

CHALLENGES IN BIOETHICS

A Christian Vision

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Abstract: Christianity has solid ethical vision centred on the core Christian values and founded on the teachings of Jesus Christ. The focus of this paper is to discuss contemporary bioethical challenges focussing on capital punishment and the use of reproductive technologies. Christianity is always against any direct and intentional violation of human life. Even though capital punishment had been considered as an indirect violation of life in the past, in the modern circumstances, it cannot be morally justified. Similarly, even though Christianity is highly concerned about the difficulties of the infertile couples, the use of in vitro fertilization and surrogate motherhood cannot be morally justified as these procedures involve the destruction of many human lives and high risks to human life at its early highly vulnerable stages. However, Christianity admits that there are some situations when humans are compelled to accept and respect certain limitations to protect human life.

Key Terms: Abortion, Artificial Insemination, Capital Punishment, Euthanasia, Human Dignity, Infertility, In Vitro Fertilization, Reproductive Technologies, Self-Defence, and Surrogate Motherhood.

1. Introduction

Christianity has solid ethical vision and has been developing ethical convictions by profoundly engaging in serious scientific researches in all areas of ethics for many centuries. The ethical vision of Christianity is centred on the core Christian values or virtues of faith, charity (love), hope, justice, prudence, temperance, fortitude, forgiveness, compassion, generosity, simplicity, patience, service, etc., and founded on the Sacred Scripture. Christianity is always active in confronting bioethical issues and challenges with due importance and seriousness. In the fast developing technological revolution, there emerge a number of bioethical challenges,

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like biotechnology, genetic engineering, contraception, stem-cell research, war, human experimentation, euthanasia, capital punishment, terrorism, reproductive technologies, rising cost of health care, unethical practices in medicine, geriatric health care, and organ transplantation.

The focus of this paper is to present a Christian vision of two such challenges: capital punishment, and the use of reproductive technologies. The selection of these two challenges for this study is very significant because, for many centuries until the latter part of the 20th century, Christianity had been considering capital punishment as an indirect violation of life which could be morally justified. Similarly, very many people have the opinion that Christianity is insensitive to the problems and difficulties of the many infertile couples when it rejects the use of in vitro fertilization and surrogate motherhood. In order to facilitate the discussion on capital punishment and in vitro fertilization, a brief analysis of the Christian understanding of the value of human life and the direct violation of human life is made in the following sections.

2. Christian Understanding of Human Life

According to Christian teachings, every human life is sacred from conception till natural death because of the unique relationship of human persons with God. Since human persons are created in the image of God, God treats human life as sacred, and requires that all humans respect the sanctity of every human life. According to Psalm 139:14, every human being is fearfully and wonderfully made. No human being is a mistake. Every person has a unique and an irreplaceable place before God. Again, the sacredness of human life is further revealed in Incarnation, God becoming human in Jesus Christ. The divine Word gives human life its ultimate sanctity by assuming human flesh (John 1:14). The resurrection of Jesus Christ guarantees the sanctity and the eternal dimension of human existence.

Christianity, particularly Catholic moral tradition, holds that as human beings are created in the image of God, they have a special dignity and intrinsic worth. As Germain Grisez puts it, “bodily life is a constitutive aspect of human flourishing” and hence no bad condition can lessen the intrinsic goodness and sanctity of human life.”¹ Disease, debility and mutilation reduce participation in the good of life, yet a person’s life remains an intrinsic good that its intrinsic goodness and sanctity are unaffected by such conditions.

¹ Germain Grisez, *Living a Christian Life*, Illinois: Franciscan Press, 1993, 466.

Since a human person’s life always retains its goodness and sanctity, it must be always treated with respect. The respect for life includes a moral absolute forbidding the intentional killing of the innocent. Respect for life demands to express respect for life by cherishing life, by protecting and respecting the dignity of every human person, by respecting the equality of all human beings, etc. This responsibility is sometimes limited by many other responsibilities and human circumstances.

