

Abortion Policy

and Christian Social Ethics
in the Post-Roe United States

Session 1:
Scripture and Science

Objectives

- Trace what Jewish and Christian leaders have said about the fetus and abortion
- Identify mistakes Christians have made, and aim to correct them: contraception; economics; etc.
- Discern how abortion is used for other political purposes

Other Ways to Engage

- The Anástasis Center for Christian Education and Ministry
 - Resources: anastasiscenter.org
 - Abortion in particular
 - anastasiscenter.org/politics-right-bioethics
 - Video classes and messages
 - Discussion on our Facebook Group
 - “Healing Atonement and Restorative Justice”
 - News
 - [Facebook.com/AnastasisCenter](https://www.facebook.com/AnastasisCenter)
 - [Instagram.com/AnastasisCenter](https://www.instagram.com/AnastasisCenter)
 - [Twitter.com/AnastasisCenter](https://twitter.com/AnastasisCenter)



Other Ways to Engage

- Mako's social media
 - Facebook Author page: Mako A. Nagasawa
 - Facebook Personal page: Mako Nagasawa
 - Instagram.com/makonagasawa
 - Twitter/mako_nagasawa



Outline

- Presentation: Scripture (30 min)
- Discussion (10 min)
- Presentation: Science (10 min)
- Discussion (10 min)
- Open Q&A

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Why the Biblical Tradition?

- When do life and personhood begin?
 - Religious and tradition-specific paradigms
 - “Rights of the fetus”
 - “Bodily autonomy”
 - Many Christians think Scripture says conception establishes legal personhood
 - E.g. The Personhood Initiative
- Is that the only way to frame the issue, even in Scripture?
 - How to organize, prioritize bodily claims?
 - How to discern possibilities and limits for abortion?
 - How to assess damage, harm?

Scripture and the Unborn

- Which Scripture?
 - Exodus 21:22 – 25
 - Harm to the unborn fetus
 - Other passages? Not enough info
 - Psalm 139:13 – 16
 - Jeremiah 1:5; 20:17
 - Job 10:18
 - Luke 1:44
 - Caveats on Christian use of Jewish law

Scripture: Exodus 21:22 – 25 (NRSV)

- What does this mean? Miscarriage, fine
 - ²² When people who are fighting injure a pregnant woman so that there is a **miscarriage**, and yet no further harm follows, the one responsible shall be **fined** what the woman's husband demands, paying as much as the judges determine. ²³ If any harm follows, then you shall give life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burn for burn, wound for wound, stripe for stripe.
 - Exodus 21:22 – 25; NRSV, based on the Hebrew Masoretic
 - Forced miscarriage does not carry the “life for life, eye for eye” consequence
 - Fetus is not assigned full legal personhood

Scripture: Exodus 21:22 – 25 (Brenton)

- What does this mean? Miscarriage, stage of fetus?
 - ²² And if two men strive and **smite** a woman with child, and her child be born **imperfectly formed**, he shall be forced to pay a penalty: as the woman's husband may lay upon him, he shall pay with a valuation. ²³ But if it be **perfectly formed**, he shall give life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burning for burning, wound for wound, stripe for stripe.
 - Exodus 21:22 – 25; Brenton's, based on the Greek Septuagint
 - Observe the miscarriage: Is the fetus “imperfectly formed” aka “unformed” or “perfectly formed”

Scripture: Exodus 21:22 – 25 (ESV)

- What does this mean? Early delivery results in a fine; but harm to either fetus or mother results in more
 - ²² When men strive together and hit a pregnant woman, so that **her children come out**, but there is no harm, the one who hit her shall surely be **fined**, as the woman's husband shall impose on him, and he shall pay as the judges determine. ²³ But if there is **harm**, then you shall pay life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burn for burn, wound for wound, stripe for stripe.
 - Exodus 21:22 – 25; ESV, based on the Hebrew Masoretic
 - Important because:
 - Translation really changes the meaning
 - Translation commonly referenced by Christians who want to ban all abortions
 - Should we adopt a strict anti-abortion position based on the ESV and translations like it?

Scripture: Exodus 21:22 – 25

- Exodus 21: Is the unborn fetus a fully human person?
 - No: forced miscarriage (Hebrew Masoretic, NRSV)
 - Maybe: forced miscarriage + stage of fetus (Greek LXX)
 - Yes: early delivery view (Hebrew Masoretic, ESV)

Abortion
Policy
and
Christian
Moral Ethics
in the
United States

Scripture: Exodus 21:22 – 25

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 - John Calvin, *Commentary on Exodus*
 - John Piper, “The Misuse of Exodus 21:22–25 by Pro-Choice Advocates,” *Desiring God*, February 8, 1989

Scripture: Exodus 21:22 – 25

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 - Maybe: forced miscarriage + stage of fetus (Greek LXX)
 - ~~Yes: early delivery view (Hebrew Masoretic, ESV)~~
- Why? How to debate Christians who use the ESV for a hardline anti-abortion position?
- Let's go deeper

