

Dignity and Rights Involved in Human Procreation: An Ethical Analysis of *In Vitro* Fertilization

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Introduction

In vitro fertilization, universally known as IVF, is the biotechnology of human conception in which, with the help of medical assistance, a male gamete cell, the sperm, is united with a female gamete cell, the ovum, outside the woman's body, producing human embryos *extra utero* in the laboratory. This can be limited to four specific procedures: extraction of ova from a woman and impregnation of the ova with the sperm provided by her husband in the laboratory; impregnation of the ova with donor sperm in the laboratory; impregnation of the donor ova with the sperm provided by the husband; impregnation with the ova and the sperm provided by the donors.¹

1. Extracorporeal fertilization

Proponents of IVF argue that the desire to have children of their own is a part of created nature. Whereas the opponents state that insofar as the couples involved in IVF use an artificial means to have a child, their desire becomes questionable. Moreover, they also argue that being involved in IVF couples violates their natural generative potentiality because the sexual relationship as an act of generation and conception has the right and dignity. In contrast, the use of IVF is defended by saying that infertile couples as individuals have the right to choose the reproductive technologies to have a child.

1.1. *The personal dignity in human conception*

The dignity of human conception must be respected not only from the moment of fertilization but also in the performance and the ethical-anthropological sense expressed in the act of conception. Thus, the sexual relationship and the moment of conception become significant.² Therefore, the dignity of the couples involved in IVF and the dignity of the resulting child are the concern here.

1.1.1. Affirmation of the dignity of spouses in the process of conception

The IVF reality proves the possibility of human fertilization in the absence of the sexual act. Biologically speaking, human fertilization is the union of male and female gametes. Questions arise concerning human fertilization, specifically whether it is purely biological and whether couples are merely gamete contributors. Human fertilization resulting in the existence of a child as a person certainly is more than biological; besides, the parental contribution to the conception of their child is not merely the contribution of gametes. In

¹ Cf. D. NAPLEY, "IVF and the Law," in R.F. CHADWICK (ed.), *Ethics, Reproduction and genetic Control*, Routledge, New York 1994, 63.

² Indeed, there are occasions that human fertilization is possible even outside of married life. Here, the sexual relationship, as an act, will be spoken only in the framework of marriage. Presuming the sexual relationship between the husband and wife is open for human procreation, the involvement, mutual contribution, and on the whole the dignity of the spouses as individuals would be considered in relation to the fertilization of their child.

the process of conception, the sexual act of spouses becomes more symbolic and communicates the profound meaning of human procreation and the dignity of both spouses and the child. In marriage, the husband and wife reciprocally give and accept themselves in their sexual relationship, wherein the totality of their personhood, with mind, body, and spirit, is involved. Thus, the sexual act of spouses as a self-giving act is an interpersonal relationship where they share their selfhood, in which they also see their *self* in their child. The act of fertilization, therefore, being more than biological, demands dignity in itself.

The question of human procreation, like every other question which touches human life, involves more than the limited aspects specific to such disciplines as biology, psychology, demography or sociology. It is the whole man and the whole mission to which he is called that must be considered: both its natural, earthly aspects and its supernatural and eternal aspects.³

Human procreation as an outcome of a mature interpersonal encounter, including sexual intercourse as an expression of love, becomes a precondition for procreation. Authentic and responsible sexual experience also depends on the biological integrity of human sexuality: the truth of sexuality as the expression of love is realized in the self-giving of the spouses in the marital act. The total personal self-giving as an expression of a mature sexual relationship, human conception involves a personal value: the involvement of the totality of personhood of the spouses.⁴

Reproductive technology changes the nature of human conception and thus threatens the human dignity of both couples and the resulting child.⁵ The marital act is not simply a genital act but marital in itself, about which *Donum vitae* says, “the language of the body,”⁶ a unique and significant act, which is inherently unitive and procreative. As a language of the body, spouses communicate living human love with each other. The involvement of their whole personhood in their sexual relationship demands dignity in itself.