The most accepted Sanctity-of-Life Principle in the Christian tradition could be stated as follows: “It is morally prohibited either intentionally to kill a person or intentionally to let a person die; however, it is sometimes morally permissible to refrain from preventing death.”² It implies two basic affirmations: 1) All human persons are equal in dignity; 2) All human lives are absolutely directly inviolable. Thus, according to the Christian understanding, any discrimination in life and death decision-making is morally evil. It is also evident that every human being has a very unique and an irreplaceable place and has a God-given dignity.

3. Christianity and Intentional Violation of Life

According to Christian understanding, any direct and intentional violation of life is a moral evil in manifold ways. Firstly, it is a grave moral evil because it contradicts human nature. It is a sin against the Natural Moral Law,³ as it is a direct violation against the intrinsic good of life. To violate any intrinsic good intentionally is an act against the Natural Moral Law.

Secondly, in Christianity, any direct and intentional violation of life is a sin against charity, the commandment of love.⁴ Every human person has to be charitable to one-self as well as to other persons. The true love of the neighbour is a divine commandment. It is a Christian’s religious duty.

²Lucose Chamakala, *The Sanctity of Life vs. The Quality of Life*, Bangalore: Dharmaram Publications, 2005, 66.

³Thomas Aquinas, *Summa Theologiae*, ed. Black Friars, Oxford: Blackfriars, 1963-1976, II-II, q. 64, a. 5, 6. Natural Moral Law is the law of human conduct in the society which is originated in the human nature which could be recognized or understood by human reason, even without any external help or divine revelation. It is the unwritten law inherent in every person. It is also a participation of the rational creatures in the eternal law of God for the entire creation. The summary of this law could be: The known good ought to be protected, respected and promoted and the known evil ought to be avoided. Thus, any violation of any intrinsic good is a violation of the Natural Moral Law.

⁴Aquinas, *Summa Theologiae*, II-II, q. 64, a. 5.

Similarly, Christianity considers intentional violation of human life as a deprivation of the common good.⁵ No human person can be considered in isolation. As every person is an integral part of the community, violation of life involves damaging the wellbeing of the society. In other words, by this, the human community is deprived of a greater good.

Moreover, Christianity considers any intentional violation of life as an act against justice.⁶ An act of injustice done to the community in as much as the individual person unfairly leaves behind unfulfilled duties and responsibilities towards her or his family, other individuals, communities, especially her or his dependents, and society at large, and imposes unreasonable burdens on them. Similarly, it is the violation of the fundamental right of the person concerned – right to live with dignity.

Above all these reasons, any intentional violation of life is a grave moral evil mainly because it is a sin against God.⁷ Human life is a gift of God entrusted to humans with freedom and responsibility. God alone has dominion over life. According to the Christian understanding, the human person is not an independent lord of her or his life. She or he is only a steward. Every life is fit for living, as long as God, the lord of all life, values and sustains it.

Christianity, however, admits that there are some situations when humans are compelled to accept and respect certain limitations to protect and promote life and health as in the case of extraordinary means of treatment, indirect violations of life, risking life, etc. This is very evident when Christianity accepts the moral permissibility of passive euthanasia, indirect abortions especially to save the life or protect the health of the pregnant woman, killing in self-defence and risking one’s life in the execution of her or his responsibility as in the case of a soldier or a fire-worker or a medical professional. For example, in passive euthanasia, the agents involved would consider the condition of the patient so damaged that they may find that the best treatment for that patient is non-treatment. This is because there are sometimes situations that any further intervention or treatment adds only disproportionate burdens and discomfort for the patient and does not provide any proportionate benefit for that patient. The situation is judged by the principle of double effect. Here the intention of those involved is not the death of the patient or even shortening the life of

⁵Aquinas, *Summa Theologiae*, II-II, q. 64, a. 5, 6.

⁶Aquinas, *Summa Theologiae*, II-II, q. 64, a. 5, 6.

⁷Aquinas, *Summa Theologiae*, II-II, q. 64, a. 5.

the patient.⁸ However, they should not withdraw from providing beneficial treatments which would provide comfort to the patient. In other words, under the pretence of passive euthanasia, intentional violation of life should not take place.

