



# Biblical Ethics

Reproductive Ethics  
part 1: Conception

April 14, 2024  
Adult Sunday School  
Lewis Lake Covenant Church

## Conception

*Case Study: Three couples underwent IVF treatment at a fertility clinic. Through the IVF treatment they received, they all became pregnant and gave birth to healthy babies. As a result of the IVF treatments, they also produced a number of additional embryos. Those additional embryos that were not used were frozen and preserved by the fertility clinic.*

*In December 2020, a patient of that hospital entered the fertility clinic's cryo-preservation unit and opened one of the tanks in which frozen embryos are stored. These embryos are stored at sub-freezing temperatures, so when the patient put his hand in and grabbed some of the embryos, he burned himself and dropped the embryos, which hit the ground and were destroyed.*

*The plaintiff couples brought lawsuits against the fertility clinic and the hospital. One was against the hospital and the clinic for the Wrongful Death of a Minor Act, which is an Alabama statute. At the trial court, this case was dismissed; the trial judge stated that embryos that exist in vitro are not people or children for the purposes of the Wrongful Death of a Minor Act, and therefore there was no claim that the couples could bring under that act.*

*The couples appealed that decision to the Supreme Court of Alabama. [On February 16, 2024] the Supreme Court disagreed and, in a nutshell, said that the Wrongful Death of a Minor Act does apply. This is a brief quote: "to all unborn children without limitation. And that includes unborn children who are not located in utero at the time they are killed." So in fact, the Alabama Supreme Court determined that these in vitro embryos are declared personhood, so they are children or people, and the couples can therefore proceed with their lawsuit. They are seeking punitive damages for what they say is the wrongful death of their children.*  
<https://publichealth.jhu.edu/2024/the-alabama-supreme-courts-ruling-on-frozen-embryos>

Challenge: Technology has made things possible that were not previously possible. New options are available for the conception

and contraception of children. These each pose a number of ethical issues.

What is possible? What is right? Not all things *possible* are *right*.

Major societal change: We feel in almost total control of whether or when we will have children.

I. Artificial insemination

A. Process: “The ejaculate, usually obtained by masturbation, is first washed and then injected directly into the uterus through a special catheter as close as possible to the time of ovulation. The success rate for this procedure may be as high as 20 percent per cycle.”

B. Some statistics

“In 1995, an estimated 170,701 women had undergone DI [Donor Insemination] using donor or mixed sperm. In 2015–2017, 440,986 were estimated to have used it. DI users were mostly White [67%], urban, older [80% age 35+], college-educated [76% 4-yr degree or higher], and had high family incomes [71% at 400% over poverty line or higher]... DI use changed over time, from a drop between 1995 and 2013 [just over 37k in 2011-2013] to a precipitous growth in 2015–2017.”

46% were “never married”

43% described themselves as a “sexual minority.”

Consider that “only about 8% of the overall sample reported a minority sexual orientation”

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6765402>

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C. Variations

1. AIH (Artificial Insemination by Husband)
2. AID (Artificial Insemination by Donor)

D. Commerce:

1. A sperm donor bank in Roseville advertises for men to ‘donate’ once or twice a week for \$100-\$120/time, or appx. \$4000 over a six month period. Refer a friend and receive an extra \$1-2k!  
<https://beaspermndonor.com/sperm-donor-compensation/>
2. The SCRC (Southern California Reproductive Center) advertises to Lesbian couples, telling them: “the sperm used to fertilize the eggs can be from a friend, relative, or anonymous donor through a sperm bank.”
3. Eugenic tendencies - pursued in animal AI: Bigger, healthier, sturdier cows, more meat and more milk!  
Eg., “The Repository for Germinal Choice.” See <https://www.thecut.com/2019/08/what-ever-happened-to-the-mysterious-nobel-prize-sperm-bank.html>

E. Ethical considerations

1. General observations
  - a. “From a Christian perspective, an analysis of the morality of artificial insemination must take seriously the divine purpose for human sexuality and the institution of marriage. This *personal* dimension must be given a central place in the discussion; otherwise the generation of human life is placed on the same level as animal husbandry merely because the technical possibilities are similar.”
    - ie. Human beings are not merely animals, we are persons. Every father, mother, and child is a person, with accompanying rights and responsibilities.
  - b. “Who’s my Daddy?”

