Monash Bioethics Review (2018) 36:86–93
https://doi.org/10.1007/s40592-018-0087-9

COMMENTARY TO

Organs, embryos, and part-human chimeras: further applications of the social account of dignity

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Published online: 7 December 2018
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Abstract

In their recent paper in this journal, Zümrüt Alpinar-Şencan and colleagues review existing dignity-based objections to organ markets and outline a new form of dignity-based objection they believe has more merit: one grounded in a social account of dignity. This commentary clarifies some aspects of the social account of dignity and then shows how this revised account can be applied to other perennial issues in bioethics, including the ethics of human embryo research and the ethics of creating part-human chimeras.

Keywords Human dignity · Organ transplantation · Commodification · Embryo research · Part-human chimeras

Human dignity has a tawdry reputation. Ruth Macklin (2003) describes dignity as a "useless concept", too nebulous to carry any argumentative weight; John Harris (1998, p. 163) describes dignity-based arguments as "universally attractive [yet] comprehensively vague"; and Schüklenk and Pacholczyk (2010, p. ii) have argued that "invoking dignity without clarifying its basis and reach is mere sloganism—an ethical conversation-stopper". In their recent paper in this journal, Alpinar-Sencan et al. (2017) outline a novel way of understanding concerns about human dignity and use it to develop a new dignity-based objection to organ markets. Although the authors' primary aim is to argue that organ markets are morally impermissible, their argument—if successful—could establish a legitimate role for dignity-based arguments across a range of bioethical debates.

This commentary has two aims. The first is to clarify the appropriate role for the social account of dignity in bioethical debates. I argue—*pace* Alpinar-Şencan

This comment refers to the article available at https://doi.org/10.1007/s40592-017-0070-x.

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et al.—that arguments grounded in the social account of dignity must take into account the social and cultural context in which the practice under discussion takes place. My second aim is to illustrate how this revised social account of dignity can be applied to other bioethical issues, such as controversies surrounding the destruction of human embryos and the creation of part-human chimeras. First, however, it will be useful to review Alpinar-Şencan et al.'s social account of dignity.

1 The social account of dignity

Dignity-based arguments against organ markets often appeal to the second formulation of Kant's categorical imperative: that we should treat persons as ends-in-themselves, not as a mere means to one's own ends. We violate this imperative when we treat persons as if they lack the inherent moral worth properly accorded to persons. Organ selling is sometimes thought to violate human dignity because it involves treating one's bodily organs—which Kant viewed as part of one's person—as a commodity like any other, rather than something with dignity above price (Cohen 2002; Morelli 1999).

The social account of dignity raises a different concern: that some practices will *tend to promote* the notion that some persons have 'mere price' rather than inherent moral worth. The concern here is not about violations of human dignity as traditionally understood. Instead, the concern is that some practices might promote a general tendency to regard some persons as a means only, rather than ends-in-themselves. Unlike other dignity-based arguments, arguments grounded in the social account of dignity therefore turn on empirical claims about how particular practices affect people's attitudes towards others.

Some important aspects of the social account of dignity are left vague. In particular, it is unclear how we ought to make trade-offs between protecting the social value of human dignity and pursuing other moral goals. How a practice affects people's attitudes towards others does seem to matter morally, but it is presumably not *all* that matters morally. To take an easy example, it is presumably sometimes appropriate to enact policies that would slightly undermine the social value of dignity if this is the only way to avoid a catastrophic loss of human life.[1] Relatedly, it is unclear whether the social value of human dignity should be seen as *merely* instrumentally valuable (in the sense that people are less likely to mistreat others if they see them as persons worthy of respect), or whether it also has intrinsic value and should therefore be promoted for its own sake—a question that has important implications for how policy-makers should make trade-offs between promoting the social value of

[1] This example could be understood in two ways. The promotion of dignity could be seen as one moral goal that needs to be balanced against others, such as the promotion of utility, liberty, and/or equality. Alternatively, dignity could be seen as the foundational ethical principle from which other ethical principles derive, in which case perhaps *certain kinds* of dignity interests—such as those captured by Alpinar-Şencan et al. social account of human dignity—would need to be weighed against other kinds of dignity interests. On this view, in promoting (for example) utility or liberty, one would be promoting dignity itself (see e.g. Foster 2014). I thank an anonymous peer reviewer for highlighting this distinction.

dignity and pursuing other moral goals. For now, these questions can be left open; regardless of how they are answered, we have moral reason to prevent practices that would—as Alpinar-Sencan et al. (2017, p. 196) put it—"shake the pillars of mutual respect."

