development is 8 weeks long). In other words, she does not believe that a new soul enters with the beginning of the phase “human being”. No substantial

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change has taken place, but the embryo now has been configured so that it is a rational animal, or human being.

While Anscombe uses Aquinas' undetermined animal soul as a justification for her removal of substantial change, her explanation for how this might happen is more detailed and relies on final and formal causes. At its earliest stage, the embryo manifests a unity that she attributes to the soul. And yet this unity is undetermined, for after fertilization, what appears to be a single embryo may "twin" and divide into two or more embryos, or monozygotic twins. Because of this lack of determinacy, where what appears to be a single zygote can divide into twins, she believes that,

"to say that there is here an individualized actual form so operative that we can say of the zygote 'Here is a human' seems to be too bold. The form that is to be, if development is normal, that is surely what is governing the development at least until you are really justified in saying 'This is a human'. Now a form that is to be is, as governing a development, is precisely a final cause (2008, p. 221).

All of the actions done during the first few weeks of the human embryo's life are done for the sake of the "new and coming animal life" (2005, pp. 45-58). It is not, she writes, "like the principle of unity in the life of nutrition and growth, the formal cause" (2005, p. 57). Rather, an animal would be indicated by sensation and movement. So, this new and coming animal life will be that of a rational animal, a human being, marked by the "production of the beating heart, of the inchoate sense organs, of the limbs and of the brains; the existence of almost all of which is necessary if there is to be the life of the animal" (2005, p. 57). This would be at approximately 6 weeks or so after fertilization.



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One may ask though, as she does in a title of her essay, “Were You a Zygote?”. In other words, were you the product of the fusion of the sperm and egg, a unicellular organism? Here answer is that yes, you were a zygote, and a human one. But you were not yet a human being. For Anscombe, a new life originates with the new human substance that comes into existence at fertilization. The zygote that is this new human substance persists as the *same* substance but does not become a *human being* until after twinning is no longer possible. Again, we read her as viewing *human being* as a phase sortal: just as the teenager does not begin to exist when the human substance reaches adolescence, the human being existed earlier before the human substance became a human being and the rational soul begins to inform matter.

Because you were once a zygote, although not yet a human being, when she brings up a practical matter of litigation, wherein a damaged adult sued a hospital for damage done at an embryonic stage, she writes, “of course you would be wronging the prospective human being even by something done to him at a stage—if there is such a stage—so early that he was not yet one” (2008 p. 223). She does not see the human zygote as a human being, but it is the same substance as the later human being and so would be the same subject of harm.

Anscombe’s view is, she, notes, in keeping with the Church’s teaching on the treatment of human embryos, which is that while it has never taught that procuring an abortion during the first few weeks of development is permissible, the Church has also never committed herself to the thesis that the rational soul of a human being is there from the moment of conception (or fertilization). We believe with some certainty that she used the Church’s position as a guide in her inquiries, for she writes that, with regard to the

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litigation mentioned above, she was “pleased to note that...the Magisterium of the Church has not ‘committed itself to an affirmation of a philosophical nature’” (2008, p. 223). However, she also finds her metaphysical explanation of early embryonic development to avoid complications that come with both twinning and what she considers to be physical signs that the early embryo is not yet a human being: its lack of organs and its outward form.

There are many things to appreciate about Anscombe’s position. For Catholics, here is a substantial philosophical position that supports the Church’s prohibition on early abortions without providing the embryo the status of ‘human being’. This is no small feat, for the problems that come with monozygotic twinning are a puzzle for philosophers defending the zygote as a human being. On Anscombe’s account, though, the zygote is merely a human substance, not yet a human being, and so can divide without violating the persistence conditions of human beings. In other words, the problem with the early embryo being one of us is that it can divide into two, as happens with monozygotic twinning, when the embryo divides into two identical embryos. Since we cannot divide into two and survive, it seems that the embryo cannot be one of us. However, Anscombe’s point is that it is not “one” of us. It is not a human being, but a human substance, which can divide, for “we cannot say that we have here two distinct animals. But we can say that we have two materially distinct carriers of the life that started with the formation of the zygote”(1984, p. 115). This is a main point of hers: the early embryo is not a *single* human substance that is identical to a single human being. Rather, it is a human substance that can give rise to two or more human beings, eventually, all which share in the life of that original human substance. So, as she writes, “for identical twins,

they were jointly something human, and then each severally something human.” (1984. p. 114)

