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The Moral Problem of Artificial Insemination

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If one wants to deal with the casuistry of artificial insemination (AI), it is necessary to bring forth certain theological and anthropological presuppositions on the basis of which individual instances of AI are judged.

Section I: Theological and Anthropological Presuppositions.

1. The fundamental starting point consists of certain foundational affirmations regarding the *origin* of the human person.

1.1 The mystery of the origin of every human person has its roots in the very mystery of God. The origin of a human person, as a matter of fact, is not some kind of chance biological happening, but is the result of a creative act, that is, a deliberate and free choice on the part of God to do something He is no way obliged to do. Every human person is known and willed by God 1) in a totally special, individual way, different from the way in which God knows and wills any other person, and 2) for his or her own sake. Called into existence as "thou," the human person is able in turn to respond to this call to exist. The human person is made in God's "image and likeness".

If, from the theological point of view, the final explanation for the conceiving of a new human person is the decision of God Himself to *create*, then the sexual joining of a man and a woman is shown, in this context, with its most profound meaning. In a very real way a man and a woman share in the creative act of God. They themselves are an image of His creative love.

What does this sharing in God's creation of a new human person mean and contain within itself? God's act of creating a new person

is not an act necessitated by the intrinsic nature of God. In other words, God does not create because He has no choice and cannot do otherwise. The act of creation is, to the contrary, the fruit of a *love* which in God is therefore free and gratuitous in a sovereign way, unique to Him. Also, therefore, the human act of procreation (that is, a man and a woman's sharing in God's act of creating a human person), must proceed from this same kind of source: an act of *love*. Morally, therefore, if this act of procreation by two human beings is to come out of an act of love — if, in other words, this act of procreation is to be what it is called to be — it is not enough simply that what man and woman do to bring forth a new life be freely willed and reasoned out in a deliberate decision. If we see procreation as requiring only that a couple has *thought* about it and *decided* on it, then the act of the couple in procreating would consist simply in activating their own generative capacities, as their reasoning powers indicate, in order to reach a particular goal, namely, the generating of a child, a human person.

This way of using the generative powers would substantially set up a purely *instrumentalist* relationship between, on the one hand, their spiritual power of *free choice* and, on the other hand, their *sexuality* in its biological aspect. (The couple would merely *utilize* one another's biological sexuality, turning it into a mere *instrument* which the couple sees will achieve a particular goal - a conception. This *goal*, then, is what *alone* would give their sexuality its ethical value — make it humanly worthwhile. *Sexual union* between them, as the expression which belongs uniquely to the two of them for reiterating their love-commitment, legitimately might or might not be the object of their *free choice*. The moral appropriateness of their decision to use or not to use sexual union would depend entirely on what hope this sexual union offers for achieving a desired goal - conception. The free and informed decision to *have a child* would thus not be connected by any moral *necessity* to the genital expression of the conjugal bond of *love*. Thus the conjugal act would become only *one* option among others for generating new life.) Such a relationship between *the couple's internal freedom* and the *biological aspect of their sexuality* leaves these two aspects of their humanity entirely extraneous to one another, split asunder.

The very being of a man and woman called to co-create, with God, a human person, requires something deeper than this. It requires that the internal aspect of their life, i.e., their spiritual life, on the one hand, and their generative capacity on the other be *profoundly united*, and that the internal life they have as free spirits should be *lived out in* their generative capacity in an inseparable way. This profound *unification* of the spiritual and the corporeal and their unbreakable indwelling and interpenetration

work themselves out only in an act of love for in reality, love in human beings is not merely a spiritual act, but is a *physical* act. And conjugal love is expressed and made a reality in and through the *physical* aspect of sexuality in such a way that this physical aspect of sexuality becomes fully human *only* when it is a sign of genuine conjugal love, and not otherwise.

From this reflection on the relationship between *creation* on the part of God and *co-creation* on the part of human parents, we come to a conclusion of great importance for the problem we are discussing — artificial insemination. On the one hand, the requirements of a procreation which is *truly human* show the most profound truth of all about sexual union — that it is so constituted as to be open to new life. On the other hand, these very same requirements for a procreation which is *truly human* show the *necessity*, from an ethical point of view, that the human person should arise only from this selfsame sexual union, that is, from the love unique to husband and wife and uniquely expressed in the conjugal act.