2 Why contingent factors are relevant to the social account of dignity

According to Alpinar-Şencan et al., appeals to human dignity differ from other objections to organ markets because they are meant to establish that the practice of organ selling is *intrinsically* unethical. Non-dignity-based objections to organ markets are typically grounded in 'contingent factors', some (but not necessarily all) of which may be amenable to market regulation. For example, one common objection to organ markets holds that sellers would be harmed by the transaction, as is demonstrably the case in existing markets (Koplin 2014; Scheper-Hughes 2003). Yet there is nothing *intrinsic* to trading a kidney for cash that would render the transaction more harmful than donating a kidney for free. The difference must therefore lie in contingent factors, such as differences between donors' and sellers' motivations, their willingness and ability to access health care, their need to perform labour-intensive work, and their risk of experiencing social stigma as a result of their donation. To take another example, it is often argued that a trade in organs would be exploitative. Depending on what account of exploitation one adopts, the charge of exploitation applies if organ sellers receive an unfair price, if organ purchasers flout a moral obligation to improve organ sellers' circumstances by other means, or if the trade closely reflects structural injustice (Koplin 2017). These, too, are contingent factors. They do not apply to *every* possible form of organ market across *every* possible society. Organ sellers would presumably not be exploited if they receive a fair price and the background conditions to the transaction are entirely just.

Alpinar-Şencan et al. rightly point out that we should not assume that the relevant contingent factors can be addressed via market regulation. It might be prohibitively difficult for policymakers to modify whatever social norms underlie the stigmatisation of organ sellers, or to bring about a fully just society in order to defuse concerns about exploitation. Yet even if the relevant contingent factors prove intransigent, the fact remains that these problems are not *intrinsic* to organ selling.

Dignity-based objections to organ selling are supposed to be different. Most appeals to human dignity in the organ market debate are supposed to show that there is something *intrinsically* wrong with organ markets—that trade in organs would violate respect for persons no matter the circumstances under which the trade takes place (see e.g. Cohen 2002; Kass 1992; Morelli 1999).[2] Alpinar-Sencan et al. (2017) likewise present their own dignity-based objection as a reason to believe organ markets are *intrinsically*—not just contingently—morally problematic. This, however, is a mistake.

[2] For one exception, see: Kerstein (2009).

The claim that a market in organs would undermine respect for persons is an empirical one, which the authors support using evidence that organ selling is widely perceived as humiliating and degrading in parts of the world where the trade already exists (Alpinar-Şencan et al. 2017, p. 199). Although they claim this problem is *inherent* to the practice of organ selling, it is by no means clear that this problem would arise for all possible transactions.[3] Imagine, for example, that an independently wealthy effective altruist wishes to donate some extra money to charity, and decides to sell a kidney in order to do so.[4] Effective altruistic kidney sellers would have very different motivations and vulnerabilities to kidney sellers in existing markets. It is not obvious that such sellers would be regarded as having degraded themselves, nor that some broader practice of kidney selling by wealthy effective altruists would promote the view that some people lack intrinsic moral worth.

Even if it turned out kidney sales by effective altruists would undermine human dignity, there is presumably *some* set of contingent factors under which organ selling would not have this effect. For example, there might be little reason to worry about the social effects of organ selling in a hypothetical society where everybody shares an unshakeable conviction that all persons have intrinsic moral worth. Conversely, we might be especially concerned about the social effects of organ selling in a society where belief in the equal moral standing of all persons is already fragile, where organ donation itself is seen as degrading, or where already people living in poverty are routinely treated as a mere means to others' ends—all of which are contingent social factors. Contingent factors, then, are highly important to the social account of dignity.

This is not to claim that the relevant contingent factors are necessarily modifiable. To the contrary, it seems fleetingly unlikely that policymakers could straightforwardly intervene in the social norms underlying the perception that organ sellers degrade themselves, much less bring about an unshakeable universal conviction in the equal moral worth of all persons. Yet it is nonetheless important to recognise that contingent factors are relevant to the social account of dignity. Even if Alpinar-Şencan et al. are correct that any realistic market in organs would undermine dignity, there may be other bioethical issues where the contingent factors that give rise to dignity concerns are in fact amenable to change.