Jewish Understanding of Exodus 21

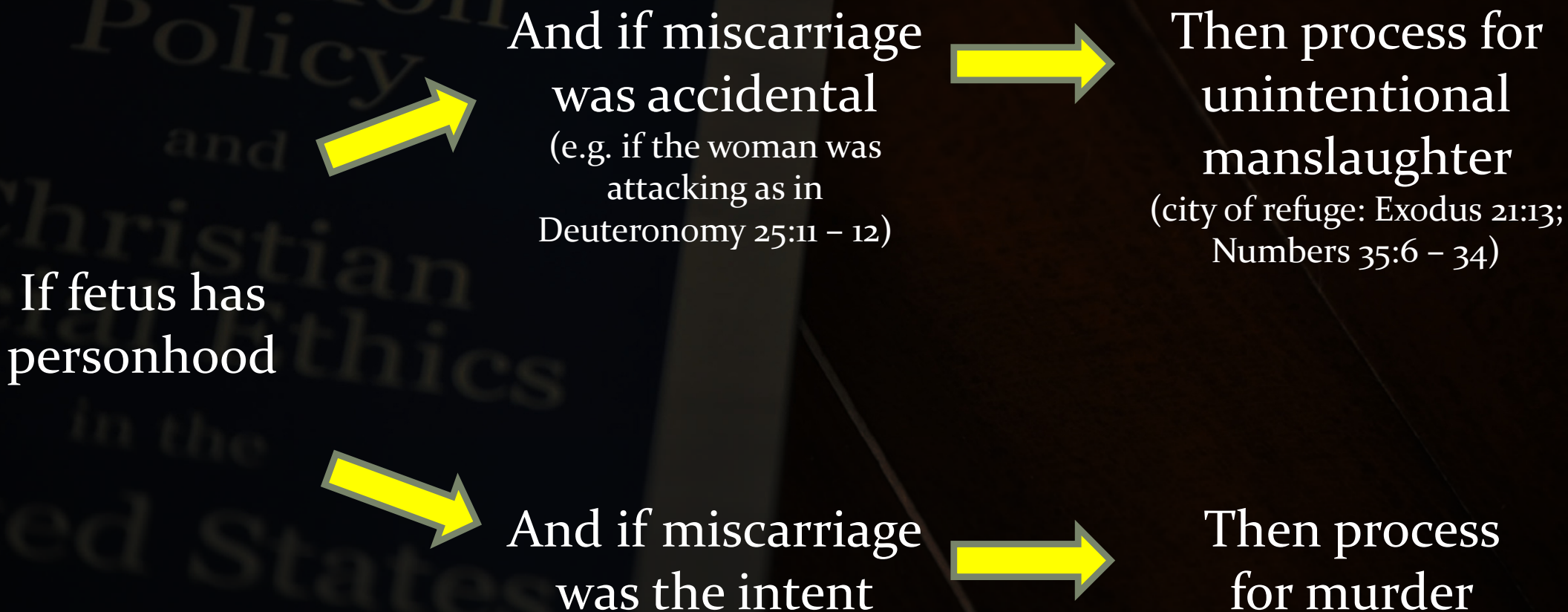
- Why the “forced miscarriage” view? (reason 1 of 9)
- Hammurabi 209 – 214
 - If an awilu strikes a woman of the awilu class and thereby causes her to miscarry her fetus, he shall weigh and deliver ten shekels of silver for her fetus.
 - If that woman should die, they shall kill his daughter.
 - If he should cause a woman of the commoner class to miscarry her fetus by the beating, he shall weigh and deliver five shekels of silver.
 - If that woman should die, he shall weigh and deliver thirty shekels of silver.
 - If he strikes an awilu’s slave woman and thereby causes her to miscarry her fetus, he shall weigh and deliver two shekels of silver.
 - Bill T. Arnold and Bryan E. Beyer, *Readings from the Ancient Near East* (2002), p.113 – 114
- Exodus 21:22 – 25 NRSV
 - 22 When people who are fighting injure a pregnant woman so that there is a miscarriage, and yet no further harm follows, the one responsible shall be fined what the woman’s husband demands, paying as much as the judges determine.
 - 23 If any harm follows, then you shall give life for life, 24 eye for eye, tooth for tooth, hand for hand, foot for foot, 25 burn for burn, wound for wound, stripe for stripe.

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 1 of 9)
- Hammurabi 209 – 214
 - Punishment is based on the victim’s class status
 - Punishment for harming a mother depends on mother’s class
 - Wife, daughter treated as property of the father
 - Fines for fetus based on fetus’ class status
 - Fines determined by Hammurabi
 - Assailant’s motive could have been to cause an abortion
- Exodus 21:22 – 25 NRSV
 - Punishment is not based on the victim’s class status
 - Punishment for harming a mother is proportional to harm done to the mother
 - All persons treated as children, property of God
 - Fines for fetus based on circumstances, including stage of the fetus (Greek LXX)
 - Fines determined by a community process including men and women “judges” (Judg.4; Hebrew Masoretic)
 - Assailant’s motive could have been to cause an abortion

