THE CATHOLIC PERCEPTION ON REPRODUCTION AND ASSISTED REPRODUCTIVE THERAPY

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Introduction

Roman Catholic Church opposes some kinds of ART and artificial contraception if they separate the procreative goal of marital sex from the goal of uniting married couples. The Roman Catholic Church permits the use of a small number of reproductive technologies and contraceptive methods like natural family planning which involves charting ovulation times. The church allows other forms of reproductive technologies that allow conception to take place from normative sexual intercourse such as a fertility lubricant. Pope Benedict XVI has publicly re-emphasized the Catholic Church's opposition to in vitro fertilization (IVF) claiming it replaces love between a husband and wife. In addition, the church opposes IVF because it might cause disposal of embryos; Catholics believe an embryo is an individual with a soul who must be treated as such.

This particular doctrine often expounded by the magisterium of the Church is based on the inseparable connection established by God which man on his own initiative may not break between the unitive significance and the procreative significance which are both inherent to the marriage act. The reason is that the fundamental nature of the marriage act while uniting husband and wife in the closest intimacy also renders them capable of generating new life and this as a result of laws written into the actual nature of man and of woman. And if each of these essential qualities the unitive and the procreative is preserved the use of marriage fully retains its sense of true mutual love and its ordination to the supreme responsibility of parenthood to which man is called. We believe that our contemporaries are particularly capable of seeing that this teaching is in harmony with human reason.

Teachings of the Magisterium.

On its part, the *Magisterium* of the Church offers to human reason in this field to the light of Revelation: the doctrine concerning man taught by the *Magisterium* contains many elements which throw light on the problems being faced here. From the moment of conception, the life of every human being is to be respected in an absolute way because man is the only creature on earth that God has wished for himself and the spiritual soul of each man is immediately created by God; his whole being bears the image of the Creator. Human life is sacred because from its beginning it involves "the creative action of God" and it remains forever in a special relationship with the Creator, who is its sole end (Genesis 1:27). God alone is the Lord of life from its beginning until its end: no one can, in any circumstance, claim for himself the right to destroy directly an innocent human being. Human procreation requires on the part of the spouses responsible collaboration with the fruitful love of God; the gift of human life must be actualized in marriage through the specific and exclusive acts of husband and wife, in accordance with the laws inscribed in their persons and in their union.

Catechism of the Catholic Church

Techniques involving only the married couple (homologous artificial insemination and fertilization) are perhaps less reprehensible yet remain morally unacceptable. They dissociate the sexual act from the procreative act. The act which brings the child into existence is no longer an act by which two persons give themselves to one another, but one that entrusts the life and identity of the embryo into the power of doctors and biologists and establishes the domination of

technology over the origin and destiny of the human person. Such a relationship of domination is in itself contrary to the dignity and equality that must be common to parents and children .The Catholic Church maintains that it is not objectively evil to be infertile, and advocates adoption as an option for such couples who still wish to have children: The Gospel shows that physical sterility is not an absolute evil. Spouses who still suffer from infertility after exhausting legitimate medical procedures should unite themselves with the Lord's Cross, the source of all spiritual fecundity. They can give expression to their generosity by adopting abandoned children or performing demanding services for others. Gamete intra fallopian transfer (GIFT) is not technically in vitro fertilization because with GIFT, fertilization takes place inside the body not on a Petri dish. The Catholic Church nevertheless is concerned with it because Some theologians consider this to be a replacement of the marital act and therefore immoral (Edelman, &Mandle 2002).

Reproductive Technologies and the Vatican

Even casual readers of newspapers and viewers of television news programs have been exposed to the issues raised by the use of new technologies to affect and control human reproduction. From the protracted legal battle that surrogate mother Mary Beth and Whitehead-Gould, waged to win custody of Baby M, to the bizarre cases of inheritance rights of frozen embryos in Australia there is a growing awareness that it is now possible to manipulate human reproduction in ways that challenge our moral and legal assumptions. On March 10, 1987, the Vatican responded to these recent developments in reproductive technologies by issuing a 40-page document called Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation. This instruction was not only aimed at influencing the decisions of Roman Catholics, but also was intended to influence national legislation worldwide on biomedical issues

(Lammers 1998). What did the document say? It opposed all technological interventions into the process of human reproduction. More specifically, the document condemned artificial insemination and embryo transfer in vitro fertilization and surrogate motherhood under all circumstances. It also opposed experimentation on embryos when such experiments were not of direct therapeutic benefit to the foetus, and amniocentesis (a procedure used to detect foetaldefects) when done for the purpose of deciding whether or not to abort the fetus. The moral basis for these pronouncements is a familiar one in Roman Catholic moral teaching. Official Roman Catholic teaching maintains that human life begins at the moment of conception. From this claim follow the following moral judgments: a fetus or an embryo must be respected and treated as a human person with dignity and rights including the right to life. Amniocentesis for the purpose of genetic screening is obviously morally objectionable because abortion is wrong.

