

Moral Arguments in the Embryo Adoption Debate

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Artificial Reproductive
Techniques (ARTs) versus
Embryo Adoption (EA):
What Does the
Catholic Church Teach?

Big Sister Emma (frozen for 24 years) and
Baby Sister Molly (frozen for 27 years) with
their Adoptive Parents, Tina & Ben Gibson



Emma Gibson, left, poses with sister Molly Gibson, born Oct. 26 from an embryo that was frozen for 27 years.

(Haleigh Crabtree Photography)



Robertson versus Rex

- ❖ Robertson's presentation has argued that embryo transfer (ET) is "morally evil" and that, therefore, embryo adoption (EA) is also "morally evil."
- ❖ My presentation will argue that the Catholic Church clearly teaches in *Donum Vitae* I.3 and the *Catechism of the Catholic Church* n. 2275 that embryo transfer "must" be held as "licit" and that, therefore, both embryo transfer (ET) and embryo adoption (EA) are "morally good."

Immoral (ARTs) vs Moral (ET)

- ❖ I will also argue that what is, in fact, immoral is *gamete transfer (GT)* which is the *transfer of gametes (eggs and sperm)* for the purpose of fertilization.
- ❖ IVF, artificial insemination, and every Assisted Reproductive Techniques (ARTs) all involve the *transfer of gametes (eggs and/or sperm)*.
- ❖ In other words, we need to carefully define the moral difference between *transferring gametes (eggs & sperm) for fertilization*, and *transferring embryos (ET) to heal and/or to save their lives*.

Immoral (ARTs) vs Moral (ET)

- ◆ *Why? Because it is imperative to clearly distinguish "the baby" from the "bath water" in order to avoid, as the saying goes, "throwing the baby out with the bath water!"*
- ◆ Here is a simple **Rule of Thumb** to use to determine what is **moral** and what is **immoral**.
- ◆ ET: It is moral to *transfer embryos*. (ET transfers a baby to heal it or to save its life)
- ◆ GT: It is immoral to *transfer gametes (eggs & sperm)* (GT is used for IVF & insemination)
- ◆ ET = Moral (Used to heal and save the life of a baby)
- ◆ GT = Immoral (Used for IVF & Insemination & to create embryos for experimentation)
- ◆ *Please try to remember this important **Rule of Thumb** as we continue to examine what the Catholic Church teaches.*

Important Magisterium - *Donum Vitae*

- ❖ *Donum vitae* is subtitled, *Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation: Replies to Certain Questions of the Day* was promulgated by the Congregation of the Doctrine of the Faith on February 22, 1987, the Feast of the Chair of St. Peter, the Apostle, by its then-Prefect, Joseph Cardinal Ratzinger, during the pontificate of St. John Paul II.
- ❖ *Donum vitae* forbids *In Vitro* Fertilization (IVF) and all other Artificial Reproductive Techniques (ARTs) because they are immoral *generative* acts, but it also reaffirms the Catholic Church's teachings that the human embryo must be treated as a person from the first instant of its conception (DV I.1) and it also declares as "licit" and even "desirable" all therapeutic procedures that "are directed toward [the human embryo's] healing, the improvement of its condition of health, or its individual survival." (DV I.3)

Important Magisterium – Catechism of the Catholic Church

- ❖ The *Catechism of the Catholic Church* (CCC) was finally approved and officially promulgated by St. John Paul II on August 15, 1997, Feast of the Assumption of the Blessed Virgin Mary, a full 10 years after the promulgation of *Donum vitae*.

CCC #2274 citing Donum Vitae I.2 is Very Important Magisterial Teaching

- ❖ “Since it must be treated from conception as a person, the *embryo must be defended in its integrity, cared for, and healed, as far as possible, like any other human being.*” (Emphasis added.)

CCC #2275 citing Donum Vitae I.3 Is **Especially** Important Magisterium

- ❖ “One must hold 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 toward its healing, the improvement of its condition of health, **or its individual survival.***”
(CDF, DV I.3, with emphasis added.)

Teachings of the Magisterium

- ❖ 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. (DV - Emphasis added)

* Cf. Pope Pius XII, Encyclical Humani Generis (1950), 575; St Pope Paul VI, Professio Fidei (1968), 436.