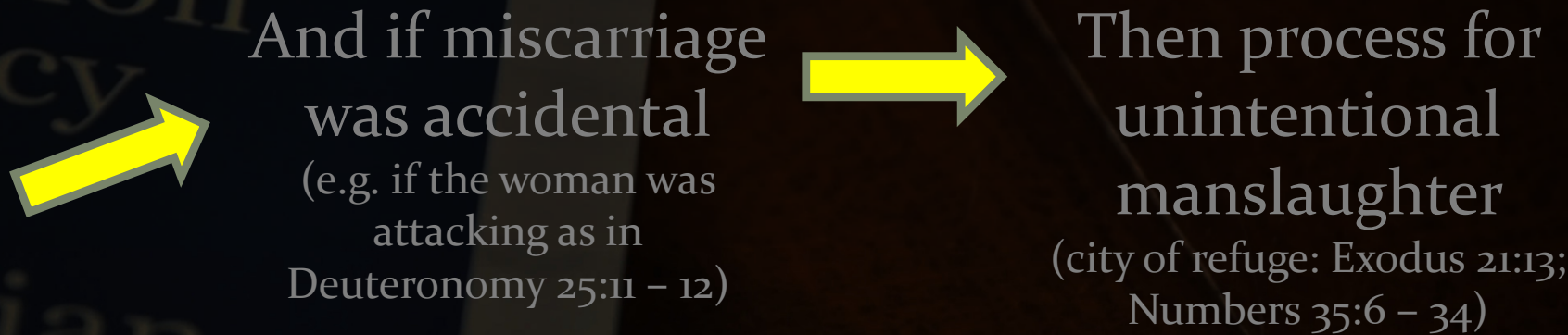
Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 2 of 9)
 - For full persons, murder vs. manslaughter is taken very seriously, so why not here?



Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 2 of 9)
 - For full persons, murder vs. manslaughter is taken very seriously, so why not here?



Starting premise is wrong: fetus does not have personhood



Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 2 of 9)
 - Case law focuses on the **outcome, not assailant’s intention**
 - Assailant’s intention probably
 - Discernable by the community (“the judges” of Exodus 21:22)
 - Accounted for by the fine
 - **Even if the intention was to cause the miscarriage**
 - Jealous husband (e.g. Numbers 5:11 – 31)
 - Rival male relative greedy for inheritance (e.g. Genesis 38; Ruth 4)
 - Treated as harm to the woman’s body
 - Manslaughter is not considered as a possibility

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 3 of 9)
 - History of Jewish discussion (paper trail)
 - Fines until fetus was “formed” (Greek text)
 - Greek LXX (~250 BC) affirmed by Sanhedrin for use
 - Philo (20 BC – 50 AD); Midrash Nidpas 3:7; Mekhilta de Rabbi Ishmael; Sanhedrin 84b; Niddah 44b
 - Fines until full personhood at birth and breath (Hebrew text)
 - Samaritan Pentateuch (122 BC); Dead Sea Scrolls 4Q22 (100 – 25 BC)
 - Targum Onkelos (100 – 150 AD)
 - Babylonian synagogues, content goes back to Ezra (c.440 BC)
 - Targum Yerushalmi / Pseudo-Jonathan (4th – 10th century AD)
 - Palestinian synagogues
 - Tosefta Sanhedrin 59a; Chullin 33a

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 3 of 9)
 - History of Jewish discussion (paper trail)
 - Hebrew, Greek, and Aramaic texts used simultaneously
 - “Eye for an eye” was an upper-limit compensation fine, anyway
 - Could the manuscripts and understandings have worked together, functionally? Only if:
 - The fetus is assigned full human personhood not at conception but at some later point

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 4 of 9)
 - The word “smite” (“smite a woman with child”) always means that someone dies (Hebrew “nagaph”)
 - *A death-dealing blow, every single time*
 - *In the Pentateuch* (Exodus 12:23, 27; 21:35; 32:35; Leviticus 26:17; Numbers 14:42; Deuteronomy 1:42; 28:7, 25)
 - Death to *the land* (Exodus 8:2)
 - Death to *at least some people*
 - *In every other narrative or prophetic Old Testament book*
 - Compare with Hebrew “nakah”
 - Intent and impact are both uncertain (Exodus 21:12, 15, 20 – 21)
 - Who died? Fetus, not mother
 - Cannot mean “early delivery”

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 5 of 9)
 - Context: Exodus 21:2 – 36, following Egyptian harm
 - About **bodily harm and bodily relations**
 - Early delivery is not bodily harm
 - Forced miscarriage is bodily harm
- A. Restoration Without Payment: Indentured Servants; Betrothed Daughters (21:2 – 11)
- B. Sacredness of Bodies and Relations; Crimes Punished by Death (21:12 – 17)
 - C. **Injuries from a Physical Fight**; Toward Full Healing (21:18 – 19)
 - D. The Full Humanity of the Slave: Cases of Murder vs. Homicide (21:20 – 21)
 - C'. **Injuries from a Physical Fight**; Compensation (21:22 – 25)
- B'. Sacredness of the Body and Relations; Freedom to Servants (21:26 – 27)
- A'. Restoration With Payment: Indirect Injuries; Servants; Compensation (21:28 – 36)