Similarly the experimental use of embryos is condemned because it violates human dignity reducing embryos to objects and instruments of scientific knowledge.The moral argument underlying the Vatican condemnation of other practices is not so obvious. Why for example does the Church object to the artificial insemination of a childless woman with her husband's sperm? Such practices are opposed on the grounds that the sexual act has two purposes one the punitive (emotional or spiritual) and the procreative (biological). Since these functions by nature belong together, it is always wrong to separate them. Artificial insemination in vitro fertilization and surrogate motherhood are immoral because they involve sexual acts that are procreative but not punitive. And rightful conception must respect the inseparability of the two meanings of the sexual act. In response to the suffering of infertile couples who want to have children the document says that couples do not have a right to a child claiming that such a right would make

the child an object of ownership. Childless couples that avail themselves of these reproductive techniques are said to violate a more important right of the child the right to be conceived carried in the womb brought into the world and brought up within marriage (Mc Cormack 1981).

The reception of the Instruction has been (perhaps predictably) mixed. Anyone familiar with the issues recognizes the gravity of the moral concerns raised by the new reproductive technologies. Many are grateful for the Vatican's raising them in such a public way and hope that a more informed and broad public debate will result. On the other hand, many distinguished ethicists and moral theologians have raised significant objections to some of the moral judgments made. Rev. Richard McCormick, S.J., perhaps the most distinguished Catholic moral theologian in the U.S., objects to both the process by which the document was written and to some of its specific judgments. He notes that Church officials failed to consult any major medical ethics experts outside of the Vatican and questions whether a more participatory process drawing on the expertise of Church scholars throughout the world might not have produced a different document. He also objects to some of the arguments prohibiting the use of reproductive technologies to treat infertility: If experience is our guide, medical interventions to overcome sterility are precisely manifestations of the love between husband and wife.

The Church's instruction is likely the first rather than the last word in what promises to be a long and extensive debate. Whatever the judgments individuals make about its conclusions there can be little question that the issues go to the heart of what it means to be human. These technologies place on our horizon unprecedented human control over our own genetic futures, our social and

kinship patterns, and our relationships with our siblings and our offspring. Most will agree that it is prudent to look, and to look hard, before we embrace them all without question (Drane 2007).

Respect for human embryos

Careful reflection on this teaching of the Magisterium and on the evidence of reason, as mentioned above, enables us to respond to the numerous moral problems posed by technical interventions upon the human being in the first phases of his life and upon the processes of his conception. The human being must be respected - as a person - from the very first instant of his existence. The implementation of procedures of artificial fertilization has made possible various interventions upon embryos and human foetuses. The aims pursued are of various kinds: diagnostic and therapeutic, scientific and commercial. From all of this, serious problems arise. Can one speak of a right to experimentation upon human embryos for the purpose of scientific research? What norms or laws should be worked out with regard to this matter? The response to these problems presupposes a detailed reflection on the nature and specific identity the word status is used of the human embryo itself. At the Second Vatican Council the Church for her part presented once again to modern man her constant and certain doctrine according to which: Life once conceived, must be protected with the utmost care abortion and infanticide are abominable crimes.

More recently the Charter of the Rights of the Family published by the Holy See confirmed that Human life must be absolutely respected and protected from the moment of conception. This Congregation is aware of the current debates concerning the beginning of human life concerning the individuality of the human being and concerning the identity of the human person. The

Congregation recalls the teachings found in the Declaration on Procured Abortion: From the time that the ovum is fertilized, a new life is begun which is neither that of the father nor of the mother; it is rather the life of a new human being with his own growth. It would never be made human if it were not human already. To this perpetual evidence ... modern genetic science brings valuable confirmation. It has demonstrated that, from the first instant, the program me is fixed as to what this living being will be: a man, this individual-man with his characteristic aspects already well determined. Right from fertilization is begun the adventure of a human life and each of its great capacities requires time ... to find its place and to be in a position to act .This teaching remains valid and is further confirmed if confirmation were needed by recent findings of human biological science which recognize that in the zygote resulting from fertilization the biological identity of a new human individual is already constituted. Certainly no experimental datum can be in itself sufficient to bring us to the recognition of a spiritual soul; nevertheless, the conclusions of science regarding the human embryo provide a valuable indication for discerning by the use of reason a personal presence at the moment of this first appearance of a human life: how could a human individual not be a human person?