“Karen Clark and Elizabeth Marquardt, authors of a study on 18- to 45-year-olds who were conceived through donor sperm, wrote that the donor offspring they studied were ‘hurting more, feeling more confused, and feeling more isolated from their families’ than children of adoption. Donor offspring were more likely than those raised by biological parents to report issues with substance abuse and mental health problems, and nearly half of those interviewed agree with the statement “It is better to adopt than to use donated sperm or eggs to have a child.” J. J. Davis

See also “One Sperm Donor, 150 Offspring” in *The New York Times*, Sept. 5, 2011

- c. Introduction of a third party into a two-person affair: a father will raise a son not his own, a living testament to his infertility and his wife’s shared child with another man.
2. Roman Catholic thought
    - “both AIH and AID are morally illicit”
    - a. AID: “The natural law and the divine law are such that the procreation of a new life may only be the fruit of marriage.” – Pope Pius XII, 1949
    - b. AID within marriage: “Only marriage partners have mutual rights over their bodies for the procreation of a new life, and these rights are exclusive, nontransferable, and inalienable.” – Pius XII
    - c. AIH: Illicit “because it is not the expression of the natural conjugal act between the husband and the wife, and because it involves an act of masturbation.”
  3. Protestant thinking

- a. In 1945 the Archbishop of Canterbury recommended Parliament make AID a criminal offense.
- b. In 1957 an article in *Christianity Today* called AID “Intrinsically a breach of marriage.”
- c. Joseph Fletcher argued for AID this way: “the fidelity of marriage is a personal bond between husband and wife, rather than a legal relationship; similarly, the parent-child bond is a moral, rather than merely a material or physical one. Marriage is not an absolute sexual monopoly. Christian ethics elevates the meaning of love above the determinism of biological necessity and moralistic legalism.”
- d. Norman Geisler: “Artificial insemination by mutual consent of married couples does not appear to be a moral evil. Indeed, it could in some cases be a great good... The practice of AID does not really constitute adultery, since no act of sexual intercourse is involved.”  
Geisler also appeals to the OT practice of levirate marriage (Deut 25:5-10). However, levirate marriage was not merely insemination, it was actual *marriage*.
- e. (German Lutheran Theologian) Helmut Thielicke, *The Ethics of Sex*, 1964  
Pro AIH: “Condemning the practice on the grounds that it involves an act of masturbation does not take adequately into account the context and intent of the act, which in this case is to further the bonds of marriage, rather than to subvert them.”  
Anti AID: “here a third person enters into the exclusive psychophysical relationship of the marriage, even though it is only his sperm that ‘represents’ him.” The biological dimension of marriage cannot be split apart from the

‘personal.’ The practice of AID introduces a significant imbalance into the relationship, since it involves a fulfillment of motherhood that is not accompanied by a fulfillment of fatherhood, and thus the practice ‘breaks down the personal solidarity of the married couple.’

## II. In Vitro Fertilization (IVF)

### A. Process

“During in vitro fertilization, mature eggs are collected from ovaries and fertilized by sperm in a lab. Then a procedure is done to place one or more of the fertilized eggs, called embryos, in a uterus, which is where babies develop. One full cycle of IVF takes about 2 to 3 weeks. Sometimes these steps are split into different parts and the process can take longer.” - Mayo Clinic

### B. Some statistics

“ART [Assisted Reproductive Technology] refers to all fertility treatments which involve handling either eggs or embryos. More specifically, the ART process includes the surgical retrieval of a woman’s eggs from her ovaries (and freezing them for future use, if applicable), followed by combining the eggs with sperm in a laboratory to create an embryo, and then either returning the embryo to the woman’s body, freezing it for later use, or donating to another gestational carrier... IVF accounts for over 99% of ART procedures performed in the U.S.” A little over 80% of ART ‘transfers’ use frozen embryos.

“Costs for a single cycle of IVF have recently been estimated to range from \$15,000 to \$20,000 and can exceed \$30,000. Given the average number of cycles that are needed to become pregnant from IVF is 2.5, this means that the average cost of IVF to conceive successfully can easily exceed \$40,000. A survey of fertility clinics in California reported average out-of-

pocket costs of \$24,000 per IVF cycle (\$61,000 per successful outcome) and \$38,000 per IVF cycle with a donor egg (\$73,000 per successful outcome).”

“A large proportion of all ART cycles involve freezing egg or embryos. In 2021, nearly 41% of ART cycles (167,689 cycles) were egg or embryo banking cycles in which all resulting eggs or embryos were frozen for future use.”

“Approximately 12.5% of infants conceived through ART are multiples compared to 3.2% of all infants in the overall birth population. The higher proportion of multiple births in the ART infant population accounts for a high proportion of low birthweight infants (14.7% compared to 8.5%) and preterm births (19.7% compared to 10.5%).”