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 6 of 9)
 - Context: Exodus 21:2 – 36, following Egyptian harm
 - Has a chiastic structure
 - C and C’ are symmetrical: fight; compensation; miscarriage fits
 - D to A’ involve *lasting* bodily harm: i.e. miscarriage fits
- A. Restoration Without Payment: Indentured Servants; Betrothed Daughters (21:2 – 11)
- B. Sacredness of Bodies and Relations; Crimes Punished by Death (21:12 – 17)
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- A’. Restoration With Payment: Indirect Injuries; Servants; Compensation (21:28 – 36)

See *Abortion Policy*
pages 25 – 30

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 7 of 9)
 - Fetus (potential or actual) is treated as part of woman’s body elsewhere
 - If the woman committed adultery
 - The fetus dies (Numbers 5:11 – 31)
 - The fetus dies with her (Deuteronomy 22:13 – 19)

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 8 of 9)
 - Adam as archetype
 - God made Adam’s body, then breathed life in (Genesis 2:7)
 - Full human personhood marked by birth and breath
 - Take your “first breath” and “last breath”
 - Hebrew word “havvah” means both “existence” and “breath”
 - Even King David in Psalm 139:13 – 16 distinguishes between “unformed” and “formed” stages in the womb
 - “...my *unformed* substance...” (Ps.139:16)
 - “...You *formed* my inward parts, You wove me in my mother’s womb...” (Ps.139:13)

Jewish Understanding of Exodus 21

- Why the “forced miscarriage” view? (reason 9 of 9)
 - Biblical pattern: God makes the habitation, then the life
 - **Creation**
 - Habitat, then *the image bearers as the life*
 - Genesis 1:1 – 2:3
 - **Human bodies**
 - The body, then *the life-soul*: Adam, Eve
 - Genesis 2:4 – 25; Exodus 21:22 – 23
 - **Tabernacle** and, later, **temple**
 - The building, then *the glory*
 - Exodus 35 – 40; 1 Kings 8
 - **Human beings: individually and corporately**
 - The human followers, then *the Spirit of God*
 - Genesis 41:38; Numbers 11:29; Deuteronomy 34:9; Isaiah 59:21; Ezekiel 36 – 37; Joel 2:28 – 29; John 7:38 – 39; 20:21; Acts 2:1 – 13

Jewish Understanding of Exodus 21

- Modern State of Israel
 - Abortion legal for
 - Ages: Women 18 and under, and over 40
 - Exceptions: rape, statutory rape, incest, birth defects, risk to mother's life, risk to mother's health
 - Abortion funded by national health plan
 - Fully: for women 19 years and younger, and for birth defects
 - Partially: for conception out of wedlock
 - Abortion committee
 - Three people, with at least one woman

Jewish Understanding of Exodus 21

- Jews in the U.S.
 - Arguing for abortion rights under religious freedom based on the Hebrew Masoretic manuscript of Exodus 21:22 – 23

Rabbi fighting Florida's anti-abortion law is on a mission to help religious groups challenge 'theocratic tyranny'

Rabbi Barry Silver of Congregation L'Dor Va-Dor in Palm Beach County has created an initiative to assist other religious organizations with lawsuits against anti-abortion measures.

Why the Fetus Does Not Have Full Legal Personhood in Exodus 21:22 – 25



1. Comparison to other Ancient Near East law codes
2. Consideration for accidental manslaughter not used here
3. Jewish history of discussion (paper trail)
4. Word selection: “smite” or “death-dealing blow”
5. Literary context: bodily harm as theme in Exodus 21
6. Literary context: permanent bodily harm
7. Fetus (potential or actual) is treated as part of a woman’s body elsewhere
8. Adam and Eve as archetypes: body first, then soul
9. Biblical pattern: physical structure first, then life