The Magisterium has not expressly committed itself to an affirmation of a philosophical nature, but it constantly reaffirms the moral condemnation of any kind of procured abortion. This teaching has not been changed and is unchangeable. Thus the fruit of human generation from the first moment of its existence, that is to say from the moment the zygote has formed demands the unconditional respect that is morally due to the human being in his bodily and spiritual totality. The human being is to be respected and treated as a person from the moment of conception; and therefore from that same moment his rights as a person must be recognized, among which in the

first place is the inviolable right of every innocent human being to life. This doctrinal reminder provides the fundamental criterion for the solution of the various problems posed by the development of the biomedical sciences in this field: since the embryo must be treated as a person, it must also be defended in its integrity tended and cared of to the extent possible, in the same way as any other human being as far as medical assistance is concerned. If prenatal diagnosis respects the life and integrity of the embryo and the human foetus and is directed towards its safeguarding or healing as an individual then the answer is affirmative. For prenatal diagnosis makes it possible to know the condition of the embryo and of the foetus when still in the mother's womb. It permits or makes it possible to anticipate earlier and more effectively, certain therapeutic medical or surgical procedures. Such diagnosis is permissible with the consent of the parents after they have been adequately informed if the methods employed safeguard the life and integrity of the embryo and the mother without subjecting them to disproportionate risks. But this diagnosis is gravely opposed to the moral law when it is done with the thought of possibly inducing an abortion depending upon the results: a diagnosis which shows the existence of a malformation or a hereditary illness must not be the equivalent of a death-sentence. Thus a woman would be committing a gravely illicit act if she were to request such a diagnosis with the deliberate intention of having an abortion should the results confirm the existence of a malformation or abnormality.

The spouse or relatives or anyone else would similarly be acting in a manner contrary to the moral law if they were to counsel or impose such a diagnostic procedure on the expectant mother with the same intention of possibly proceeding to an abortion. So too the specialist would be guilty of illicit collaboration if, in conducting the diagnosis and in communicating its results, he

were deliberately to contribute to establishing or favouring a link between prenatal diagnosis and abortion. In conclusion, any directive or program me of the civil and health authorities or of scientific organizations which in any way were to favor a link between prenatal diagnosis and abortion or which were to go as far as directly to induce expectant mothers to submit to prenatal diagnosis planned for the purpose of eliminating foetuses which are affected by malformations or which are carriers of hereditary illness is to be condemned as a violation of the unborn child's right to life and as an abuse of the prior rights and duties of the spouses.

As with all medical interventions on patients one must uphold as licit procedures carried out on the human embryo which respect the life and integrity of the embryo and do not involve disproportionate risks for it but are directed towards its healing, the improvement of its condition of health or its individual survival. Whatever the type of medical surgical or other therapy he free and informed consent of the parents is required according to the deontological rules followed in the case of children.

The application of this moral principle may call for delicate and particular precautions in the case of embryonic or foetal life. The legitimacy and criteria of such procedures have been clearly stated by Pope John Paul II: A strictly therapeutic intervention whose explicit objective is the healing of various maladies such as those stemming from chromosomal defects will in principle be considered desirable provided it is directed to the true promotion of the personal well-being of the individual without doing harm to his integrity or worsening his conditions of life. Such an intervention would indeed fall within the logic of the Christian moral tradition.

Medical research must refrain from operations on live embryos, unless there is a moral certainty of not causing harm to the life or integrity of the unborn child and the mother, and on condition

that the parents have givers their free and informed consent to the procedure. It follows that all research even when limited to the simple observation of the embryo would become illicit were it to involve risk to the embryo's physical integrity or life by reason of the methods used or the effects induced. As regards experimentation and presupposing the general distinction between experimentation for purposes which are not directly therapeutic and experimentation which is clearly therapeutic for the subject himself in the case in point one must also distinguish between experimentation carried out on embryos which are still alive and experimentation carried out on embryos which are dead. If the embryos are living whether viable or not they must be respected just like any other human person; experimentation on embryos which is not directly therapeutic is illicit.

No objective even though noble in itself such as a foreseeable advantage to science to other human beings or to society can in any way justify experimentation on living human embryos or foetuses whether viable or not either inside or outside the mother's womb. The informed consent ordinarily required for clinical experimentation on adults cannot be granted by the parents who may not freely dispose of the physical integrity or life of the unborn child. Moreover experimentation on embryos and foetuses always involves risk and indeed in most cases it involves the certain expectation of harm to their physical integrity or even their death. To use human embryos or foetuses as the object or instrument of experimentation constitutes a crime against their dignity as human beings having a right to the same respect that is due to the child already born and to every human person. The Charter of the Rights of the Family published by the Holy See affirms: "Respect for the dignity of the human being excludes all experimental manipulation or exploitation of the human embryo". The practice of keeping alive human

embryos in vivo or in vitro for experimental or commercial purposes is totally opposed to human dignity.