One of our interests here is to propose a solution to twinning that has the human being existing as the human zygote. Our solution will actually be, at face value, much like Jerome Lejeune’s solution, which Anscombe explicitly rejects. However, the similarities are superficial, for our solution rests upon what we believe to be a robust metaphysical analysis of early embryology, one which allows for us to have once existed as zygotes, and to survive the twinning phase as the same human being that will eventually become the fetus, neonate, etc. We will offer a Thomistic metaphysics, but will separate Aquinas’ analysis of embryology from the erroneous Aristotelian science that he used to construct his original theory of delayed hominization.

First, though, we will look briefly at possible solutions to twinning, all of which Anscombe rejects, except for the last. They are as follows:

- (1) Lejeune’s solution: both twins are present from fertilization onwards, and split at some point. Anscombe finds no sufficient evidence for this, and wonders, if this were true, what sort of metaphysical status this entity might have that is not one, but two human beings, for by Lejeune’s account, the twinning imprint would be on all zygotes. She thinks there is no proof for it and thinks there may not even be proof against.
- (2) The Sprouting Solution: the original zygote was not yet divided, but “grew” a sibling, one that is days younger despite being an identical twin. Anscombe rejects this largely because there is no evidence, and, as with Lejeune’s

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solution, if this budding were imprinted on the zygote, it's metaphysical status as something destined to twin renders it, at the least, a curious phenomenon.

(3) Fissioning (and fissioning out of existence): There is single human being that fissions into two identical human beings . This, Anscombe charges, carries with it a host of problems, including the possibility of each set of twins, the products of fission, costing a sibling (the original zygote), to fission out of existence.

(4) Pre-embryo solution: There is a zygote and embryo that is not a human being but an early embryo that can twin into human beings. This is what some philosophers would term a “pre-embryo”. This “pre-embryo” solution is the one Anscombe most favors, for she argues that the early embryo is not a human being, but is a human substance.

Our own solution is a Thomistic one, and, to present it, we will turn briefly to his own metaphysical account of embryology. Aquinas's metaphysical analysis of embryology was erroneous, as Anscombe notes, for he uses Aristotle's science, which has no conception—no pun intended—of the fusion of the sperm and the egg, and the resulting zygote. Rather, Aquinas tries to explain what might happen when the female menstrual blood is formed by the male semen into what is first a substance with vegetative life, then one with animal, or sensitive life, and then finally a human being. This is his theory of delayed hominization, or “succession of souls”, in which there is first a sensitive soul, then an animal soul, and finally the human being's rational soul, which is the point of hominization, when the human substance comes into existence.

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We think, though, that with a proper Thomistic analysis of embryology, we can position hominization at fertilization. Aquinas' soul is a rational soul, and it is this soul, or form, when united with matter, that is the human being. It is a "subsistent" substance, for it can exist without matter after death, albeit in a deprived state (this not a capacity it has, though, prior to the creation of the human being. When created it is necessarily united to matter). And, on Aquinas' hierarchy of being, the human being stands on the border of the corporeal and incorporeal worlds, a metaphysical amphibian, positioned between the "dumb" animals and the angels. This privileged position is ascribed to it because of the human soul's powers of intellect and will, which Aquinas argues are not reducible to matter and so renders it transcendent. In fact, Aquinas argues that although the human form begins to exist in its natural state of configuring matter, it will exist when separated from matter at death, albeit in a deprived state. (1948, I q.76; q. 90 a. 4).

What is relevant to our argument is that the rational soul is not a "thinking" soul, but an ontic structure whose powers, or potentialities, are rationality, sensitivity, and vegetation. The essence of the soul is not reducible to these potentialities, and Aquinas goes to some trouble to make this distinction. The advent of new activities of an ensouled substance does not indicate that a new substance has come into existence; rather it is the manifestation of powers that are had by the soul:

...if the very essence of the soul were its immediate source of operation, whatever has a soul would also have actual vital actions, as that which has a soul is always an actually living thing" (1948, I q. 77 a.5).