What Respect is Due to the Human Embryo?

(Donum vitae I.1)

- ❖ *"The human being must be respected as a person – from the very first instant of his existence."*
- ❖ This doctrinal reminder provides the fundamental criterion for the solution to 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 for, to the extent possible, in the same way as any other human being as far as medical assistance is concerned."

Understanding *Donum Vitae* I.5

- ❖ *Donum vitae* I.5 includes a thorny “absurd fate” statement that is frequently used by some moral theologians and ethicists to oppose both Embryo Transfer (ET) as well as Embryo Adoption (EA).
- ❖ However, this statement can actually be used – and should be used – in order to fully explain and faithfully defend the morality of both Embryo Transfer and Embryo Adoption!
- ❖ N.B. Please read my article, “The Magisterial Liceity of Embryo Transfer” in the Winter 2015 issue of the National Catholic Bioethics Quarterly.

Understanding Donum Vitae I.5

- ❖ The “absurd fate” statement is usually taken out of context without the two important sentences that immediately precede the “absurd fate” statement:
- ❖ “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.”* (Emphasis added.)

Understanding *Donum Vitae* I.5

- ❖ Therefore, in light of the “morality” of Embryo Transfer *and* in the light of the “immorality” of exposing IVF embryos “to death” we can now properly interpret *Donum vitae* I.5 that states:
- ❖ “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.”

DV I.5: Embryo Transfer is the only “safe means of survival which can be licitly pursued!”

- ◆ First of all, it is now clear that IVF embryos who are “licitly and morally transferred” into the body of the [biological or adoptive] “mother” are not “spare” embryos, which also means they are not being “exposed to death” nor to an “absurd fate.”
- ◆ Secondly, since all “spare” IVF embryos should “not be exposed to death” or to an “absurd fate” they, too, should be licitly/morally transferred into the body of the [biological or adoptive] mother.
- ◆ *Thus, this passage is only referring to those “spare” embryos who have NOT been licitly transferred to the body of the mother and who are still being immorally “exposed to death” and to an “absurd fate”... unless and until they, too, are licitly transferred to a maternal womb.*
- ◆ Therefore, DV I.5 can be faithfully interpreted and understood to magisterially support Embryo Transfer as a moral option that can provide a “safe means of survival which can be licitly pursued.”

Conclusion: Embryo Transfer is Magisterially Licit and Moral

- ❖ Both *Donum vitae* and the *Catechism of the Catholic Church* clearly state that the Catholic Church considers “procedures” carried out on the human embryo that are “directed toward its healing, the improvement of its health, *or its individual survival*” as *morally licit*.
- ❖ Therefore, Embryo Transfer (ET) is clearly a licit and therapeutic medical “procedure” that can be morally used to transfer an embryo out of a glass Petri dish or a cryostorage tank (where it is in imminent danger of death) and into a maternal womb “to heal” and for “its individual survival.”

Can Parents keep their surplus IVF embryos cryopreserved indefinitely?

- ❖ In Donum vitae I.6, the Church teaches:
- ❖ "*The freezing of embryos*, when carried out in order to preserve the life of an embryo – cryopreservation – *constitutes an offense against the respect due to human beings* by exposing them 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 offenses and manipulations are possible." (Emphasis added)
- ❖ *N.B. Donum vitae clearly states that all embryos morally deserve "maternal" shelter and gestation!*

Can parents donate their frozen embryos to scientific researchers?

- ❖ *Donum vitae* I.4 states:
- ❖ “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 fetuses, whether viable or not...”
- ❖ “The informed consent ordinarily required for clinical experimentation on adults cannot be granted by the parents.”

Can Parents allow their frozen embryos to be thawed and to die?

- ❖ Donum vitae I.4 states:
- ❖ Parents “may not freely dispose of the physical integrity or life of their unborn child.”

Should parents allow the corpses of their IVF embryos to be discarded?

- ❖ *"The corpses of human embryos and fetuses, whether they have been deliberately aborted or not, must be respected just as the remains of other human beings."* (Emphasis in the original)
- ❖ N.B. Sacred Heart Guardians and Shelter will provide a Christian burial of all deceased human embryos and fetuses.
- ❖ Please help promote their important mission and organization with family, friends and colleagues.

