Here are some notes for this case study that may be helpful

Notes for Case Study:

Introduction

1. Which theory or theories are being used by Jessica, Marco, Maria, and Dr. Wilson to determine the moral status of the fetus? Explain.
2. How does the theory determine or influence each of their recommendation for action?
3. What theory do you agree with? How would that theory determine or influence the recommendation for action?

Conclusion

Anthropological axiology (the basis upon which human beings are assigned value in relation to other kinds of beings) contra relativism, cannot be simply dependent upon culture or personal preference, but rooted in the nature of what it means to be a human being. Contra scientism, the value and dignity of human beings, stands over and above that of other species and cannot be simply reduced to a person's abilities or function, or the person's physical constituents.

Moral Status

A related and central concept in contemporary biomedical ethics is the concept of moral status. Briefly, the concept of moral status concerns which sorts of beings or entities have rights (in the sense that a moral agent has obligations toward this being or entity). Human rights, for example, are considered to be a prime example of descriptions of obligations a moral agent has to any human being. Furthermore, human beings are taken to have these obligations due to them simply in virtue of being human beings. Another way to describe the concept of a beings moral status is to talk about its value or worth. Thus, to talk about a beings moral status is to talk about a beings value, as well as why it has that value.

The Theories

1)a theory based on human properties, : a theory based on human properties holds that it is only and distinctively human properties that confer moral status upon a being. It follows that all and only human beings, or Homo sapiens, have full moral status. Some of the characteristics that would endow a being with moral status under this view would include things such as being conceived from human parents, or having a human genetic code. Whatever property (i.e., characteristic) the particular theory picks out is considered that which confers moral status upon a being or entity.

2)Moral respect requires an organism be a living member of Homo sapiens (claimed necessary and sufficient condition)
There are no exceptions. moral principles apply to all human beings and ONLY humans; vulnerable human beings are protected (including human embryos p. 67) **Maria**

* All humans have an equal basic moral status. They possess the same fundamental rights, and the comparable interests of each person should count the same in calculations that determine social policy. Neither supposed racial differences, nor skin color, sex, sexual orientation, ethnicity, intelligence, nor any other differences among humans negate their fundamental equal worth and dignity. WHAT, IF ANYTHING, RENDERS ALL HUMANS MORALLY
EQUAL?1
* [published in Peter Singer and His Critics, ed. by Dale Jamieson (Oxford: Blackwell, 1999)]
Richard J. Arneson February, 1998 [http://philosophyfaculty.ucsd.edu/faculty/rarneson...](http://philosophyfaculty.ucsd.edu/faculty/rarneson/singer.pdf)

5)

(2) a theory based on cognitive properties,: The theory based on cognitive properties holds that it is not any sort of biological criteria or species membership (such as the theory based on human properties) that endows a being with moral status. Rather, for this theory it is cognitive properties that confer moral status upon a being. In this context "cognition refers to processes or awareness such as perception, memory, understanding, and thinking...[and] does not assume that only humans have such properties, although the starting model for these properties is again the competent human adult" (Beauchamp and Childress, 2013, p. 69). Notice carefully that this is claiming that if a being does not bear or express these properties, it follows that such a being does not have moral status.

Begins with: perception, learning/memory, understanding, thinking
While assumed in the capacitated adult human, **other species are not ruled out**

Moral status determined by the ability to reflect upon ones life through cognitive capacities and to be self-determined by one's beliefsccounts leave critical questions about the boundaries of the thick concept of “human being.” Does that concept encompass early embryos, or human-like beings produced by a future synthetic biology? Can we answer such questions in terms of the “fit” of a proposed boundary with the other beliefs and practices associated with the concept, or are such questions decided less self-consciously by gradual shifts in our actual practices?Wasserman, David, Asch, Adrienne, Blustein, Jeffrey and Putnam, Daniel, "Cognitive Disability and Moral Status",*The Stanford Encyclopedia of Philosophy*(Fall 2017 Edition), Edward N. Zalta (ed.), URL = .

**Dr. Wilson is utilizing the theory of cognitive properties,**

(3) a theory based on moral agency,: The theory based on moral agency holds that "moral status derives from the capacity to act as a moral agent" in which an individual is considered a moral agent if they "are capable of making judgments about the rightness or wrongness of actions and has motives that can be judged morally" (Beauchamp and Childress, 2013, p. 72).

An individual is a moral agent if:
1) the individual is capable of making moral judgments about the rightness or wrongness of a actions;
2) the individual has motives that can be judged morally
Moral-capacity criteria, not conditions of morally correct action or character; a moral agent could make immoral judgments and have immoral motives **Jessica and Maria**

2018 Ethics Unwrapped - McCombs School of Business [https://ethicsunwrapped.utexas.edu/glossary/moral-...](https://ethicsunwrapped.utexas.edu/glossary/moral-agent)

We tend to think, for example, that particular responses are appropriate when a person who is a moral agent performs or fails to perform an action. AgoodSamaritan is praised for his conduct; a thief is blamed for his. We also tend to think that moral agency is a matter of degree (we do not think of children, for example, as moral agents; teenagers may have some degree of moral agency, though not the full moral agency of adults).