This morally permissible indirect violation of life could be further understood in the analysis of indirect abortions. In the Christian understanding, abortion can be of two types based on the intention of the moral agents involved. If the intention of the moral agent is the death of the foetus, it is a direct abortion, and if the intention of the moral agent is saving the life of the pregnant woman concerned or protect her health and, in no way, the death of the foetus, it is an indirect abortion. Indirect abortions can be morally justified in the catholic moral tradition using the principle of double effect.⁹ Something similar was the situation in the death of the pregnant woman, Savita Halappanavar, who was hospitalized on 21 October 2013 in Ireland. According to the available information, she was told by her physician that she was having a miscarriage but was denied an abortion. We do not argue here, in any way, for a direct abortion. However, if they knew that they could not save the baby, using the principle of double effect, they could treat the mother and save her life, even if such a treatment involves the incidental death of the foetus and not an intentional one, in any way, instead of losing two lives. Christian consideration of the value of human life will be better understood in the following analysis of capital punishment and in vitro fertilization.

4. Capital Punishment

According to the traditional understanding, there were three instances of justifiable killing: capital punishment (death penalty), killing in just war and killing in self-defence. Many Christian moralists, however, today question seriously the relevance of capital punishment. The traditional moralists justified capital punishment by arguing that serious criminal nature affects negatively the safety and welfare of the community. In the past, when the

⁸The Principle of double effect is applied in cases of acts having two effects, one positive and the other negative, for its moral permissibility. This principle is rightly applied when all the four conditions of the principle are fulfilled. They are: i) the act should be morally good or at least morally indifferent; ii) the intention of the moral agents should be morally good; iii) the means adopted should be morally good; iv) there should be a proportionate reason in permitting the evil effect.

⁹B. M. Ashley and K. V. O'Rourke, *Health Care Ethics: A Theological Analysis*, Washington D.C.: George Town University Press, 1997, 243.

means available for controlling persistent trouble makers were very limited, the social self-defence might require the permanent isolation and incapacitation of the worst offenders in order to preserve the safety and peace of all in the society. What is required, however, in the case of serious offenders is their effective separation and isolation from the society.

It can be argued that the primary purpose of punishment by the public authority is to establish order and safety in the society. Every state has the moral obligation to protect the safety of all its members. In present-day circumstances, however, where other means for the self-defence of the society are possible and adequate, the death penalty cannot be justified. In fact, any punishment should be made in accordance with the protection of human dignity.

In the middle ages, St. Thomas Aquinas defended capital punishment by arguing that a person who sins gravely deviates from the rational order and so loses his or her dignity.¹⁰ Today, many Christians reject this view. For example, Germain Grisez, a contemporary Christian ethicist, holds that since every human life is an intrinsic good and since the intrinsic goodness and sanctity is never lost as long as the person is alive, human life is always directly inviolable. Consequently, capital punishment is a bad means to a good end because it voluntarily violates a basic human good. Moreover, the death of an offender does not accomplish any restitution and does not compensate for the evil that her or his wrong-doing has caused. As Grisez argues,

Killing the criminal in no way compensates for the real evil he has done. A murderer's victim does not rise from the dead when the execution is carried out. Harming, hurting and killing offenders does not restore the goods of which they have unjustly deprived their victims. It would be far more just to make the criminal work as productively as possible; the fruit of his or her effort being given to the dependents of the victim or the society at large, if there are no dependents.¹¹

In the light of Christian faith, one can ask how it can be right to set oneself directly against any human life, even if the ulterior good be the good of the community. We can also argue that we need not be convincingly sure that to what extent the offender is subjectively responsible for the offense, as in the case of insane persons. Similarly, we cannot rule out the possibility of

¹⁰Aquinas, *Summa Theologiae*, II-II, q.64, a.2, ad. 3.