1.1.2. Affirmation of the dignity of the conceived child

As we look into the issue of extracorporeal fertilization, the dignity of the resulting child can be dealt with by the mode of reproducing the child. The focus of the argumentations of the opponents of IVF is mainly on the way human fertilization is done in the IVF process and its consequences. The mode of fertilization in IVF is criticized as it seems to be a production that devalues the dignity of the resulting child as a person. Due to IVF marketing, as a product of the centre, the child is considered to be a commodity.

a) *Human life: “produced” or procreated?*

Two concepts to be understood in relation to human fertilization in the IVF process: *production* and *procreation*. The word *production* does not, in any way, refer to the resulting children but only to the mode of fertilizing human embryos. Some authors

³ *Humanae Vitae*, 7.

⁴ Cf. *Familiaris Consortio*, 11

⁵ Cf. N.M. DE S. CAMERON, “Separating Sex and Reproduction,” in J.F. KILNER – P.C. CUNNINGHAM – W.D. HAGER (eds), *The Reproduction Revolution: A Christian Appraisal of Sexuality, Reproductive Technologies and the Family*, William B. Eerdmans Publishing Company, Cambridge 2000, 27-35.

⁶ *Donum Vitae*, II.4.b. “Spouses mutually express their mutual love in the ‘language of the body’ which involves both ‘spousal meanings’ and parental ones. The conjugal act by which the couple mutually express their self-gift at the same time expresses openness to the gift of life.”

emphasize that producing human embryos in IVF is a matter of the status of the act “making” or “begetting.” The primary characteristic of a technological society is that it operates as a kind of mechanical product. This aspect in the realm of human life seems to be dehumanizing. The traditional understanding of procreation is that it is an outcome of the marital act of spouses that has the dimension of “making love,” born within the much broader context of mutual and gratuitous love. In the IVF process, we find that human life, as a matter of production, the conception is predictable, controllable, scientific, and contrary to natural conception.

The progressive emergence of a new mentality, according to which recourse to ART constitutes a preferential route – compared to the “natural” route – to bring a child into this world because it is possible through these techniques to exercise a more effective “control” over the quality of the conceived child in line with the wishes of those who ask for such a child. All this works in favour of seeing the child obtained through the use of ART as being on the same level as a “product” whose value, in reality, depends in large measure on “good quality,” which, for its part, is subjected to severe controls and careful selection.⁷

Gilbert Meilaender and Karl Barth affirm that the process of conceiving, bearing, and giving birth to a child, and bringing up, must be an affirmation and recognition: the affirmation of the good of a life as we were given and the recognition by the creative power of God.⁸ To recognize the creative power of God, we must have the truest fidelity to be submissive to the mystery lying buried in the heart of God, because the creative power and plenitude of being are the foundation of our life. “Children are a heritage from the Lord, offspring a reward from him” (Ps 127:3). In the IVF process, arguments prove that there are occasions when couples go for a child of their best preference – the “quality control.”⁹ On most occasions, when the child is found to be defective in the IVF process, couples are reluctant to accept the child, and the consequence results in abortion. Such circumstances prove the fact that the assurance of dignity given to the child from the beginning of his or her life also depends on the mode of conception.

b) *IVF industry and devaluation of human life*

IVF marketing, as a growing phenomenon, is very much interested in commodifying children. The primary interest of IVF clinical centres is economic profit. Therefore, children are considered to be commercial products, as *optimum* babies. IVF marketing has changed the meaning of procreation to production, where the price of a child is fixed already. The opponents of IVF have pointed out the reality of selling gametes in the IVF process. At the same time, the proponents of IVF argue that gamete donation is not commercialization but an ethical option for infertile couples to have a child.¹⁰ Here, two important questions arise: firstly, whether it is right to consider a human organ as property,

⁷ PONTIFICAL ACADEMY FOR LIFE, “Final Communiqué on ‘The dignity of human procreation and procreative technologies: anthropological and ethical aspect’,” in http://www.vatican.va/roman_curia/pontifical_academies/acdlife/documents/rc_pont-acd_life_doc_20040316_x-gen-assembly-final_en.html [Access: 4th February 2021].