3 Further applications in bioethics

The concept of human dignity has played a prominent role in many areas of bioethics beyond the organ market debate, including debates on embryo research, assisted dying, and human enhancement (Muders 2017), as well as the creation of part-human chimeras (DeGrazia 2007). In each case, the social account of human dignity

[3] Perhaps it could be argued that organ selling would be *inherently* (seen as) degrading because violations of bodily integrity are *inherently* (seen as) degrading. However, Alpinar-Şencan and colleagues would likely reject this claim, as it would apply equally to both organ selling and organ donation.

[4] This example is taken from a recent paper by Tonkens (2018).

points towards a distinct strand of argument not captured by other appeals to human dignity. Below, I briefly sketch how the social account of dignity can help reframe ethical issues related to embryo research and the creation of part-human chimeras. Given that the 14-day limit on in vitro embryonic development is currently under challenge (Chan 2017; Hyun et al. 2016), and given that the prospect of growing human organs in human-animal chimeras is on the cusp of feasibility (Wu et al. 2017), these topics are of pressing practical importance.

The social account of dignity provides a fruitful way of understanding concerns about the symbolic value of human embryos. It is sometimes argued that human embryos are a 'potent symbol' of human life and should therefore only be destroyed for important purposes—for example, important medical research—and not for frivolous purposes like the manufacture of cosmetics or creation of experimental cuisine (Robertson 1995; Sandel 2004; Steinbock 2001).[5] Such claims are often understood in terms of the idea that embryos themselves hold some kind of 'right to respectful treatment' (Resnik 2007). Yet while it is intuitively plausible to think that the symbolic value of human embryos matters morally, it makes less intuitive sense to think that the embryo *itself* acquires moral value and/or moral rights due to this symbolic value. Consider an analogy with other symbolically potent things, such as tombstones or national flags. It might be wrong to deface a tombstone or burn a national flag, but this is presumably not because the tombstone or the flag has been wronged, nor because the moral rights of the tombstone or the flag have been violated.[6] We need a different way of critiquing such practices.

The social account of dignity offers an alternative—and potentially more promising—way of understanding concerns about the symbolic value of human embryos. Here, the question is whether destroying human embryos for 'frivolous' purposes (or even serious ones) might tend to undermine the idea that all persons have unconditional and incomparable worth. Rather than focusing on the moral value of embryos per se, the social account of dignity would ask what implications, if any, our treatment of human embryos might have for our attitudes towards other human beings—the answer to which would depend, in part, on the symbolic value people tend to ascribe to human embryos. Given that the symbolic value of human embryos is a contingent social factor, we should also consider whether the way we value human embryos is fixed, or whether it is instead open to change. If the symbolic value people currently ascribe to human embryos would preclude us from conducting valuable forms of medical research (because destroying embryos poses too great a threat to human dignity), and assuming there are no other legitimate objections to this kind of embryo research, then we should consider whether the symbolic value ascribed to human embryos can realistically be changed.

[5] Concerns about the symbolic value of human embryos might be relevant to the 14-day rule if—as seems plausible—such concerns would intensify as the embryo increasingly resembles a person over the course of embryonic development.

[6] For a more fully developed defence of the claim that symbolic value per se does not matter morally, see Bortolotti and Harris (2006).

The bioethical literature on part-human chimeras provides another useful illustration of how the social account of dignity might be applied. Those opposed to the creation of (some kinds of) part-human chimeras sometimes appeal to the value of human dignity. One prominent strand of argument holds that experimenting with part-human chimeras risks violating the human dignity of the chimeras themselves (Karpowicz et al. 2005; Streiffer 2005); another—critiqued at length by David DeGrazia (2007)—holds that blurring the lines between human and non-human animals itself violates dignity. The social account of human dignity points towards a different question: would the creation of human-nonhuman chimeras tend to undermine respect for persons?