Christian Understanding of Exodus 21

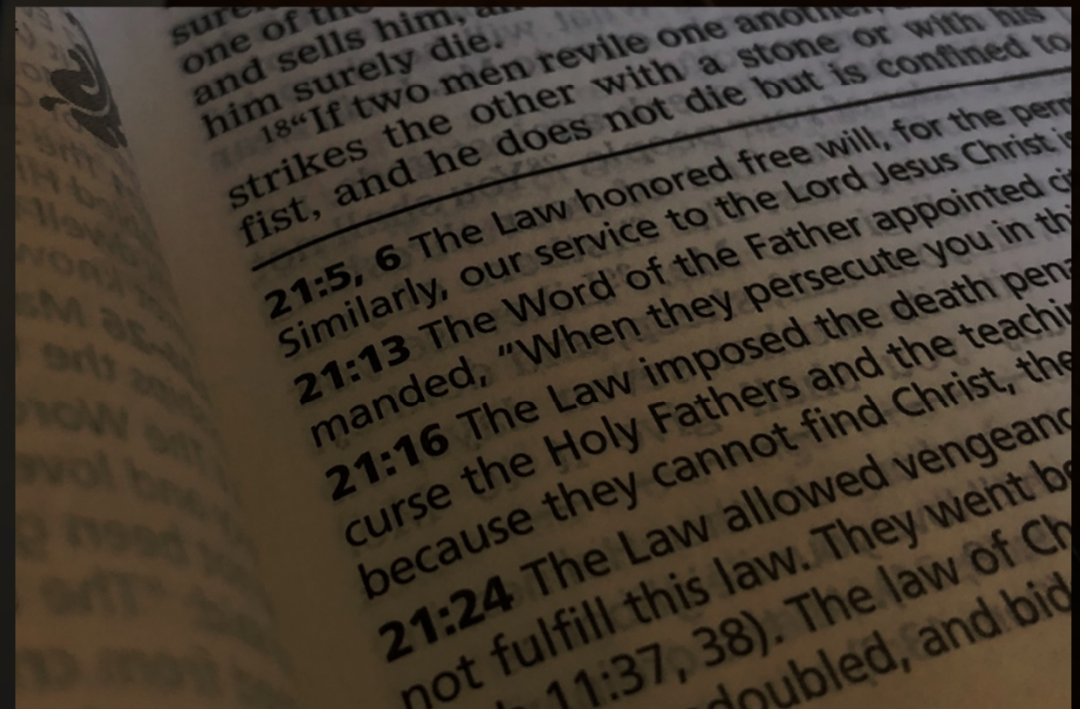
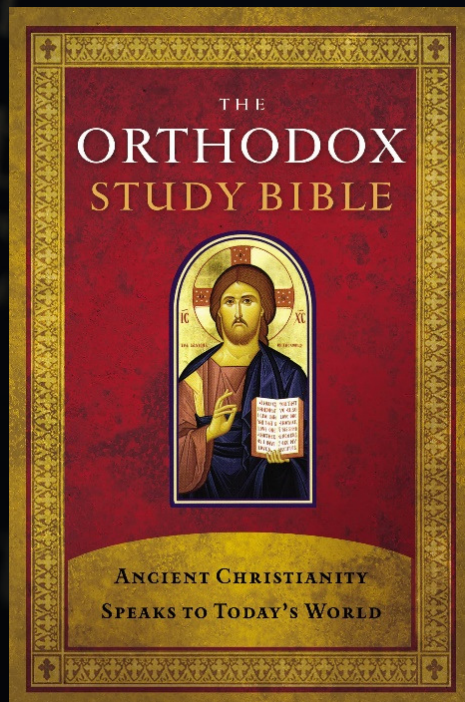
- Early Christians and Exodus 21:22 – 25
 - Greek
 - Latin
 - Syriac-Greek
- Friendly disagreement as of the late 4th century
 - Which manuscript? Not sure
 - Which science? Not sure
- Relevance
 - This impacts U.S. legal history
 - This role models seeing science as a friend, not foe

Christian Understanding of Exodus 21

- Greek East (Asia Minor, Greece):
 - No abortions, originally pragmatic
 - Many Greek-speaking bishops (e.g. Basil of Caesarea) were educated, even trained physicians
 - Drew on Hippocrates and Galen on the fetus (preformationists)
 - Father's sperm already contained the whole human being
 - Mother provided the nourishment

Christian Understanding of Exodus 21

- Greek East (Asia Minor, Greece):
 - No abortions, originally pragmatic
 - Basil and other Orthodox leaders used the Greek LXX (unformed vs. formed fetus), **but went beyond it**
 - The *Orthodox Study Bible* uses the Greek LXX but has *no notes* on Exodus 21:22 – 23

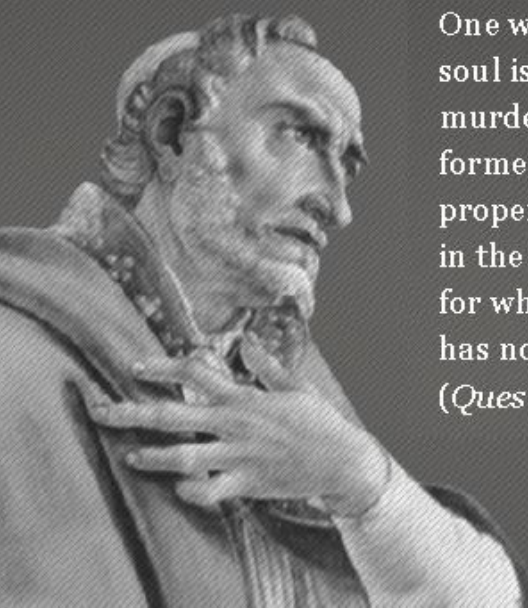


Christian Understanding of Exodus 21

- Latin West (Rome, North Africa):
 - Abortion permitted before “quickening = ensoulment” when mom felt baby kick
 - Used Greek LXX but later Hebrew MT (Latin Vulgate)
 - Drew on Aristotle
 - Studied miscarriages, and believed:
 - Male formation: 40 days of gestation
 - Female formation: 90 days of gestation

Christian Understanding of Exodus 21

- Latin West (Rome, North Africa):
 - Abortion permitted before “quickening = ensoulment” when mom felt baby kick



One who procures abortion before the soul is infused into the body is not a murderer. An embryo which is not yet formed cannot be murdered, nor can it properly be considered a human being in the womb. This depends on the soul, for when something is unformed and has no soul, it cannot be murdered.