“Between 2012 and 2021, ART use has more than doubled and the number of infants born who were conceived through ART has increased by 50%. In 2021, an estimated 2.3% of all infants born in the United States were conceived using ART. Approximately 413,776 ART cycles were performed at 453 reporting clinics resulting in 112,088 pregnancies in the United States. Of these pregnancies, 86,146 ART-conceived infants were born in 2021.”

In Minnesota in 2021, 1,670 children were born via IVF, or 2.6% of all births.

<https://www.hhs.gov/about/news/2024/03/13/fact-sheet-in-vitro-fertilization-ivf-use-across-united-states.html>

## C. Ethical Considerations

### 1. Roman Catholic thought

- a. “I condemn in the most explicit and formal way experimental manipulations of the human



- embryo, since the human being, from conception to death, cannot be exploited for any purpose whatsoever.” - Pope John Paul II
- b. “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... [IVF] establishes the domination of technology over the origin and destiny of the human person.” *Donum Vitae*, 1987
  - c. “there’s an objectification of the child because essentially they’re producing children almost on an industrial scale... It’s treating the human person not as a gift but rather as an object to be created and that can be subjected to quality control and discarded.” - Joseph Meaney, president of National Catholics Bioethics Center <https://www.catholicnewsagency.com/news/256946/what-is-the-catholic-church-s-position-on-ivf>
  - d. “[T]he Church has clearly and unequivocally judged [IVF] to be immoral... Unfortunately, most Catholics are not aware of the Church's teaching, do not know that IVF is immoral, and some have used it in attempting to have children... Husbands and wives "make love," they do not "make babies." They give expression to their love for one another, and a child may or may not be engendered by that act of love. The marital act is not a manufacturing process, and children are not products. Like the Son of God himself, we are the kind of beings who are "begotten, not made" and, therefore, of equal status and dignity with our parents. In IVF, children are engendered through a technical process, subjected to "quality control," and eliminated if found "defective." In their very coming into being, these children are thoroughly

subjected to the arbitrary choices of those bringing them into being... The dehumanizing aspects of some of these procedures is evident in the very language associated with them. There is the "reproductive technology industry." Children are called the "products" of conception. Inherent in IVF is the treatment of children, in their very coming into being, as less than human beings." - John Haas, *Begotten, not Made: A Catholic View of Reproductive Technology*

## 2. Protestant thought

- a. "The medicalization of conception is an issue that Christians must confront. We must examine our desire for children with the pattern for how God designed children to be conceived. We have to caution that the godly desire for children not become an idol that would allow Christians to bypass the marital intercourse that brings children into this world and in the process, create a whole host of ethical dilemmas that challenge human dignity." - Andrew T. Walker, <https://erlc.com/resource-library/articles/a-viral-photo-shows-the-problems-with-in-vitro-fertilization-ivf/>
- b. "Change a human being's location, and you will often change what is needed for that human being's continued survival. A human being underwater for an extended time needs oxygen tanks; a human being in the Arctic needs a heater; a human being in space requires a tremendous amount of technological assistance to stay alive. The embryo is no different: removed to, or created in, a petri dish, the embryo must either be implanted, grow in vitro until growth is no longer possible, or be frozen in order to stave off death. But none of that makes

any difference to what it is: it is an unborn child, regardless of location.” Christopher Tollefsen, <https://www.thepublicdiscourse.com/2024/02/92797/>

### 3. Other Considerations

- a. Some of the same ethical challenges as AI exist with IVF
- b. The personhood of embryos  
If life begins at conception, a fertilized egg, implanted or not, is in fact an eternal soul, possessing all accompanying rights and privileges, including the right to life and parental love and care.
- c. The realities of ‘excess’ embryos.
  - i. “Over 90% of the embryos created perish at some point in the process.” - John Haas
  - ii. Often, more eggs are ‘harvested’ and fertilized than will be implanted. They can be inspected, and the ‘healthier’ embryos implanted while the others are frozen for future attempts or destroyed.  
“Approximately 40 percent of persons undergoing IVF have additional embryos frozen for a later attempt, should their current round of IVF be unsuccessful, or to continue building their family at a later time.”  
<https://erlc.com/resource-library/articles/what-you-should-know-about-frozen-embryo-adoption/>
  - iii. Multiple embryos are implanted in an attempt to increase the odds of a pregnancy. This is why IVF has an increased chance of twins/triplets.
  - iv. “Snowflake babies”  
“In the US, as of 2017, a million embryos remained on ice. Maintenance costs range from \$500 to \$1000 a year.