¹¹Germain Grisez, *Abortion: The Myths, the Realities, and the Arguments*, New York: Corpus Books, 1972, 336. See Lucose Chamakala, "John Paul II: The Promoter of Life," *Indian Journal of Family Studies* 4, 1 (2006), 46.

the innocent people being given capital punishment. This is evident from the recent studies and researches. As Amnesty International observes,

Witnesses, prosecutors and jurors can all make mistakes. When this is coupled with flaws in the system it is inevitable that innocent people will be convicted of crimes. Where capital punishment is used such mistakes cannot be put right. The death penalty legitimizes an irreversible act of violence by the state and will inevitably claim innocent victims. As long as human justice remains fallible, the risk of executing the innocent can never be eliminated. There is ample evidence that such mistakes are possible: in the USA, 130 people sentenced to death have been found innocent since 1973 and released from death row.¹²

Moreover, according to FBI Uniform Crime Report, statistics show that the death penalty leads to the brutalisation of society and individuals and an increase in murder rate. As the report shows, “In the USA more murders take place in states where capital punishment is allowed... The gap between death penalty states and non-death penalty states rose considerably from 4 per cent difference in 1990 to 25 per cent in 2010.”¹³ Very many people consider nowadays that capital punishment is not an appropriate mode of punishment in the civilized world.¹⁴ Christianity is open enough to respond positively to such human realities and research findings.

Richard McCormick, another Christian ethicist, however, would accept capital punishment as morally justifiable if there is a proportionate reason. According to him, direct killing of even the innocent can be morally justified, if there exists a proportionate reason.¹⁵ In other words, the presence or absence of a proportionate reason makes any human act morally acceptable or morally unacceptable. Following this argument of McCormick, one can argue even for the validation of direct abortions or active euthanasia. But this position of McCormick is directly against the authentic Christian tradition and the teachings of Jesus Christ. However, the principle of proportionate reason is morally relevant in conflicting situations such as killing in self-

¹²BBC Ethics Guide, “Arguments against Capital Punishment,” http://www.bbc.co.uk/ethics/capitalpunishment/against_1.shtml [Accessed on 12 December 2013].

¹³BBC Ethics Guide, “Arguments against Capital Punishment.”

¹⁴BBC Ethics Guide, “Arguments against Capital Punishment.”

¹⁵ See Richard McCormick, “Ambiguity in Moral Choice” in Richard McCormick and Paul Ramsey, eds., *Doing Evil to Achieve Good*, Illinois: Loyola University Press, 1978, 43-45.

defence. Here the death of the attacker is only an incidental or accidental aspect of self-defence but never an intentional aspect. In other words, in the act of self-defence, if any other possible means is available than killing the attacker, such a means should be adopted.

The position of Catholic Church on capital punishment is expressed by John Paul II: “to kill a human being, in whom the image of God is present, is particularly a serious sin.”¹⁶ However, he upholds the state’s right to execute “in cases of absolute necessity.”¹⁷ By considering this exception, John Paul II acknowledges the right and responsibility of every state to ensure the safety and security of all its members. Moreover, in conflicting situations the state can opt for the greater good of the entire nation by following the principle of proportionate reason. It is conceived only as a very rare and unavoidable situation, may be, for example, to save the life of innocent people who are being attacked by the armed terrorists. However, the example given here is not the case of formal capital punishment given by judicial systems. Such an intervention involving the death of the terrorists is only a life-saving intervention. The death involved is only an incidental aspect but not an intentional factor. Thus, in short, in the Christian vision, capital punishment cannot be morally justified unless it is absolutely essential as a life-saving or life-serving intervention.

5. In Vitro Fertilization and Surrogate Motherhood

Infertility is generally understood as the inability of a couple to achieve conception after two years of unprotected sexual act. It affects approximately 15 per cent of couples in the reproductive age group. Assisted reproductive technologies involve the different technical procedures employed for achieving a human conception in a manner other than the normal sexual union of man and woman. Infertility is caused by many factors such as venereal infections, endocrine disorders and hormonal imbalances, testicular injury, exposure to excessive heat or radiation, severe allergic reactions, contraceptive practices, aging of the reproductive system, the use of heavy drugs or alcohol, less sperm count, low mobility of the sperm, genetic and chromosomal abnormalities. The best approach to solve the problem of infertility is to rectify these defects by proper treatment and not to adopt directly any reproductive technologies. However, many medical professionals are not realistically considering these actual problems and possible treatments and solutions

¹⁶John Paul II, *Evangelium Vitae*, Vatican: Libreria Editrice Vaticana, 1995, 55.

¹⁷John Paul II, *Evangelium Vitae*, 56.

because the use of such reproductive technologies provides them huge financial benefit. The widely used assisted reproductive technologies are artificial insemination, in vitro fertilization and surrogate motherhood.