⁸ Cf. G.C. MEILAENDER, *Body, Soul, and Bioethics*, University of Notre Dame Press, Notre Dame 1995, 84-86.

⁹ Cf. A.L. BONNICKSEN, *In Vitro Fertilization: Building Policy from Laboratories to Legislators*, Columbia University Press, New York 1989, 36-40.

¹⁰ Cf. J.A. ROBERTSON, “Ethical and legal issues in human egg donation,” in *Fertility and Sterility* 47/3 (1987), 353-355.

and secondly, whether it is right to sell human organs in general. Concerning human organ sale, John Paul II says: “The body cannot be treated as a merely physical or biological entity, nor can its organs and tissues ever be used as items for sale or exchange. Such a reductive materialist conception would lead to the merely instrumental use of the body, and therefore of the person.”¹¹ Selling human organs, including genetic cells, against the integrity of the body is dehumanizing.

As we consider the phenomenon of reproductive technology, the truth of selling and buying gametes and embryos has changed the correct understanding of human procreation and human life as well. Though we understand the tragedy of infertile couples for not having children, the aspect of selling and buying gametes and embryos, and the money involved in the process, by giving an idea to others as commodifying, devalues the dignity of the child. Further, the commercialization of IVF also leads to the problem of new kinds of patient-purchasers, such as single and asexual men and women and LGBT men and women, which threatens the traditional structure of the family.¹² Another money-making sphere specified by the opponents of IVF is contracted gestational pregnancy, which is generally known as contract gestational surrogacy. Commercial surrogacy allows marketing that commodifies both women and children. Mostly, the primary purpose of the surrogate is purely economic, where she is used as a means. Ethically, since man is an end in himself, he cannot be used as a means. The very nature of the act of handing over the child shortly after birth is considered to be “baby-selling.” It is a commercial transaction between the surrogate and the adoptive parents.

1.2. *The issue of reproductive autonomy*

Reproductive autonomy is said to be the control or right that human beings have over their reproductive system: it is the freedom to decide whether, when, and how to have a child. Arguments presented by the proponents are based on reproductive autonomy to justify extracorporeal fertilization. Simultaneously, the opponents speak of the limits of reproductive freedom.

1.2.1. The desire for a child: the unlimited right?

We must rightly understand that the desire to have a child that exists in every human being is not an absolute one. Couples may desire to have a child, and respecting the dignity and rights of all the subjects involved, they must naturally fulfill their desire. In case they are unable to fulfil the desire naturally, they must be ready to accept the reality. If the cause of their inability is due to some physical conditions, they can seek treatment for those problems so that they may have children naturally.

Dr. Patrick Steptoe, a prominent scientist among the advocates of IVF who played a major role in the team of the first IVF baby, says that the desire to have a child is a

¹¹ JOHN PAUL II, “Address to the Participants of the First International Congress of the Society for Organ Sharing,” in http://www.vatican.va/content/johnpaulii/en/speeches/1991/june/documents/hfjpii_spe_19_910620_trapianti.html [Access: 21st January 2021], 4.

¹² Cf. C. THOMPSON, “IVF global histories, USA: between Rock and a marketplace.” in <https://www.sciencedirect.com/science/article/pii/S2405661816300235> [Access: 12th November 2019]. The so-called “family” structured by these groups will naturally deprive the child of certain essential elements needed for his or her human development. It will change the right understanding of “parenthood” and familial relationship found in the traditional family. Thus it will also certainly change the traditional human culture.

biological drive, especially in women. Thus, he affirms that a woman becomes frustrated when she is unable to fulfill that desire.¹³ Based on the strength of this biological drive, he tends to justify using IVF as a means to have a child for infertile couples. We must realize that this argument of Steptoe leads to the possibility that even single women may claim to have children without entering into marriage on the strength of the desire to beget children. This situation will create additional social issues concerning the traditional structure of the family, the meaning of marriage, and the truth of procreation. As he says, this biological drive is indeed natural for human beings, but it is given to humans by God for procreative function.¹⁴ Meilaender opposes the project of making a child in the laboratory because it is contrary to the created nature of man.¹⁵ The created nature of human beings must follow the plan of God, but not of man. IVF reproductive technology removes the centre of human sexuality, designed by God for human reproduction. The desire to have a child, therefore, with all its aspects, becomes good and natural only when it is in accord with the created nature of man.

