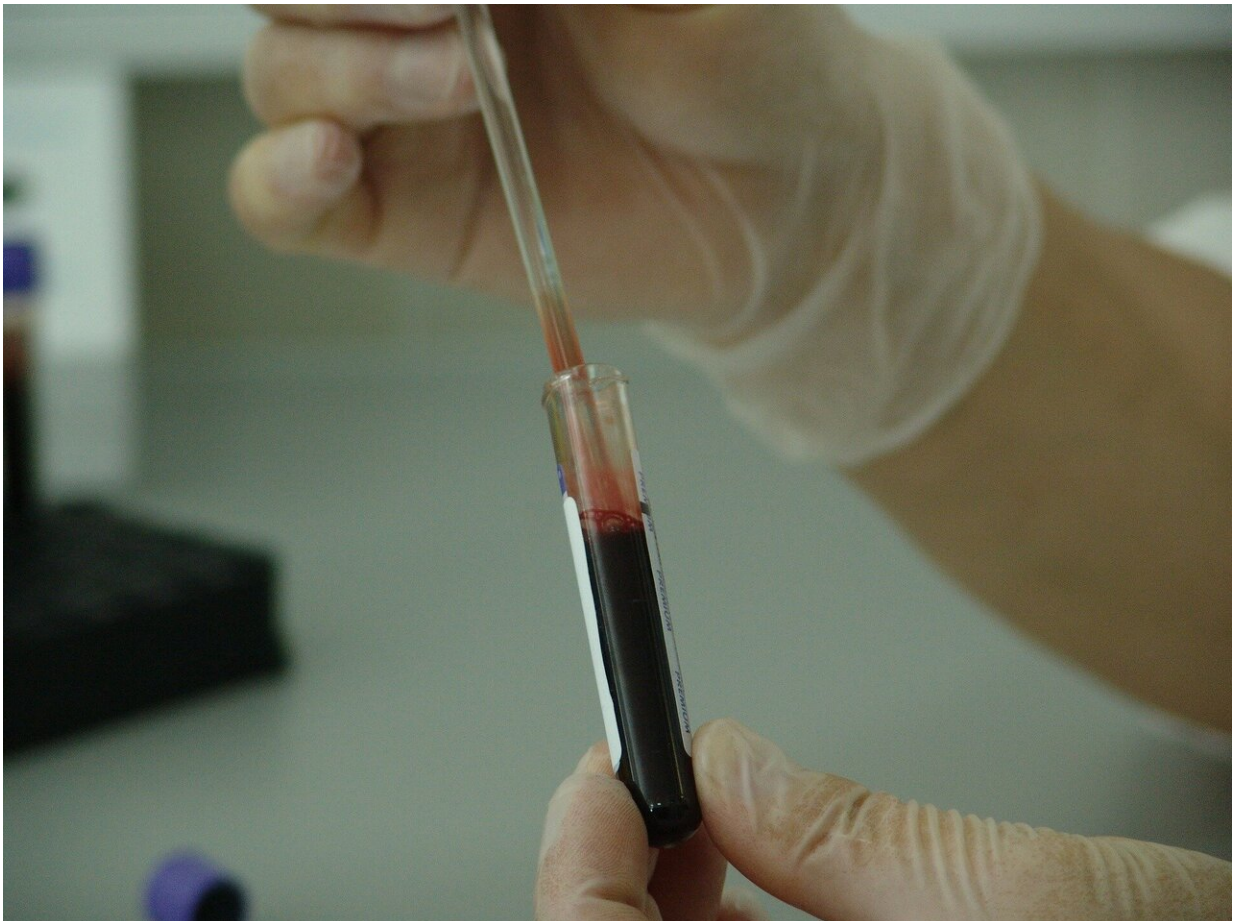


Biomedical law experts suggest it's time to expand the legal term for 'human'

December 20 2019, by Bob Yirka



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A pair of biomedical law experts, one with McGill University the other

Stanford University, are suggesting in a Policy Forum piece in the journal *Science* that it might be time to expand the legal term for "human." In their paper, Bartha Knoppers and Henry Greely argue that recent technological advances have come to blur the line between what is human and what is not, and thus, new terminology is needed.

Over the past few decades, scientists have been carrying out research in which [human](#) and non-human cells are mixed, resulting in tissue that could be classified as either human or non-human—grafting or transplanting organs or tissues from animals onto humans, for example, or growing organs in an animal for later transplantation into a human. Also, the development of the CRISPR gene-editing technology allows for changing the genome of a person into something that may not exist in nature.

Knoppers and Greely argue that such technology requires a new look at the word "human"—at least in a legal sense. They note that currently, there are many laws that apply only to humans or to [human tissue](#), and in some cases, to the bodies of human beings after they die. They point out that it is only a matter of time before the term is challenged in a court case. Can it be argued that a monkey has the same [legal rights](#) as human beings if all of its organs (except, perhaps, its brain) have come from a human being? Or is a person still human and thus entitled to such rights if he or she is born with a partial brain with no consciousness and is kept alive by machines? To settle such matters in a legal sense, the authors suggest the legal system consider amending the term "human" by adding the word "substantially"—as in, the defendant is "substantially human"—for instance, where a robot with a human brain is on trial for committing a crime.

The authors note that the term already exists in a legal context—in copyright and data protection laws, for example. They further note that the phrase could help in [legal proceedings](#)—if a case involving the

Chinese twins with edited DNA arose, for example, their lawyers could argue that they are substantially human, thereby assuring them of continued protection as human beings.

More information: "Biotechnologies nibbling at the legal 'human,'" *Science* (2019). [science.sciencemag.org/cgi/doi ... 1126/science.aaz5221](https://science.sciencemag.org/cgi/doi/10.1126/science.aaz5221)

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