(Questions on Exodus 2.80)

AUGUSTINE
OF HIPPO

354-430

Anselm of Canterbury



No human intellect accepts the view that an infant has the rational soul from the moment of conception.

Encyclopedia of Catholicism, p.4

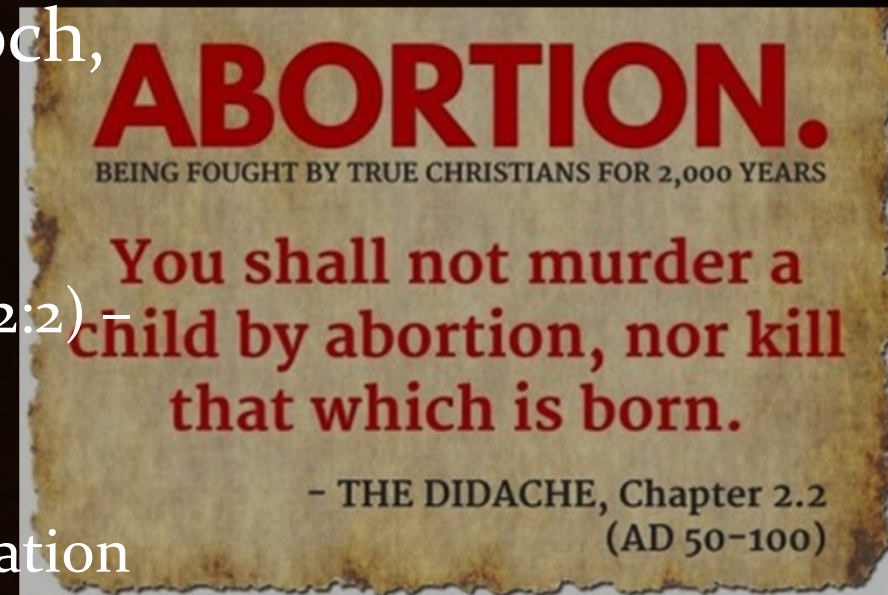
AZ QUOTES



Roman Catholic canon law distinguished between a *foetus animatus* and a *foetus inanimatus* until 1869

Christian Understanding of Exodus 21

- Syriac-Greek East (Syrian Antioch, Mesopotamia, etc.):
 - *Didache* (50 – 100)
 - Said do not abort “a child” (Did.2:2) – **what is “a child”?**
 - Circulating after *Dobbs* 2022
 - *Didache* by itself needed clarification
 - *Apostolic Constitutions* (380 – 400)
 - Received the *Didache* as *New Testament Scripture*
 - Agreed with *Greek Septuagint* Exodus 21 (unformed vs. formed) to interpret it
 - **So *Didache* was received as not forbidding early abortion**



The Syriac tradition is messy. See *Abortion Policy* pages 53 – 54 and the *Scripture Addendum Exodus 21*

Christian Understanding of Exodus 21

- Syriac-Greek East (Syrian Antioch, Mesopotamia, etc.):
 - Conflicting views on fetal personhood
 1. **At birth and breath** (from **Hebrew Masoretic**)
 - Aphrahat the Persian (d.345), *Demonstrations* 6: “from the **first birth**”
 2. **Stage of the fetus** (from **Greek LXX**)
 - *Apostolic Constitutions* (see previous slide; “**formation**”)
 - *Liturgy of the Ethiopian Orthodox Tewahedo Church*

“O You, Who takes a child from his father’s waist to the woman’s womb,
Who clots him after he is formed as fluid,
You breathe out the breath of life into him on the **fortieth day [in the womb]** . . .
Anaphora of St. Athanasius 113, recited over the eucharist
<http://www.ethiopianorthodox.org/biography/englishethiopianliturgy.pdf>, page 104.
 3. **Full fetal personhood?** (from **Syriac Peshitta**)
 - *Peshitta*, one of the translations into Syriac (2nd – 4th century) by Christians (not Jews), holds to the early delivery view of Exodus 21
 - But the Ethiopian Orthodox Tewahedo Church also uses the *Peshitta*
 - Other Syriac translations: Philoxenian, Harklean, etc.?

Christian Understanding of Exodus 21

- John Calvin on fetal personhood
 - First Protestant to interpret Exodus 21:22 – 25 this way
 - “...for the foetus, though enclosed in the womb of its mother, **is already** a human being, and it is almost a monstrous crime to rob it of the life which it has not yet begun to enjoy. If it seems more horrible to kill a man in his own house than in a field, because a man’s house is his place of most secure refuge, it ought surely to be deemed more atrocious to destroy a foetus in the womb before it has come to light. On these grounds I am led to conclude...”
 - John Calvin, *Commentary on Exodus*
 - Note Calvin’s reasoning:
 - “Is already”: Assumes fetus already has personhood
 - Field vs. house distinction: Not meaningful; place does not indicate premeditation vs. passion

Christian Understanding of Exodus 21

- John Piper argues for the “full fetal personhood” view
 - See John Piper, “The Misuse of Exodus 21:22–25 by Pro-Choice Advocates,” *Desiring God*, February 8, 1989;
 - <https://www.desiringgod.org/articles/the-misuse-of-exodus-21-22-25-by-pro-choice-advocates>
- See my engagement with Piper and others
 - “Abortion Policy and Christian Social Ethics in the United States: Scripture Addendum Exodus 21:22 – 25”
 - Found on The Anástasis Center’s webpage on abortion
 - anastasiscenter.org/politics-right-abortion