1.2.2. The right of the child to be authentically conceived

While the proponents of IVF mainly base their arguments on the reproductive liberty of couples to choose IVF as a means to have a child for them, the principal argument of the opponents is that the reproductive autonomy of couples involved in IVF denies certain fundamental rights of the resulting child. Three issues are involved here: the concept of autonomy/freedom, the right of couples to have a child, and the rights of children concerning their birth.

Fundamentally, the understanding of “freedom” demands personal responsibility. This fact is based on the relational constitution of a human being and their personal nature. A human being is relational by nature, which means they tend to live, especially in relationships with fellow human beings. Therefore, the relationship with fellow human beings imposes a personal responsibility on everyone. Likewise, reproductive autonomy, as the freedom to decide whether and when to have a child, also asks for individual responsibility in procreating a child. In human procreation, the freedom of parents directly connects to their children's rights. The argument that we have a natural right to reproduce a child in an artificial fertilization process gives an antithetical sense of the concept of “freedom.”

Concerning the conception of a child, the primary procreative responsibility of parents is they ensure the security of the child. Jerome Lejeune affirms that in natural procreation, the child is assured of maternal protection from the moment of its conception because the womb of the mother is a well-secured place for a child.¹⁶ On the contrary, in extracorporeal fertilization, it is crystal clear that the child is denied the right to have maternal care and love at the initial stage of its human development. Further, the possibility of all dangers of manipulation, exploitation, and abuse of embryos by scientists is at its initial stage in IVF.

¹³ Cf. R.F. CHADWICK, “Having Children: Introduction,” in ID. (ed.), *Ethics, Reproduction and Genetic Control*, Routledge, New York 1994, 8-13.

¹⁴ Cf. *Ibid.*, 36.

¹⁵ Cf. G.C. MEILAENDER, “A Child of One’s Own: At What Price?,” in J.F. KILNER – P.C. CUNNINGHAM – W.D. HAGER (eds), *The Reproduction Revolution: A Christian Appraisal of Sexuality, Reproductive Technologies and the Family*, William B. Eerdmans Publishing Company, Cambridge 2000, 36-45.

¹⁶ J. LEJEUNE, “Is There a Natural Morality?,” in *Anthropotes* V/2 (1989), 274.

The UK Human Rights Act states as follows: “It is often suggested that children born of anonymous donor conception are denied their most basic human rights. ‘They are the only group in this country who don’t have the right in law to trace their genetic parents – a fundamental violation of their human rights.’”¹⁷ Moreover, by denying the basic right of a child to be born through his or her biological parents in marriage, the authors affirm that the technique distorts the true meaning of “parenthood.” The refusal of a child's genetic origin and its continuity in gamete donation and embryo adoption, and the split in parenthood, certainly deprives the child of its fundamental rights.

2. Analysis of third-party involvement

Mainly, the third-party involvement introduced in the procreative act creates the confusing notion of parentage, such as genetic, gestational, and adoptive. The study on third-party involvement in human procreation demonstrates that it also results in distorted familial relationships. The issue pointed out by the opponents of IVF about the reality of the confused notion of motherhood also becomes our concern here.

2.1. *Parenthood in third-party involvement*

The opposing arguments demonstrate that third-party involvement due to gamete donation breaks the link between begetting and rearing and thus creates the possibility of diminishing or dissolving the responsibility of the genetic parents towards the children. Consequently, it also gives room for the possibility of unintentional incest in a future society. Whereas the proponents of IVF, considering that love and care are more essential components for parenthood than genetic links, promote gamete donation as a possible means to have a child for infertile couples. They also suggest that by promoting one of their family members to become a gamete donor, couples can have a child of the bloodline linked with their family.