Although not expressed in terms of the social account of dignity, one influential argument against part-human chimera research can be understood in these terms. This is Robert and Baylis's moral confusion argument (Baylis and Robert 2007; Robert and Baylis 2003). Robert and Baylis argue that creating part-human chimeras blurs the previously sharp line demarcating human and non-human animals, thereby threatening our self-image as humans and challenging our tendency to grant humans privileged moral status. They hold that crossing species boundaries might therefore engender a kind of 'inexorable moral confusion' regarding our moral obligations towards humans, part-human chimeras, and non-human animals alike. Although they do not directly argue against part-human chimera research on these grounds, Robert and Baylis hold that the concept of moral confusion undergirds a promising yet inchoate objection to the creation of interspecies creatures.

The social account of dignity provides one means of completing the argument. It could be argued that the social value of human dignity is served by the belief that humans *qua* humans have privileged moral status. If so, then arguably this belief ought to be protected (regardless of whether or not it is accurate) in order to prevent respect for persons from being eroded. The moral confusion engendered by part-human chimeras could be considered problematic because, and insofar as, this confusion affects our attitudes towards other human beings.

The social account of dignity, then, provides a plausible way of articulating one important subset of the dignity-related concerns raised by part-human chimeras. This is not to say that the argument sketched above succeeds. To the contrary, explaining the moral confusion argument in these terms highlights some of the ways this argument seems to go astray.

The first problem is that it is doubtful that the social value of dignity relies on a rigid moral demarcation between humans (which are believed to have inherent dignity) and non-human animals (which are believed to lack inherent dignity.) Consider our attitudes towards nonhuman persons in fantasy and science fiction. Most readers of Tolkein would presumably regard hobbits as persons with intrinsic dignity despite the fact that hobbits are not members of the species *homo sapiens*. Equally, most viewers of *Star Trek* would presumably regard Vulcans as persons with intrinsic dignity despite their non-humanness. The unlikely discovery of hobbits or Vulcans in the real world would certainly undermine the view that humans alone have inherent dignity. Presumably, however, most people would respond to such a discovery not by abandoning the idea humans have inherent worth but rather by expanding their account of 'human' dignity to accommodate these non-human persons.

Nor is it necessary to turn to fiction to find possible threats to the rigid moral demarcation between human and non-human animals. There is compelling evidence that non-human animals including dolphins, elephants, and Great Apes possess sophisticated psychological capacities including bodily self-awareness, social self-awareness, and moral agency—qualities that are sometimes (though not always) thought to confer personhood and/or full moral status (Bekoff and Pierce 2009; DeGrazia 1997; Nicol 2013; Shapiro 2006). The existence of dolphins, elephants and Great Apes is not usually thought to pose a threat to human dignity. Some argue such creatures should be granted the moral status of persons; others argue they should not. Few people argue that our uncertainty regarding these creatures' moral status should be resolved by jettisoning the idea that humans have intrinsic moral worth.

Even if it could be shown that part-human chimera research threatens the social value of human dignity, this would not provide a decisive reason against creating part-human chimeras. It would show only that creating part-human chimeras is contingently wrong in social contexts where (a) blurring the boundaries between human and non-human animals would tend to undermine the view that humanness is necessary for full moral status, and (b) undermining this view would threaten the social value of dignity. We have good reason to at least try to change these contingent factors. Insofar as the creation of part-human chimeras could help achieve morally important goals—such as generating human organs for transplant—then we have good moral reason to attempt to alter the contingent factors responsible for the threat part-human chimeras pose to human dignity. If these contingent factors are also problematic for other reasons—because, for example, a belief in the moral significance of species boundaries leads us to treat non-human animals in morally problematic ways—then we have especially strong reason to attempt to alter them.

Regardless of whether the above analyses of embryo destruction and part-human chimeras succeed, I hope to have highlighted two important things about the social account of dignity. The first is that dignity-based arguments of the kind advanced by Alpinar-Şencan et al. rely, crucially, on contingent factors, such as the symbolic meaning of certain practices and the social context in which these practices take place. It is therefore important to consider whether, and the extent to which, these contingent factors are realistically modifiable. The second is that the social account of dignity presents a plausible way of understanding, articulating, and assessing an important set of dignity-related concerns across a range of bioethical topics beyond the organ market debate. Appeals to the social value of human dignity may not always succeed, but as Alpinar-Şencan et al. show, they can function as more than a mere ethical conversation-stopper.

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