Christian Understanding of Exodus 21

- Implications for the United States
 - Law and Legal History
 - “Quickening” view in Catholic, Anglican, Puritan churches
 - “Quickening” view at the time of U.S. Constitution
 - Justice Alito’s claim that abortion is “not deeply rooted in the nation’s history and tradition” (*Dobbs* 2022) is wrong
 - In particular, the U.S. South maintained “quickening” far longer than the North and West, see *Abortion Policy* ch.12
 - Science
 - Early Christians thought science was a friend
 - Western Christians (late 1800s on) believed science was a foe

Summary

- Why Exodus 21:22 – 25 does not assign full personhood to the fetus
- Jewish understanding of Exodus 21:22 – 25
 - Two major manuscripts and commentaries on them
 - Main difference: breath (birth) vs. body (stage of fetal formation)
- Early Christian engagement in Latin West, Greek East
 - Both biblical manuscripts
 - Two main scientific views
- Implications for U.S. legal history

Outline

- Presentation: Scripture (30 min)
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Discussion Questions

1. If the Bible does not make the fetus a full human person from conception, how would you be affected?
2. With whom would you want to discuss Exodus 21:22 – 25? (Or share this presentation?)
3. Given that the modern-day State of Israel allows abortion, would you give Jews in the U.S. similar abortion rights on account of “freedom of religion” in the First Amendment? Why or why not?

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The Christian Shift on Science

- Human Personhood: Science helped Scripture
 - Hebrew manuscript: Fines for miscarriage
 - Greek manuscript: “Formation,” then fines
 - Catholic Church pre-1869: “Quickening”

Science
was a
friend

- Catholic Church 1869: Better safe than sorry
 - “After a certain stage of intrauterine development it is perfectly evident that fetal life is fully human. Although some might speculate as to when that stage is reached, **there is no way of arriving at this knowledge by any known criterion**; and as long as it is **probable** that embryonic life is human from the first moment of its existence, the purposeful termination (is immoral).”
 - New Catholic Encyclopedia

Science
was
feared

Science as a Foe of Christian Faith

- Why was “science” seen as hostile?
 - Darwin’s theory of evolution
 - Deconstruction of Scripture (“source criticism”)
 - Mass contraception available
- Why would “personhood at conception” (1869) and “papal infallibility” (1870) protect the Church against “science”?
 - Moral relevance beyond science (1869)
 - Authority, source of knowledge (1870)
 - Protestant variation:
 - 1902: Biblical infallibility
 - 2012: Rep. Paul Broun (R-GA) said the big bang, the long ages, the theory of evolution, and *embryology* are “lies straight from the pit of hell”

Human Personhood Not at Conception: Expulsion

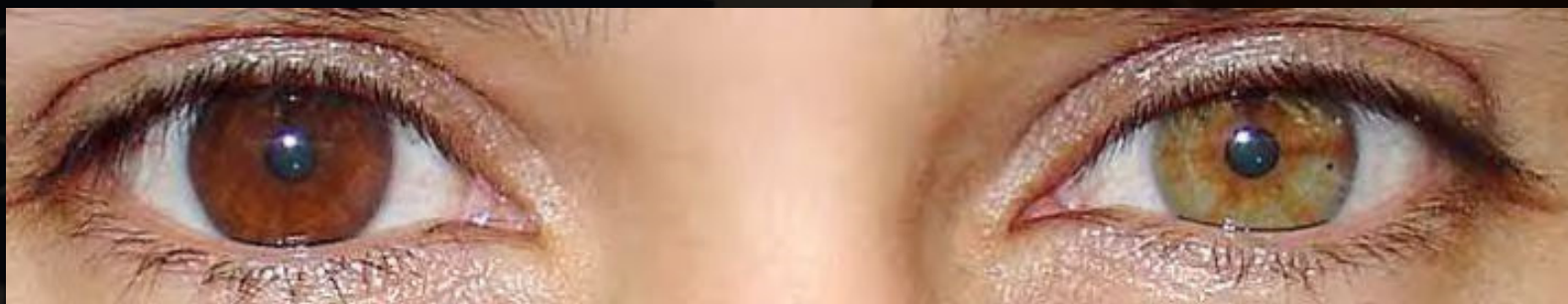
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FOR CHRISTIAN EDUCATION & MINISTRY

- Based on IVF studies: 50 – 70% of all fertilized eggs do not implant in the uterus
- Why would God ensoul the embryo only to lose 50 – 70% of people, *for no reason*?
- Compare your own reaction to failure rates of:
 - A general who sends soldiers into battle
 - A general contractor who hires workers to build
 - A NASA chief who sends astronauts into space
 - A public health official who sends medics against a disease

Human Personhood Not at Conception:

Chimerism

- Twins can recombine to form one body, probably a few days after twinning



- Monozygotic twinning occurs 8–10 days after fertilization, in 3–5 cases for every 1000 pregnancies
- Other studies suggest chimerism is far more widespread
- Catholic and Protestant theology is faced with the problem:

Human Personhood Not at Conception:

Chimerism

- “Better safe than sorry” doesn’t work here
 - “The phenomenon of twinning and especially that of recombination offer strong positive evidence that the human soul is not yet present in the early embryo; for, in the traditional Catholic understanding, the soul is indivisible and indestructible, and souls cannot split, fuse, or disappear. The soul is the principle of selfhood, which, like it, is a unique and indivisible marker.”
 - Carol Tauer, Catholic bioethicist, “Tradition of Probabilism,” 1984

Human Personhood Not at Conception:

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Cell Potency

- Cell Potency: over time, fetal cells specialize and lose their potential as they specialize
 - From conception – 4 days
 - One zygote becomes totipotent cells
 - Definition: totipotent cells can become
 - The embryo (one or more)
 - The placenta
 - Problems with placing personhood before day 4
 - Can the **placenta** have (part of) a soul?
 - Can ensoulment happen before totipotent cells commit to being an embryo or placenta?

Human Personhood Not at Conception:

THE ANASTASIS CENTER
FOR CHRISTIAN EDUCATION & MINISTRY

Cell Potency

- Cell Potency: over time, fetal cells specialize and lose their potential as they specialize
 - From 4 – 21 days: embryonic, pluripotent cells
 - Pluripotent cells can become
 - The entire embryo
 - A specific organ
 - Pluripotent cells develop further based on **biological context** (electrical charges in living organisms)
 - In the womb
 - In another organ (mice pancreases grown in rat bodies)
 - *Pluripotent cells **can be coaxed back** into an earlier stage!*
 - Problems with personhood before day 21
 - Can a soul be trapped in a liver?
 - Can ensoulment happen before pluripotent cells are committed?

Human Personhood Not at Conception

- Impossible, Cannot be Substantiated
 - “Both theological and magisterial opinion, up until the nineteenth century, were open to the view that the ensoulment of the early embryo is **highly improbable, if not impossible**... The reasoning of the Congregation in forbidding all abortions, including the destruction of zygotes, is linked to the stringency of the moral tradition regarding factual doubts in relation to human life. But the thesis that ensoulment is a matter of fact within this context **cannot be substantiated**.”
 - Carol Tauer, Catholic bioethicist, “Tradition of Probabilism,” 1984
 - Science, logic, and Catholic tradition stand against personhood at conception

End of Life and Beginning of Life Care

- Earliest Possible Estimates for Human Personhood or “Ensoulement”
 - End of life
 - Functioning nervous system, brain activity = minimum for personhood at end of life
 - Beginning of life
 - 23 days: nervous system formed
 - 40 – 43 days: brain waves detected
 - After the 23/43 day threshold
 - Twins will not recombine
 - Cell potency resolved
 - Embryo(s) are already implanted in uterus
 - Still not saying how to weigh competing moral claims

The Earliest Possible Point

- Human Personhood or “Ensoulement” at 23 – 43 Days, Earliest
 - Contraception: Open to all forms
 - Contraception
 - The single most effective way to bring down rates of unintended pregnancy and abortion
 - Affordable Care Act reduced abortion rates because of contraception
 - Multiple important studies with poor women: see *Abortion Policy* ch.10
 - Can be expanded
 - Conservatives sometimes oppose
 - Intra-Uterine Devices (IUD’s) which might allow fertilization and also cause expulsion
 - Health coverage like the Affordable Care Act

Summary: Scripture and Science

- Scripture
 - Exodus 21 does not assign full personhood to the fetus from conception
- Early Christians
 - Recognized how both Scripture and science were needed
 - Deployed ancient science but became rigid traditions
- Western Christianity and U.S. History
 - Abortion until “quickenings” was legally and socially accepted, long after the U.S. Constitution
 - Abortion is often used to “protect” Christian faith from science, but this is wrong

Outline

- Presentation: Scripture (30 min)
- Discussion (10 min)
- Presentation: Science (10 min)
- **Discussion (10 min)**
- Open Q&A

Discussion Questions

1. Have you seen Christians use “the Bible” to ignore science, especially in the area of fetal development? If so, how?
2. What do you think about the argument that God probably doesn’t ensoul the fetus until 23 days at the earliest, and likely at 40 – 43 days? What questions, if any, do you have?
3. Do you support contraception to reduce unwanted pregnancies? What can you do to ensure that contraceptives are legally protected, free or low cost, and available?

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Other Ways to Engage

- The Anástasis Center for Christian Education and Ministry
 - Resources: anastasiscenter.org
 - Abortion in particular
 - anastasiscenter.org/politics-right-bioethics
 - Video classes and messages
 - Discussion on our Facebook Group
 - “Healing Atonement and Restorative Justice”
 - News
 - [Facebook.com/AnastasisCenter](https://www.facebook.com/AnastasisCenter)
 - [Instagram.com/AnastasisCenter](https://www.instagram.com/AnastasisCenter)
 - [Twitter.com/AnastasisCenter](https://twitter.com/AnastasisCenter)