It is evident that the introduction of third-party involvement in procreative acts naturally creates the possibility of a split in parenthood. For example, surrogacy vividly creates streams of parenthood possibilities in which a child can end up with as many as five “parents,” such as a genetic mother, genetic father, gestational mother, social mother, and social father.¹⁸ Naturally, in the context of third-party involvement, the child becomes confused about its familial relationship, which certainly harms the child’s human development. For example, in the case of surrogacy, from the child's perspective, there is a possibility of having a “social mother” and a “genetic mother,” where the child becomes divided and in a confused state by having two mothers. In this circumstance, not only the

¹⁷ J. TIZZARD, “Gamete donation: secrets and anonymity,” in F. SHENFIELD – C. SUREAU (eds), *Ethical Dilemmas in Reproduction*, The Parthenon Publishing Group, London 2002, 80.

¹⁸ In the well-known Baby M case, Mary Beth Whitehead, the surrogate, refused to hand over the baby to Elizabeth and William Stern, the contract parents. Then a case was filed, and the judge ordered custody for the Sterns with visitation rights for Whitehead. Before hearing, once Mr. Stern recorded a conversation with Whitehead in which she asked him at one point, “So what do we do? Cut her (baby) in half?” In this case, the baby is known as Melissa by Mr. and Mrs. Stern, Sara by Whitehead, and Baby M by the court and media. Thus, the baby was divided and had a confusing status in her life. Cf. A.L. BONNICKSEN, *In Vitro Fertilization: Building Policy from Laboratories to Legislators*, 118-119.

child but also the social and genetic “mothers” are in a dilemma to express their genuine emotions towards one another.¹⁹

2.2. *Familial relationship in third-party involvement*

Another important ethical issue explored by the opponents is that the relationship among the siblings caused by gamete donation is a problem of incest. The reproductive revolution breaks the link between begetting and rearing as a matter of donation policy. The effect of this break gives room for the possibility of unintentional incest in a future society.

When children are the result of the marital act, an atmosphere is created in the family where they experience equal parental care from both parents. If parenthood splits into rearing and genetics, and on occasions where the donor is unknown, there comes a procreative vacuum. As said above, parenthood as an enterprise transforms love: the father and mother of a child must share their genetic investment in the child through their marital act. By doing so, while they equally have a biological link to the child, they also beget the child, and additionally, the child becomes secure and is assured in familial relationships. The clarities about parenthood, line of generation, and identity as ‘who is’ and ‘whose’ are the indispensable foundations of a sound family, which is the foundation of a civilized community.²⁰ Fundamentally, responsible ethics concerning human procreation depend on the biological integrity of human sexuality: the truth of sexuality, as the expression of love, is realized in the self-giving of the spouses in the marital act. The integrity of human sexuality in reproduction is necessary to have an ordered familial relationship.

There are occasions, as is promoted by the advocates of IVF, that the family members become either gamete donors or surrogates. This aspect of third-party involvement also creates confusion in the familial relationship. In gamete donation from family members, because of the genetic tie, naturally, the child and the donor will tend to have a parent-child relationship, which may create tension and confusion in the familial relationship.²¹ Briefly, while threatening the very structure of the family, the introduction of third-party involvement risks the good of marriage, parents, the resulting child, and donors as well.

3. **Analysis of the issue of frozen embryos**

The IVF industry continues to produce a large number of embryos to increase the chance of pregnancy in a woman. This fact leads to the worldwide phenomenon of the existence of millions of frozen embryos in the storage of IVF centres becoming a reality.²²

¹⁹ Cf. A.L. BONNICKSEN, *In Vitro Fertilization: Building Policy from Laboratories to Legislators*, 117-119.

²⁰ Cf. L. KASS, “The meaning of Life-In the Laboratory,” *The Ethics of Reproductive Technologies*, Oxford University Press, New York 1992, 104-105.