In the case of experimentation that is clearly therapeutic, namely, when it is a matter of experimental forms of therapy used for the benefit of the embryo itself in a final attempt to save its life, and in the absence of other reliable forms of therapy recourse to drugs or procedures not yet fully tested can be licit. The corpses of human embryos and foetuses whether they have been deliberately aborted or not must be respected just as the remains of other human beings. In particular they cannot be subjected to mutilation or to autopsies if their death has not yet been verified and without the consent of the parents or of the mother. Furthermore the moral requirements must be safeguarded that there be no complicity in deliberate abortion and that the risk of scandal be avoided. Also in the case of dead foetuses, as for the corpses of adult persons all commercial trafficking must be considered illicit and should be prohibited. Since the terms research and experimentation are often used equivalently and ambiguously, it is deemed necessary to specify the exact meaning given them in this document whereby;

1) By research is meant any inductive-deductive process which aims at promoting the systematic observation of a given phenomenon in the human field or at verifying a hypothesis arising from previous observations.

2) By experimentation is meant any research in which the human being (in the various stages of his existence: embryo foetus, child or adult) represents the object through which or upon which one intends to verify the effect, at present unknown or not sufficiently known, of a given treatment (e.g. pharmacological teratogenic, surgical etc.). Human embryos obtained in vitro are human beings and subjects with rights: their dignity and right to life must be respected from the

first moment of their existence. It is immoral to produce human embryos destined to be exploited as disposable "biological material". In the usual practice of in vitro fertilization, not all of the embryos are transferred to the woman's body; some are destroyed. Just as the Church condemns induced abortion, so she also forbids acts against the life of these human beings. It is a duty to condemn the particular gravity of the voluntary destruction of human embryos obtained 'in vitro' for the sole purpose of research, either by means of artificial insemination of by means of twin fission. By acting in this way the researcher usurps the place of God; and, even though he may be unaware of this, he sets himself up as the master of the destiny of others inasmuch as he arbitrarily chooses whom he will allow to live and whom he will send to death and kills defenseless human beings.

Methods of observation or experimentation which damage or impose grave and disproportionate risks upon embryos obtained in vitro are morally illicit for the same reasons. Every human being is to be respected for himself and cannot be reduced in worth to a pure and simple instrument for the advantage of others. It is therefore not in conformity with the moral law deliberately to expose to death human embryos obtained 'in vitro'. In consequence of the fact that they have been produced in vitro, those embryos which are not transferred into the body of the mother and are called spare are exposed to an absurd fate with no possibility of their being offered safe means of survival which can be licitly pursued.

In 1987 the Sacred Congregation for the Doctrine of the Faith issued a document known as Donum Vitae ("The Gift of Life"), which addressed the morality of many modern fertility procedures. The document did not judge the use of technology to overcome infertility as wrong in itself. It concluded that some methods are moral while others because they do violence to the dignity of the human person and the institution of marriage are immoral. Donum Vitae

reaffirmed an obligation to protect all human life when married couples use various technologies to try to have children. Without questioning the motives of those using these techniques, Donum Vitae pointed out that people can do harm to themselves and others even as they try to do what is good that is overcome infertility. The fundamental principle which the Church used to assess the morality of various means of overcoming infertility was a rather simple one even if its application is sometimes difficult. Donum Vitae teaches that if a given medical intervention helps or assists the marriage act to achieve pregnancy it may be considered moral; if the intervention replaces the marriage act in order to engender life, it is not moral (Kalbian 2005).

Techniques of fertilization in vitro can open the way to other forms of biological and genetic manipulation of human embryos, such as attempts or plans for fertilization between human and animal gametes and the gestation of human embryos in the uterus of animals, or the hypothesis or project of constructing artificial uteruses for the human embryo. These procedures are contrary to the human dignity proper to the embryo, and at the same time they are contrary to the right of every person to be conceived and to be born within marriage and from marriage. Also, attempts or hypotheses for obtaining a human being without any connection with sexuality through twin fission, cloning or parthenogenesis are to be considered contrary to the moral law since they are in opposition to the dignity both of human procreation and of the conjugal union.

The freezing of embryos even when carried out in order to preserve the life of an embryo - cryopreservation - constitutes an offence against the respect due to human beings by exposing them to grave risks of death or harm to their physical integrity and depriving them, at least temporarily, of maternal shelter and gestation, thus placing them in a situation in which further offences and manipulation are possible.

Certain attempts to influence chromosomic or genetic inheritance are not therapeutic but are aimed at producing human beings selected according to sex or other predetermined qualities. These manipulations are contrary to the personal dignity of the human being and his or her integrity and identity. Therefore in no way can they be justified on the grounds of possible beneficial consequences for future humanity. Every person must be respected for himself: in this consists the dignity and right of every human being from his or her beginning.