In the process of in vitro fertilization with embryo transfer, the concerned woman is prepared through hormone treatments and the matured ova or oocytes are collected from the ovaries. They are then capacitated to improve the chances of sperm penetration. The sperms or spermatozoa are also prepared and capacitated, and are placed with the oocytes in the sterilized test tube (in vitro) for fertilization to occur. The fertilized oocytes are called zygotes or embryos. In this process, several embryos are formed from which the best two or three embryos are selected and transferred to the uterus of the woman after having been cultivated for almost two days. The extra embryos are either frozen for later use or destroyed.

The introduction of in vitro fertilization has shown the possibility of transferring embryos to a woman other than the woman providing oocytes. Such a woman is called the surrogate carrier or surrogate gestational mother. The role of the surrogate mother is mainly to carry the gestation to term in such a way that the contracting couple will have the claim for the custody of the resulting child. Thus, it is an application of the IVF.

Catholic Church rejects the use of in vitro fertilization and surrogate motherhood. In *Evangelium Vitae*, John Paul II observes that various techniques of artificial reproduction, frequently used with the intention of serving life, actually open new threats against life. The important consideration of the Church in rejecting the practice of IVF is that this procedure involves the destruction of many embryos and thus many human lives. This is because in the procedure of IVF, many embryos are made from which only two or three are selected and transferred to the uterus. The spare embryos are either frozen or destroyed or used for experimentation and stem-cell research. John Paul II also argues that since these techniques have a high rate of failure mainly with regard to the subsequent development of the embryo, human life is exposed to high risk of death. This destruction of embryos is in effect the killing of human beings.¹⁸ Since every human being is a person created in the image and likeness of God, every human life is sacred and inviolable from conception till natural death. As Margaret Tighe rightly argues,

Medical science has shown us quite clearly that human life begins at fertilization: From that time when the father's sperm begins to

penetrate with the mother's ovum, a new life has begun and, unless man or nature intervenes, has commenced the journey of life only requiring time, optimum conditions and natural development to become a fully-fledged member of the human family – male or female – with all the characteristics unique to that person.¹⁹

With the development of human embryos in laboratories, human beings are “reduced to the level of simple biological materials” as consumer products and are made available as experimental objects. This is a violation against the sacredness of life and the overall meaning and God-given purpose of life. As Tighe shows, “human embryos (human beings) can now be discarded, dissected, frozen and stored and eventually disposed of, genetically manipulated and experimented upon – all at the whim of scientists.”²⁰

As Pope John Paul II argues, “If a person's right to life is violated at the first moment, ... an indirect blow is struck also at the whole of the moral order, which serves to ensure the inviolable good of the human. Among those goods, life occupies the first place.”²¹ Such a destructive attitude harms also the moral strength of the entire humanity especially when we consider the whole humanity as one family with God as the father of all persons. The moral strength of a community can be determined by its attitude towards the weak and the defenceless. Apart from this, many other manipulations and abuses may take place in the use of this technology. As experiments are done in the laboratories by the professionals in private, the genetic parents need not be always the couples under treatment. As the procedure is very expensive, even already preserved embryos, which are made using the sperms and ova of others or donors, could also be used by some such professionals. If it happens, this is against the integrity of marriage and dignity of human procreation. However, in the light of Christian faith, the dignity of every person, even made of IVF, should be respected, because “every child who comes into this world must in any case be accepted as a loving gift of the divine goodness and must be brought up with love.”²² But such a precious life should not be made by the destruction of many other such persons.

¹⁹M. Tighe, “A Pandora's Box of Social and Moral Problems” in H. Kuhse and P. Singer, eds., *Bioethics: An Anthology*, Oxford: Blackwell Publishers, 2001, 91.

²⁰Tighe, “A Pandora's Box of Social and Moral Problems,” 91.

²¹John Paul II, “Celebrate Life,” *The Pope Speaks* 24, 4 (1979), 372.

²²Congregation for the Doctrine of Faith, “*Donum Vitae*” in C. E. Curran and R. E. McCormick, eds., *Readings in Moral Theology*, No. 8, New York: Paulist Press, 1993, 6.