²¹ Presuming the occurrence of revealing the truth about the genetic mother significantly in egg donation, Golombok speaks of the reality that the very fact of having two mothers genetic and adoptive or social will not only have negative impacts on the child’s social, emotional, and identity development but also questions the security of the social mother as an adoptive parent and her relationship with the child. Cf. S. GOLOMBOK, “Parenting and the psychological development of the child in ART families,” in E. VAYENA – P.J. ROWE – P.D. GRIFFIN (eds), *Current Practices and Controversies in Assisted Reproduction*, World Health Organization, Geneva 2002, 293-297.

²² One by-product of the IVF process is the creation of excess or spare embryos. These additional embryos are commonly produced as backup in case the procedure fails or if, in the future, the couple would like to try to have another child. At present, there are an estimated one million frozen human embryos worldwide awaiting their fate. Tad Pacholczyk, the Director of Education at the National Catholic Bioethics Centre in

The production of excess human embryos leads to the process of cryopreservation, medical research, and then finally abandoning the leftover frozen embryos, and these processes raise significant questions about the moral status of the human embryo. In this regard, some authors raise the question: “*What is the ethical solution we can find for these frozen embryos?*”

3.1. *Ethical-anthropological status of the human embryo*

The study on the issue of frozen embryos claims the necessity of knowing the truth about the moral status of the human embryo. Mostly, concerning the status of the human embryo, the authors who support IVF argue that an organism possesses a right to life only if it possesses the concept of a self as a continuing subject of experiences and other mental states. Therefore, in their understanding, personhood requires the ability to reason or make choices. From their perspective, the embryo becomes morally significant only when it begins to share whatever moral importance that normal adult human beings have: the moral status of a human embryo must be assessed in terms of what it is, but not by its potential. On the other hand, generally, the opponents of IVF argue that at the moment of human fertilization a new, unique, and unrepeatable genotype is formed. This newly formed being is self-growing in an autonomous, coordinated, and continuous way. They also affirm that the human embryo is a possible human being, i.e., a potential person.

The views about the status of a human embryo ought to be understood on two different bases: *what it is* and *what it will become*. Simultaneously, we also must understand well that the moral significance of the human embryo is not a question of fact but a question of value, when human life begins to be identified. The embryo, from fertilization, is a genetically unique individual as fully human as you and I, potentially possessing an immortal, immaterial soul.²³

Generally, the authors who deny the personhood of the human embryo base their argument on the reasoning capacity, that is, the human embryo becomes a person only when it begins to become self-conscious and makes decisions. We all agree that man has a rational nature, but at the same time, we must rightly understand that this nature is not the only characteristic that determines a human being as a “person.”²⁴ If the rational nature becomes the only criterion, it indirectly disapproves of the personhood of newborn children, mentally disabled adults, and patients in a coma. Therefore, personhood, more than rational nature, contains the spiritual-moral nature that confirms the dignity of the human embryo. The human embryo, as a human being, by possessing human nature, demands moral significance.

Philadelphia, USA, stated that “the infertility industry has become an embryo mass-production line with virtually no legal oversight or national regulations. Catering to strong prenatal desires, it is a multimillion-dollar business aptly described as the ‘wild west of infertility.’” J. MCTAVISH, “A Pastoral Questions on IVF and Embryo Adoption,” in *Landas* 28/2 (2014), 150.

²³ Cf. M. BRAZIER, “The Challenge for Parliament: a critique of the White Paper on Human Fertilization and Embryology,” in A. DYSON – J. HARRIS (eds), *Experiments on Embryos*, Routledge, New York 1990, 133-136.

²⁴ Thomas Aquinas, having adopted Boethius’ definition of “person” as *naturae rationalis individua substantia*, affirms that man is of rational nature. Even Thomas Aquinas says that the rational nature of man is a part of human nature: “We must conclude, therefore, that the human soul, which is called the intellect or the mind, is something incorporeal and subsistent. [...] is a part of human nature.” in *Summa Theologiae*, I, Q.75, art.2, trans. Fathers of the English Dominican Province, Vol. I, Benziger Brothers, New York 1948, 365.