**Moral Agency**

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Seven Pillars Institute

[https://sevenpillarsinstitute.org/glossary/moral-a...](https://sevenpillarsinstitute.org/glossary/moral-agency/)

(4) a theory based on sentience,: The theory based on sentience holds that the property of sentience is that which confers moral status on a being. Sentience in this context is "consciousness in the form of feeling, especially the capacity to feel pain and pleasure, as distinguished from consciousness as perception or thought." According to this theory the capacity of sentience is sufficient for moral status (i.e., the ability to feel pain and pleasure confer upon a being moral status).

Sentience - consciousness in the form of feeling, especially the capacity to feel pain and pleasure (as distinguished from consciousness as perception or thought); this is a 'sufficient' condition of moral status, but not a 'necessary' condition
Pain is evil, pleasure is good; to cause pain is to harm; many beings can experience pain/suffering; to harm these beings is to wrong them, even if harming can be justified circumstantially Dr. Wilson

[Sentience](https://www.sciencedirect.com/topics/neuroscience/sentience) refers to the depth of awareness an individual possesses about himself or herself and others. There appear to be three related, but separable, general domains of sentience. These are self-awareness, [metacognition](https://www.sciencedirect.com/topics/neuroscience/metacognition), and [theory of mind](https://www.sciencedirect.com/topics/neuroscience/theory-of-mind). To date, evidence shows that these three capacities are found in nonhuman animals, including primates, dolphins, dogs, rodents, and corvids. These findings are evidence of the deep psychological continuity that exists across the animal kingdom.

Sentience

[**Encyclopedia of Animal Behavior**](https://www.sciencedirect.com/science/referenceworks/9780080453378)

Lori Marino

2010, Pages 132-138

[https://www.sciencedirect.com/science/article/pii/...](https://www.sciencedirect.com/science/article/pii/B9780080453378000991?via%3Dihub)

**When Does a Fetus Feel Pain?**

Anesthetizing the fetus during abortion is unnecessary, and maybe even dangerous.

By [Elise Kleeman](http://discovermagazine.com/authors/elise-kleeman)|Thursday, December 01, 2005

[http://discovermagazine.com/2005/dec/fetus-feel-pa...](http://discovermagazine.com/2005/dec/fetus-feel-pain)

(5) a theory based on relationships. The final theory holds that relationships between beings account for a being's moral status. Usually these are relationships that establish roles and obligations, one example being the patient-physician relationship. Of course, there are many types of relationships (family, genetic, legal, work, etc.), even ones in which one party in the relationship does not desire or value the other party. In such a case, a person who holds this theory may be forced to concede that a being's moral status may change, depending on the other party.

The final theory is based on relationship. This concept is that relationships between being accounts for moral status. There are many relationships from family, friends, work, legal, business and many more. The relationship obligations can strengthen as dimensions of understanding and trust grow. ( Tantbaum 2018) In this situation there are several types of relationship involved. There is the family relationship between Jessica, Marco and Aunt Maria. There is the patient-physician relationship between Dr. Wilson and Jessica. There is a parental relationship between Jessica and Marco and the unborn baby. Then there is the spiritual relationship between Aunt Maria and God. All these relationships are criteria base on this theory to have moral status. ( tanutembaum 2018)

Marco has concerns and obligations to Jessica and his unborn child. He is torn between making sure Jessica and his relationship goals stay on track and the possible hardship and obstacles this child with disability will have on that relationship. Jessica has concerns and obligations to her husband, unborn child and God. Aunt Maria is has concerns and obligations to her beliefs and the life of this child. Dr. Wilson has concerns and obligations to Jessica to makes sure she knows her medical options, the quality of life for this baby and medical knowledge.

Relationships between parties account for moral status, primarily relationships that establish roles and obligations. For example: HCP-patient relationship, which is a relationship of medical need and care. Once established, the patient has a right to care that others lacking that relationship do not possess
The relationship obligations can deepen as dimensions of knowledge and trust enter the mix; extend to peers, intimate partners, pets, etc. Maria and Marco

So, for instance, a parent has at least two reasons not to kill his own child: a reason in virtue of the child’s FMS, and a reason in virtue of the parental relationship, which generates a special obligation for this particular agent not to kill this particular child. In addition, these reasons are independent of other facts about the action, for example, the action’s possible bad long-term effects. Instead, they are reasons to treat the being this way for the being’s own sake.

Jaworska, Agnieszka and Tannenbaum, Julie, "The Grounds of Moral Status",*The Stanford Encyclopedia of Philosophy*(Spring 2018 Edition), Edward N. Zalta (ed.), URL = .

Conclusion

The point is simply this: While there seems to be an innate sense of what it means to be a human being that most people have, one needs to stop and actually think about what this means. It might be assumed that healing and caring are good things because human beings are valuable and ought to be respected, but the question is whether one's worldview provides an adequate explanation for these beliefs? Are they in some sense relative? Pay attention to how the Christian narrative answers these questions and begin to ask yourself how you would answer them.