¹⁸See John Paul II, *Evangelium Vitae*, 14.

The Church welcomed Louise Brown as a great gift, a gift to her infertile parents, a gift to the world ... unique as a human individual, formed, even as that first cell, with the capacity for development to human adulthood with all the many attributes of a human person with which she should love, wonder, doubt and reason... The first problem was that with the fact Louise was a survivor of a process which had resulted and still results in the deliberate destruction of many others like her.²³

The arguments against in vitro fertilization are equally valid in the technique of surrogate motherhood. Apart from this, it damages the integrity of the marriage and family, the dignity of human procreation and the right of the child to be born of the original parents.²⁴ Moreover, the procedure of surrogate motherhood would be highly problematic if the new born child is deformed, handicapped or mentally challenged. Naturally, the child will be rejected by the contracting parents as well as by the gestational mother.

Allowing women to be surrogates will in fact turn women to be baby-machines, bought and regulated by the people rich enough to pay, which attacks very gravely the interdependency and mutual bonding between mother and children. Researches prove that the changes happening in a woman during the nine months of pregnancy, even in a surrogate mother, are not only physiological but also emotional, relational and spiritual. Thus it involves the violation of the dignity of womanhood and motherhood. As Sidney Callahan warns, “Can children comprehend, without anxiety, the fact that mothers make babies and give them away for money?”²⁵ She also states that not everything that can be done to satisfy individual reproductive desires should be done, and collaborative reproduction using third parties come at too high a price.

However, the use of surrogate motherhood can be morally justified, if it is undertaken as a life-saving and life-serving intervention without the

²³N. Tonti-Filippini, “The Catholic Church and Reproductive Technology,” 94. See Lucose Chamakala, “Assisted Reproductive Technologies: A Catholic Perspective” in Baiju Julian and Hormis Mynatty, eds., *Catholic Contributions to Bioethics: Reflections on Evangelium Vitae*, Bangalore: Asian Trading Corporation, 2007, 256.

²⁴Chamakala, “Assisted Reproductive Technologies,” 258.

²⁵S. Callahan, “The Ethical Challenge of the New Reproductive Technology” in S. E. Lammers and A. Verhey, eds., *On Moral Medicine*, Michigan: William B. Eerdmans Publishing Company, 1988, 516.

involvement of IVF. This means that it is morally appropriate to use the method of surrogacy, *if it is successful*, either to save the life of the pregnant woman or to save the life of the unborn child, when no other relevant means are available to save such a life.²⁶ Though it involves high risks, such a possibility of surrogacy may be extended to similar extreme cases, such as to protect the dignity of a rape victim who became pregnant due to rape, in which she has no responsibility for the sexual act and for the pregnancy, to transfer the pregnancy of a mentally challenged woman, etc., when it can be done without excessive hardship and burden to the concerned persons, especially to the surrogate woman.

7. Conclusion

Catholic Church is against the use of in vitro fertilization and surrogate motherhood not because the Church is insensitive or indifferent to the difficulties of the infertile couples but because she wants to protect the sacredness and inviolability of every human life and the true human dignity. The Church, however, is not directly against the use of technologies if it serves human life and protects human dignity. Thus, the use of homologous artificial insemination, by using the sperm of the husband, could be considered as a morally acceptable solution to the problem of infertility, if it does not harm the integrity of marriage and the dignity of human procreation. Recent studies reveal that almost 60 per cent of the cases of infertility could be solved by artificial insemination and a higher success rate results if insemination is repeated over a number of cycles.²⁷ Heterologous artificial insemination, by using the sperms of donors cannot be morally justified as it violates the integrity of marriage and the dignity of human procreation, violates the rights and filial relations of the child, and can create inferiority feelings in the husband which can prevent him from fulfilling the proper parental responsibilities.²⁸ Every human life should be respected with utmost care and due appreciation from conception till natural death. Everybody has to accept and respect the human limitations in the protection and promotion of human life.

²⁶Ashley and O'Rourke, *Health Care Ethics*, 248.

²⁷Ashley and O'Rourke, *Health Care Ethics*, 242.

²⁸Chamakala, “Assisted Reproductive Technologies,” 251.