The zygote and early embryonic stages are clearly alive. They metabolize, respire, and respond to changes in the environment; they grow and divide. [...] though not yet organized into distinctive parts or organs, the blastocyst is an organic whole, self-developing, genetically unique, and distinct from the egg and sperm whose union marked the beginning of its career as a discrete, unfolding being. While the egg and sperm are alive as cells, something new and alive in a different sense comes into being with fertilization. [...] For after fertilization is complete, there exists a new individual with its unique genetic identity, fully potent for the self-initiated development into a mature being, if circumstances are cooperative.²⁵

Biologically, an embryo has the active potential to grow further when essential conditions are provided. To understand the moral significance of the embryo, we also must know the difference between “human life,” “human person,” and “beginning of human life.” At fertilization, biologically, a new, unique, and unrepeatable genotype is formed, which is self-growing in an autonomous, coordinated, and continuous way. Consequently, it is possible to conclude that fertilization is the crucial point for the beginning of a “new human life.”²⁶

From the moment of conception, every human being has the active potential to develop biological and anthropological characteristics. Realizing the intrinsic value that genetic uniqueness has, we must know that it is right to treat the human embryo in terms of ethical and moral principles. Genetic uniqueness becomes an instrumental value considered to have intrinsic value. Genetic uniqueness indeed claims that after fertilization there is a potential human individual life. The human embryo is a being, but a *human* being. As a human being, it has the right to be respected and protected with dignity from the moment of conception.

It is not a question of whether the human embryo is a person or not, but a question about the moral importance of the human embryo because, as a human being, it must be treated in a significant manner, entirely different from treating other beings. Therefore, we must find the correct way to treat the human embryo with its moral significance. The recent findings of human biological science recognize that in the zygote, the biological identity of a new human being is already constituted.²⁷ As it belongs to the human species, the human embryo is worthy of full moral respect, with which the right to life and its dignity as a human being are defended.

3.2. *Embryo research and embryo adoption: in the search for solutions*

The moral significance of the human embryo, having the right to life, and being treated with dignity, practically requests us to find ways and means to solve the problem of millions of frozen embryos. The existence of millions of frozen embryos fundamentally raises the question of what we can do with them. There are three proposed options for moral evaluation: adopting them, using them for research purposes, and abandoning them. Practically, no one is for discarding human embryos, while there are arguments for and against adopting them and using them for research purposes.

²⁵ L. KASS, “The meaning of Life-In the Laboratory,” 100-101.

²⁶ Cf. M. MORI, “On the Concept of Pre-embryo: The Basis for a New ‘Copernican Revolution’ in the Current View about Human Reproduction,” in J. HARRIS – S. HOLM (eds), *The Future of Human Reproduction: Ethics, Choice and Regulation*, Clarendon Press, Oxford 2003, 45.

²⁷ Cf. P. CLARK, “Frozen Embryos: Application of the Extraordinary/Ordinary Means Distinction from the Catholic Perspective.” in <https://print.ispub.com/api/0/ispub-article/4598> [Access: 18th November 2020]

3.2.1. Embryo research

Affirming the significance of the moral status of the human embryo, the authors suggest that embryonic research harms human dignity and integrity. Treating human embryos as experimental objects is not morally right because the human embryo, as a potential person, is worthy of respect and dignity. Medical research must be an improvement in therapy. Therefore, the inevitable destruction of embryos in embryonic research is not the proper way forward. Producing human embryos and subjecting them to unethical experiments degrades the respect and dignity deserved by human embryos as human beings.²⁸ It is not a matter of producing children without genetic defects, but it is a matter of safeguarding the dignity of human life from the moment of conception. Protecting human dignity and integrity is an ethical imperative for present and future generations by banning destructive embryonic research or risky manipulation of human embryos. Human embryos should not be subjected to unjust discrimination as if only embryos free of genetic defects are worthy of being born alive.²⁹

3.2.2. Embryo adoption

The embryo adoption process has two parts: embryo adoption and embryo transfer into the uterus. Transferring an embryo into the uterus of a biologically unrelated woman violates the natural generative order between husband and wife. As an organ of the generative faculty, the uterus is meant only for the generative power, that is, the marital act. From this perspective, inappropriate use of the generative faculty in this process cannot be ethically acceptable because it will harm the dignity of paternity, maternity, and filiation.³⁰ Arguments also defend embryo adoption: by adopting, the adoptive parents are trying to restore paternity, maternity, and filiation violated by the biological parents.³¹