But often, donors disappear, avoiding the decision to dispose of or donate their surplus gene products – and the continued cost to maintain them. IVF facility managers want to clear their shelves of “unused stock” – but fear liability claims from donors. This technology, like no other, has birthed so many issues involving responsibility for care, control, and disposal – with no answers.”  
<https://www.acsh.org/news/2021/12/21/frozen-embryos-who-gets-them-who-keeps-them-who-destroys-them-and-when-16007>

- d. Is there an ethical path to IVF?  
Probably, but it’s rather outside the normal IVF processes and procedures currently operating, since they consider (and treat) embryos as products, not human persons.

“No matter what method a court uses to weigh cases, every court in every state has, until the Alabama ruling, treated frozen embryos as property, not as children.”

<https://theconversation.com/alabama-courts-ruling-that-embryos-are-children-opens-up-a-host-of-other-legal-issues-including-parental-rights-224717>

Further, we should not separate what God has united – sex and conception – lightly.

- e. Embryo Adoption?

### III. Surrogacy

- A. Process: a woman agrees to carry a child to term and give it up at the moment of birth.
  - 1. The embryo may be her egg and a donor sperm (AID)
  - 2. The embryo may be from the egg and sperm of another couple. (essentially IVF)

- B. This offers hope for women who desire a baby but, for whatever reason, cannot bring a baby to term without miscarrying, or those who do not wish to carry a baby to term for their own physical reasons.
- C. The surrogate mother is generally financially compensated for her role in carrying the child. Collective Surrogacy in Minneapolis offers a base payment of \$43k for first-time surrogates, with a total benefit package of over \$55k. “Experienced Surrogate Benefits Total \$63,000+”  
Prospective parents with Collective Surrogacy can expect to pay between \$98-136k.

<https://www.collectivesurrogacy.com/paymentschedule>

#### D. Homosexuals and surrogacy

- 1. Secretary of Transportation Pete Buttigieg
- 2. Conservative political commentator Dave Rubin  
\*note: while these men and their male partners claim these children are “theirs,” the reality is only one of them is biologically related to the child in any way, shape, or form. And they know that. One has a child with a woman, the other simply does not.  
<https://youtu.be/75uuWtRmJI?si=qobVHdDC376daTbW>
- 3. “One option for lesbian couples – one partner may donate the egg and the other partner may carry the pregnancy.” <https://www.scrxiv.com/treatment-options/lgbtq/treatment-for-lesbian-couples/>  
\*note: in this case too, though one partner ‘carried the pregnancy,’ the child is not her biological offspring, and she knows it.

#### E. Ethical considerations

- 1. Issues
  - a. Some are the same as AI & IVF

- i. Intrusion of “third party” into the marital union  
 “One marriage partner, but not the other, is biologically fulfilled through the process... This asymmetry... distinguishes the surrogate case morally from simple adoption.” J. J. Davis
- ii. Children have a basic human right to the love and care of their mother *and* father.
- b. What psychological/spiritual damage is done when a woman gives up her baby to be raised by someone else?
- c. What psychological/spiritual damage is done when a child discovers he has been bereft of his mother?
- d. Commercial issues.  
 “Surrogate parenting can degenerate into commerce in human souls, and that, among other reasons, is sufficient to make it an illegitimate solution to one’s infertility.” J. J. Davis

How far removed is surrogacy from human trafficking?

“[In India], poor, illiterate women of rural background are often persuaded in such deals by their spouse or middlemen for earning easy money. These women have no right on decision regarding their own body and life... After recruitment by commercial agencies, these women are shifted into hostels for the whole duration of pregnancy on the pretext of taking antenatal care. The real motive is to guard them and to avoid any social stigma of being outcast by their community. These women spend the whole tenure of pregnancy worrying about their

household and children. They are allowed to go out only for antenatal visits and are allowed to meet their family only on Sundays. The worst part is that in case of unfavorable outcome of pregnancy, they are unlikely to be paid, and there is no provision of insurance or post-pregnancy medical and psychiatric support for them. Rich career women who do not want to take the trouble of carrying their own pregnancy are resorting to hiring surrogate mothers. There are a number of moral and ethical issues regarding surrogacy, which has become more of a commercial racket, and there is an urgent need for framing and implementation of laws for the parents and the surrogate mother.”

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3531011/>

2. Recent Roman Catholic pronouncement  
“I deem deplorable the practice of so-called surrogate motherhood, which represents a grave violation of the dignity of the woman and the child, based on the exploitation of situations of the mother’s material needs. A child is always a gift and never the basis of a commercial contract.”  
Pope Francis, Jan. 8, 2024  
<https://www.catholicnewsagency.com/news/256468/pope-francis-calls-surrogacy-deplorable-calls-for-global-ban-in-speech-to-ambassadors>

“...nothing that  
they propose to do  
will now be  
impossible for  
them...”

-Genesis 11:6