The soul is the "first act", the fundamental ontic structure in which the operations are rooted. The "second act" is the actual operations of the powers, and it is the substance

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itself that is more appropriately called their subject (1923, II q. 59). This is because souls require matter for their full operation. In his discussion of angels, Aquinas makes this point about the rational powers explicit, and extends it to other creatures, “Neither in an angel nor in any creature, is the power or operative faculty the same as its essence...the angel’s essence is not his power of intelligence: nor is the essence of any creature its power of operation.” (1948, I q. 54 a.20). The powers are potentialities that the soul has, that are not always active, but are capable of being manifested if united to matter in the proper way.

Aquinas’ distinction between the essence of the soul and its powers affords Aquinas’ metaphysics a human soul that can exist *without* thinking, and so allows for a human embryo that has a rational soul. The sense of “rational” that is used to describe the human soul refers to a kind of ontic structure, then, which gives rise to rational activity through its configuration of matter. In fact, the configuration of matter—the development of a body, or substance—is to produce a body that will allow for the manifestation of the soul’s specific powers. And, reflecting the hierarchy of being, the first powers manifested are the vegetative, followed by the sensitive (or animal powers), and then rational powers. But this succession of powers does not necessitate a succession of souls, or mediate animation, nor does it render ad hoc the claim that it is the rational soul present throughout all of embryonic development, and the fetal, neonate, etc. It is the soul that configures the matter, and the substance that is the soul and matter develops as it does—into a being that manifests rationality—*because* of the rational soul’s acting upon the matter.

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It makes little sense, then, to claim that the rational soul is bestowed at some point in embryonic development after fertilization simply because rational faculties are not yet manifested. Anscombe does not make this specific point, but she does posit the rational soul as a final cause rather than an organizing principle. Again, she writes about the early stage where a human substance is present but not yet a human being:

What is governing here is the principle of unity of a new and coming life, the animal life of movement and sensation which is not yet there. But one cannot doubt that what is done—the action of the living embryo in its earliest stages—is done for the development of that animal life—the production of the beating heart, of the inchoate sense organs, of the limbs, of the brain; the existence of almost all of which is necessary if there is to be the life of an animal....Heart, brains and sense organs there must be” (2005, p. 57).

And even if the animal life precedes the presence of the rational life, this still happens very early one: “...I incline to rely on its outward form and its having the human organs. In fact, I suppose that the period of animal but not yet human life must be very short. I have seen it reported that a six-week-old conceptus has been observed to swim vigorously with a breast stroke...” (2008, p. 217). Surprisingly, on Anscombe’s account, the advent of the human being phase, or hominization, precedes the manifestations of a rational life by several months.

The looming problem, of course, is the problem of monozygotic twinning, or the apparent division of a single embryo into two embryos. Here we will offer a solution to monozygotic twinning. Like Lejuene’s solution, we believe that there are two souls present, and as the embryos grow, they divide and split into two separate embryos.

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Sometimes, of course this splitting is not successful, and the twins are conjoined (which will actually help our case). However, in most instances, twins separate and continue as two genetically identical individuals.

Our account, though, is made more robust than Lejeune's with a Thomistic metaphysics. The rational soul, on Aquinas' account, is on the boundary of the corporeal and incorporeal world, and, like the angels, can exist without matter. This happens in the afterlife. Of course, it is not a separate substance, but a subsistent one, but it nonetheless shares some of its characteristics with the angelic forms. One of these is how it is individualized, or what is its principle of individuation. To see this, we can see how, for all creatures, the act of existence is conferred from without, for the only being whose essence *is* His existence is God. All other beings are given their existence from God, and so even the angelic and human forms stand in potentiality in terms of existence. Aquinas writes, "Each being possesses its act of existing and its individuation in accordance with the same factor" (1984, I a.2). It is the form that receives its existence and imparts that existence that it receives from the composite—or in the case of the separate forms, simply retains it. That the form is the individuating principle, because it receives existence, allows then for the individuation of angels, of departed souls, and for the only Being whose existence is His essence: God.