Because the love-bond between husband and wife spontaneously *appears* to be and, as a matter of fact, *is* the ultimate source of the new human person, and also because the man and woman are *co-creators* with *God*, it is not enough that this love between husband and wife simply sets in motion the process which can possibly lead to conception, as though the love-bond between them were some power *distinct from* and *outside* the procreative power God has given to us as embodied persons. It is ethically necessary that the very action which initiates this process leading to conception be, in all of its reality, *human* — human in the sense of both *physical* and *spiritual* — a love which unites “two persons in one flesh”. The action required, then, cannot be reduced simply to making available, outside the uniquely conjugal love-act, gametes which will then be united with one another.

1.2 This reflection on the origin of the human person, an origin seen as a wondrous and mysterious working together between the creative power of God and the co-creative capacity of a man and woman, leads us to examine more accurately and to elaborate upon with greater effort, certain subjects which keep coming up in our culture today.

Human sexuality is not an “object”, a mere “thing” which the human being simply “utilizes”, even if he does so in a “responsible” way. Instead human sexuality is actually a constitutive part of the human person. In a certain real sense, sexuality is the human person, for in the final analysis, the human person is not a being who *has* a body, but a being who *is* a body. The obscuring of this vision which sees the human being as a *unity* of body and spirit constitutes one of the most serious defects of our contemporary culture.

What follows then from this unitary vision of the human person? This, for one thing: that the person does not have any ultimate power over his *sexuality* for the simple reason that he does not have any such power over *himself*. True, man is *responsible* for himself, but that does not mean he has *ultimate power* over himself. In other words, any dominion which a person has over himself or herself or over his or her own sexuality is not to be thought of primarily in terms of *utilization* (making *use* of one's self), but in terms of *ethics* (*respect* for one's self).

"Responsible for one's sexuality." But what does this expression mean, then? It means that the human person is not the "lord and master" of that sexuality having the *ius utendi* (the right to use) *et abutendi* (the right to destroy), but that one's sexuality is a gift-and-duty. The person accepts this gift-and-duty only insofar as he absorbs totally the *meanings* of his or her sexuality, without excluding *any one* of these meanings. When this does not happen, — when the person excludes one of these meanings — that person is actually indulging in a mere *whim* which offers the human being the instruments for exercising power. This destruction of one's own dignity takes place even though one is under the impression that one is exercising a rational dominion over his or her self.

In Western culture today, this issue of the *power* human beings have has become intimately bound up with the issue of the *science* we have — science which offers the human being instruments for exercising power. Now, precisely this correlation between *power* and the instruments offered by science to *exercise* power must be thought out in the context of the preceding reflections of this article. For science must be seen as a *help* for the human person in exercising *responsibility*, not mere *power*, over his or her own self. The purpose of science is to enable human persons to live in the fullness of the truth about themselves — to be *authentically* human. The use of science, therefore, and its applications in the areas of the human person, have limits which do not admit of transgression. These limits are constituted by the dignity of the human being as a spiritual-corporeal acting person, (a "subject"), called by God to participate in *His* creative act by the exercise (in a fully spiritual and corporeal way) of the human person's sexuality in marriage. The duty of science is to *help* the human person achieve this calling, not to create a *substitute* for the person. In other words, the role of science is to help the person achieve that joining of the procreative potency of a man and woman with the creative power of God.

2. The Casuistry of AI

In light of this principle we have now formulated, we can go on to the analysis of various types of AI.

- 2.1 Artificial insemination from a donor (AID) ethically must be rejected. The procreative sharing of married persons in the creative act of God takes place through their setting in motion their genital powers. The origin of each and every newly conceived person implies two levels of reality. Insofar as this human person belongs to the world of earthly life (human material level), his or her origin implies a whole series of *biological* events, as the human reproductive sciences make more and more clear each day. Insofar as the human person belongs to the world of spirit life (human rational level), the origin of a new human person demands that this person begin with a *free decision to love*, because only in this way is the human person willed into existence by human beings in the mode which his or her dignity requires: namely, for his or her *own* sake.