Keeping embryos in the frozen state is dehumanizing because it negates the intrinsic value of the human embryo as a *human being*, and simultaneously, the *right to life* of an embryo demands *justice* for their survival. The question here for our reflection is: "What can we do with those embryos already in the frozen state?" The very fact of the existence of embryos, therefore, requests us to find a moral solution for them, which opens room for further discussion. The actual injustice consists in the double factuality: 1) the injustice of the existence of a multitude of produced and cryopreserved embryos (already); 2) the injustice of continuing to produce human embryos in the laboratory (yet), with the eventual subsequent cryopreservation.

On the part of frozen embryos, their right to life as a quest for justice demands the right place for their survival. The right place for an embryo to exist is the womb of its mother,

²⁸ Cf. C.M. REILLY, "Madness of Human Genetic Engineering," in *The Human Life Review* XLV/3 (2019), 31.

²⁹ Cf. N.M. FORD, *The Prenatal Person: Ethics from Conception to Birth*, Blackwell Publishing, 62-73.

³⁰ Let us note the point that in the argumentation of Elizabeth Rex, concerning the dignity of maternity, paternity, and filiation, she defends saying that with the purpose of healing and saving the lives of embryos that have already been conceived immorally *in vitro*, the adoptive parents restore the paternity, maternity, and filiation that were irresponsibly abandoned by the genetic parents. Rex is concerned about the justice that is to be done to the frozen embryos as potential persons who are at an uncertain stage of their destiny. Simultaneously, many, including Charles Robertson, disagree with the argument of Rex, pointing out that the sole motive of adoptive parents is not restoring the lives of the embryos they choose. Cf. E.B. REX, "The Magisterial Liceity of Embryo Transfer," in *The National Catholic Bioethics Quarterly* 15/4 (2015), 701-704.

³¹ Cf. *Ibid.*, 704-706.

but in the case of a frozen embryo, it is not the reality. Technically, the period of cryopreservation is limited. If they are not helped by human society, certainly their destiny is death. Therefore, though there are ethical issues involved in embryo adoption, considering the need of both an infertile couple and a frozen embryo as a human being longing for parental care and love and a woman's womb as the natural place for the existence of the human embryo, when an infertile couple willingly comes forward to adopt a frozen embryo, since they do not directly participate in the production of those embryos, rather than leaving the destiny of the embryo for death, the willingness of the couples can be reconsidered and rightly understood in future discussions.

At the end of our reflection, being aware that in the real world, the beginning of life often does not correspond to the required ideal framework, we would like to state the following: 1) human life, once initiated, has value in itself and requires free acceptance as the only moral attitude; 2) once entered into existence, human life should be protected and promoted; therefore, the conflict of values that arises in case of the adoption of the embryo per se should be resolved in favour of life, regardless of the way it was initiated. This is an invitation to have the intellectual and moral courage to make some decisions recognized as correct, even when this requires rethinking the traditionally proposed argument.

CONCLUSION

Infertility is not a *disease*, but a physical condition caused by some disorders in the reproductive function; therefore, if possible, infertile couples can seek medical assistance for treating those disorders so that they may have children naturally. At the same time, IVF is not a *treatment* at all, but rather, it is a reproductive technique substituting for the marital act to have a child. The act of generating human life is a humanized act that seeks the human context. The origin of human life must be not *technologically* but *humanly* associated. It must be the result of the performance of human sexual relationships, which is duly understood only in the framework of marriage. On the whole, the very nature of IVF removes the human context of human fertilization, which affects the integrity of marriage, sexuality, procreation, parenthood, kinship, and family. Regarding human procreation, the research has helped us to affirm that the realization of dignity and respect for humanness – the quality of human beings-precedes human conception and begins from the actualization of fertilization, which is fully recognized in the human context.

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