Is it moral for parents with “spare” IVF embryos to place them for adoption?

- ❖ In Donum vitae II.B.5, the Church teaches:
- ❖ “Although the manner in which human conception is achieved with IVF and ET cannot be approved, every child which comes into the world must in any case be accepted as a living gift of the Divine Goodness and must be brought up with love.”
- ❖ This beautiful statement teaches that the Catholic Church desires – *and even mandates!* – that all IVF embryos “must” be “accepted” - or adopted – as a living “gift” of the Divine Goodness and that they “must” be brought up in love, either by their biological family or an adoptive family.
- ❖ *N.B. If someone would like to place their frozen IVF embryos for adoption, please contact the Nightlight Snowflake Embryo Adoption Program*

Is it moral to adopt “spare” IVF human embryos?

- ❖ In the closing paragraph of *Donum vitae*, *the Church encourages all of us to imitate the Good Samaritan, and to compassionately care for the least of our brethren: tiny frozen IVF embryos.*
- ❖ “In the light of the truth about the gift of human life and in the light of the moral principles which flow from that truth, everyone is invited to act in the area of responsibility proper to each and, like the Good Samaritan, to recognize as a neighbor even the littlest among the children of men (cf. Luke 10:29-37).
- ❖ Here Christ’s words find a new echo: “What you do to one of the least of my brethren, you do unto me” (Matt.25-40).
- ❖ *N.B. If someone would like to adopt one or more frozen IVF embryos, please contact the Nightlight Snowflake Embryo Adoption Program.*

Dignitas personae

- ❖ During the Pontificate of Pope Benedict XVI, the “*Instruction Dignitas personae on Certain Bioethical Questions*” is officially dated September 8, 2008, the Feast of the Nativity of the Blessed Virgin Mary, but, its public release was delayed by the CDF until December 12th at a Vatican press conference.
- ❖ It begins by stating, “The dignity of a person must be recognized in every human being from conception until natural death.”
- ❖ It also states that the “teaching of *Donum vitae* remains completely valid, both with regard to the principles on which it is based and the moral evaluations which it expresses.”

Dignitas personae

- ❖ At the Vatican press conference on December 12, 2008, the President of the Pontifical Academy for Life, Archbishop Rino Fisichella, told the *Catholic News Service* (CNS) that *"the discussion is still open" on the matter of embryo adoption and specifically stated that "the Vatican did not rule out the practice."*

Dignitas personae

- ❖ Dated three days earlier, on December 9, 2008, the United States Conference of Catholic Bishops (USCCB) also released its own carefully worded summary that stated that while *Dignitas personae* “raises cautions and problems” about proposals for the adoption of frozen embryos, it “*does not formally make a judgment against them.*” (Emphasis added)

Important Magisterium – Dignitas Personae

- ❖ *Dignitas personae* (DP) was promulgated 13 years after the publication of the *Catechism of the Catholic Church* (1995) and 21 years after *Donum vitae* was promulgated (1987).
- ❖ Both DV and CCC historically precede DP and, therefore, *these two previous magisterial documents provide magisterial precedence and context for the proper understanding and interpretation of Dignitas Personae.*

Understanding *Dignitas personae* n. 19

- ❖ Similar to the difficult statement in *Donum vitae* I.5, many moral theologians who are opposed to embryo transfer and embryo adoption use ***Dignitas personae* n.19** to justify their position.
- ❖ But, as with ***Donum vitae* I.5**, this difficult statement needs to be carefully studied - and properly interpreted - **taking into special consideration the magisterial liceity of embryo transfer that is supported by the magisterial teachings in *Donum vitae* and the *Catechism of the Catholic Church*.**

Understanding *Dignitas personae* n. 19

- ❖ It has also been proposed, solely to allow human beings to be born who are otherwise condemned to destruction, that there could be a form of “*prenatal adoption*”.
- ❖ This proposal, praiseworthy with regard to the intention of respecting and defending human life, presents however various problems not dissimilar to those mentioned above. [i.e., problems of a medical, psychological and legal nature]

Understanding *Dignitas personae* n. 19

- ❖ With regard to the large number of frozen embryos already in existence the question becomes: what to do with them?
- ❖ Proposals to use these embryos for research or for the treatment of disease are obviously unacceptable because they treat the embryos as mere “biological material and result in their destruction.
- ❖ The proposal to thaw such embryos without reactivating them and using them for research, as if they were normal cadavers, is also unacceptable.