There is a *separation* of this twofold level of events when the individual(s) whose freely chosen act establishes the prerequisites and beginning of the biological process is *one* person, and the individual(s) who, as a free spiritual being, made the decision that there should be a new life, is *another* person. This separation between the two levels of events (those of material life and those of spirit life), inevitable as it is because distinct persons are acting at each level, makes impossible a sharing, *human in the full sense*, in the creative act of God. For one who is the parent biologically is not the parent spiritually, and the one who is the parent spiritually is not the parent biologically. This divorce between the biological and the spiritual is a contradiction to the nature of the human person, who is a *unity* of spirit and matter, for the biological is truly a constitutive element of the human person.

- 2.2. Since the birth of Louise Brown in July, 1978, the problem has become more profound with the actual achievement of an in vitro fertilization using the husband's semen (IVF).

From the ethical point of view, in vitro fertilization separates completely the event which gives rise to a new human life from the sexual conjoining of the two spouses. This fact, therefore, makes necessary a further deepening of the preceding reflections. The human person is an essentially *historical* reality; his life as an event is developed in *time*. At the outset of this individual's history — the history, that is, of each one of us — there is an originating and founding event which does not belong simply to the past, but is a kind of fountain from which issues forth the whole flow of one's existence. This founding event is, of course, one's conception. In this event are included all the other sources of one's human life. Now, in in vitro fertilization, this event is brought about, not by the husband and wife in their physical-spiritual giving of themselves to one another, but by a scientist in his laboratory.

Some might object immediately that the two gametes are provided by the spouses, and that the intervention of science is limited to joining these two gametes, with implantation following. But this objection reveals once again the poverty of its underlying anthropology, for it in reality presupposes that the conception of a human person is an event in which the biological act can rightly be withdrawn from the spiritual act.

Therefore, it does not seem to me that, from an ethical point of view, we can approve in vitro fertilization. At the very least, any opinion favoring it seems to me to be full of traps.

In the light of what we have been saying up to this point, we are in a position now to formulate the overall ethical principle which, in our thinking, must govern our response to various types of AI. The principle is: Since the origin of the human person consists, by its very essence, of an interrelationship between the creative power of God and the procreative capacity of the human person (with *all* that this interrelationship involves), 1) *scientific technique cannot ethically be a substitute* for this co-creative sharing of the human person in the creative act of God, but, 2) when necessary, *science can legitimately offer help* to make possible this co-creative sharing.

- 2.3. Let us look then at the problem of AIH. From all that we have said to this point, we can formulate the following principle: AIH can be considered licit, 1) when "a true and proper conjugal act" takes place between the two spouses, and 2) when, at the same time, it is necessary to get scientific help to make this conjugal act, carried out in the normal way, effective (that is productive of a pregnancy) because, without some scientific intervention, it would most certainly remain infertile.

What is ethically essential, then, is that between the two spouses there be a true and proper conjugal act. This has already been demonstrated in the first part of this presentation. By "a true and proper conjugal act" should be understood "the activation of that capacity for sexual activity without which capacity, according to the theological and canonical doctrine of the Church, one would be up against the *impediment of impotency*".

From the ethical point of view, once *this* act has been posited, *nothing else is required of the two spouses*. Any subsequent recourse they may have to some artificial intervention amounts, therefore, to giving assistance *to the procreative act* which, insofar as it is a human act, *has already in itself been completed*.

Any problems involved in applying this principle are *not* of a *theological*, but rather of a *practical* order. In practice, it can be indeed difficult to discern whether a given man-made intervention illicitly substitutes for or, to the contrary, licitly assists the conjugal act. When we reach this point, the juncture where some concrete

procedure must be judged ethically (and excluding altogether as morally illicit any posthumous fertilization or a fertilization by a husband who is physically distant), what is needed is the *combined* reflection of both ethics and science.

Conclusion

The sexual-conjugal act is simply not a purely biological event, for its inherent orientation (toward expressing the mutual and *total* giving of the persons of the two spouses, and toward procreation), brings this act into the area of ethical values, and binds it to these values. The values are two: 1) the life of a new human person, and 2) the fulfillment of the spouses in each other and in any new life God may wish to give through and in the act which is uniquely typical of their love. Any reflection on AI must be motivated ultimately by one overriding concern: that the human person be physically conceived in a way adequate to his dignity, and that human sexuality be understood in its entire truth.