There, however the famous "designated matter" reference of Aquinas', which is often understood as the principle of individuation, at least for corporeal beings. Joseph Owens', who advocates the formal individuation thesis, argues that that the dimensions of the matter do individuate at some level, but these dimensions are due to a prior cause: the form, first, and even more fundamentally, the existence that the form confers to the



substance, and hence the matter (1988). And Aquinas makes the following comment in his *Treatise on Man*:

The soul communicates that being in which it subsists to the corporeal matter, out of which, with the intellectual soul, there results one being; so that the being of the whole composite is also the being of the soul itself. This is not the case for other forms, which are not subsistent. For this reason, the human soul retains its own being after the dissolution of the body, whereas other forms do not (1948, I q. 76 a.2)

What *this* affords us, then, is a soul that has its own principle of individuation apart from matter. And so, with twins, we say that there are two, as we say, spatially co-located souls, or even overlapping souls, that appear as one body, the zygote or early embryo. Both twins are present at fertilization; in cases of twinning, the “designated matter” is deceptive. For human beings, the individuation lies with the soul, and so there are two souls united to matter, and hence, on a hylomorphic account, two human beings. So, in cases of twinning, two human beings come into existence at fertilization when two souls are infused into the unicellular body. Upon infusion, the souls of each of these bodies are collocated, sharing the same matter. Each of these twins, a composite of matter and form, is a human being, and as the matter is configured by each form, the two human beings usually separate. However, in some cases, the twins do not separate and are conjoined. Every theory of ensoulment will have to accept in the cases of conjoined twins considerable overlap of two souls sharing the same matter. Many cases of conjoined twins have massive overlap. Our theory just begins with total overlap. And so on this account, monozygotic multiples were both (or all) present at fertilization, and in typical

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cases, separate during the first two weeks or so after fertilization. And in all cases, the human being, the composite of matter and form, is present at fertilization.

There are, we believe, several merits to this view. One is that there is actually evidence (as Anscombe seeks in her inquiries about Lejeune) for the claim that there is either collocation or overlap of two human beings prior to twinning. This was one of her criticisms of Lejeune's view, that there was no evidence that both twins are present from the beginning. In some cases of conjoined twins, there is major overlap or even collocation of organisms. The extreme dicephalus, which shares a body but has two heads, had one vegetative life for quite a while after Anscombe's threshold for the beginning of the human being. What eventually individuates *is* the rational power, since the dicephalus may always share a body, and so a vegetative life, but they do not share a mind. Since there do not seem to be two life processes, even when they are fully developed, we believe that these were two collocated souls at one point that eventually merely overlap, although to a large extent.

Another merit to a collocation view, as part of theory of immediate hominization, is that it preserves our status as essentially "rational animals". On Anscombe's delayed hominization view, we exist *before* hominization, or before we become a human being, and so are contingently rather than essentially rational animals. We exist, then, before we are a rational animal, which runs contrary to Aristotle and Aquinas, but, perhaps more importantly, to Church teaching.

Finally, a collocation theory of twinning is also neater than other solutions. On this view, we can still have the zygote and embryos as human beings, and no one dies, or fissions out of existence, when twinning occurs. Twins do not come at the cost of a

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genetically identical sibling. And if twinning is determined from the beginning, then Anscombe's view entails that there are necessarily human substances who are never going to become human beings. Their status would be morally like gametes, for it would be impossible for them to ever become human beings. So if twinning is determined, this would be one of Anscombe's problems. Ending the life of a human substance that is destined to twin—if this is how twinning works—would be merely akin to contraception, for the human substance that would be destined to twin would have no more chance of becoming a human being than would a gamete.

Anscombe worried that pro-lifers put too much stake into the metaphysical status of the human embryo, for if they are wrong about this, and it is not a human being, then they can offer no protection for it. She writes, "Suppose the thesis *were* proved wrong? Would all these stalwarts say, "oh well then, say, up to four weeks then, you can kill it?" (2008, p. 218). Hers is a theory that prevents painting one's self into a corner, and supports the Church's teaching, for she shows how you need not have a human being present during these strange early days when twinning is possible and when an animal life is not obviously present. We hope to have advanced her endeavors by presenting a view that preserves the protection of the zygote and embryo as one of us.

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