Understanding *Dignitas personae* n. 19

- ❖ All things considered, it needs to be recognized that thousands of abandoned embryos represent *a situation of injustice which in fact cannot be resolved*.
- ❖ Therefore, John Paul II made an “appeal to the conscience of the world’s scientific authorities and, in particular to doctors, that the production of embryos be halted, taking into account that there seems to be no morally licit solution regarding the human destiny of thousands of “frozen” embryos which are and remain the subjects of essential rights and should therefore be protected by law as human persons.”

Understanding *Dignitas personae* n. 19

- ❖ Applying the magisterial liceity of embryo transfer established in ***Donum vitae* 1.3** and the **CCC # 2275** to ***Dignitas personae* n. 19**, once again resolves this difficult statement as follows:
- ❖ “All things considered, it needs to be recognized that thousands of abandoned embryos represent a situation of injustice which in fact cannot be resolved, ***“unless and until they are licitly transferred to the body of the [biological or adoptive] mother.”***”

Understanding *Dignitas personae* n. 19

- ❖ As to the second sentence in the paragraph, which quotes St. John Paul II, it, too, can be equally resolved as follows:
- ❖ Therefore, John Paul II made an “appeal to the conscience of the world’s scientific authorities and, in particular to doctors, that the production of embryos be halted, taking into account that there seems to be no morally licit solution – **“unless and until they are licitly transferred to the body of the [biological or adoptive] mother”** -regarding the human destiny of thousands of “frozen” embryos which are and remain the subjects of essential rights and should therefore be protected by law as human persons.”

Understanding *Dignitas personae* n. 19

- ❖ Finally, regarding the CDF statement that “‘*prenatal adoption*’ presents, however, various problems not dissimilar to those mentioned above” [namely, “*problems of a medical, psychological and legal nature.*”]
- ❖ Dr. William May wisely pointed out in a NCBC Colloquy, that *Dignitas personae* n. 19 did not say that there was a “*moral*” problem with “prenatal adoption” whereas there are many grave “moral problems” with Artificial Reproductive Techniques!

Evangelium Vitae - What Does It Teach About the Morality of Embryo Transfer?

- ❖ On March 25, 1995, St. John Paul II promulgated the Encyclical *Evangelium vitae: On the Value and Inviolability of Human Life*.
- ❖ It defends the sanctity of life and prohibits abortion at any stage of human development from the first moment of conception.
- ❖ It prohibits artificial contraception, IVF and all Artificial Reproductive Techniques, as well as all destructive research on human embryos.

Evangelium Vitae - What Does It Teach About the Morality of Embryo Transfer?

- ❖ Not surprisingly, since *Evangelium vitae* was promulgated in 1995, St. John Paul II reiterated all of the important magisterial teachings in *Donum vitae*, that was promulgated in 1987 that defend the lives of human embryos from the first moment of their conception.

Evangelium Vitae - What Does It Teach About the Morality of Embryo Transfer?

- ❖ EV, n.63: This evaluation of the morality of abortion is to be applied also to the recent forms of intervention on human embryos which, although carried out for purposes legitimate in themselves, inevitably involve the killing of those embryos.
- ❖ And EV reiterates DV I.3: "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 rather are directed to its healing, the improvement of its condition of health, or its individual survival."

Evangelium Vitae - What Does It Teach About the Morality of Embryo Transfer?

- ❖ ***Evangelium vitae*, n.14** also states: "the number of embryos produced is often greater **than that needed for implantation in the woman's womb**, and these so-called "spare embryos" are then destroyed or used for research, which under the pretext of scientific or medical progress, in fact reduces human life to the level of simple "biological material" to be freely disposed of..."
- ❖ This **encyclical statement** clearly establishes the **Magisterial Morality of Embryo Transfer - for the purpose of implantation - in the womb of a woman, which would morally include the womb of a woman who is the embryo's adoptive mother.**
- ❖ *May this Moral Argument, based upon the Encyclical Evangelium vitae, help to resolve the great debate regarding the **Magisterial Morality of Embryo Adoption.***
- ❖ **Thank you.**