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ARTIFICIAL INSEMINATION

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Artificial insemination, in a broad sense, is the deposit of semen in the vagina, or the first contact of the spermatozoa with the ovum as a result of some mechanical intervention.

Fecundation is the rendering of the ovum fertile, and impregnation is the act of making the ovum pregnant or saturated.

In this article we will use the term artificial insemination. Historically, the idea of artificial insemination is not new. The Arabians in the fourteenth century report the successful procedure in mares. In the eighteenth century, fish eggs were artificially fertilized, and also, in this same period, Spallanzani succeeded in artificially impregnating bitches. John Hunter, in 1776, succeeded in producing conception in the wife of a man with hypospadias, by injecting the husband's semen into the vaginal vault. J. Marion Sims, in 1866, reported favorable results from direct intra-uterine insemination.

In modern times, artificial insemination has been in common use in breeding animals and a few successful cases are reported in medical literature. However, it is felt that the procedure is much more common in human beings than the literature indicates, especially since interest has been displayed lately in this subject as evidenced by articles in popular

publications during the past year. Therefore, many questions may be asked that the average medical man should be able to answer intelligently.

There may be numerous indications for artificial insemination in the couples who present themselves for the procedure. However, it will be sufficient to indicate that a thorough physical examination of both parties is necessary before they may be qualified for the operation.

There are several methods of artificial insemination. In 1929, guinea pigs were successfully impregnated by placing live spermatozoa in direct contact with the ovaries via the peritoneal cavity. However, for practical purposes, all methods comprise the injecting of about two c.c. of semen directly into the uterine cavity via the vagina or the cervical canal during the fertile period.

There are six common means of obtaining spermatozoa: (1) masturbation; (2) coitus interruptus, using a small jar; (3) natural coitus followed by aspiration from the vagina; (4) coitus condomatus; (5) prostatic and seminal vesicle massage; (6) aspiration of the epididymis.

From 1902 to 1938, only twenty-four articles appeared in American medical literature, with only a few case reports. However, foreign literature is more abun-

dant. Therefore, until experiences become more reliable, we should be guided by theoretical considerations and conservatism.

According to the literature, there is always the possibility of tubal infection, abdominal pregnancy, trauma to the endometrium with resultant premature separation of the placenta, and a host of other obstetrical complications that may follow the operation if performed without sufficient knowledge and correct technique. The mental background of the parents should also be considered. The father may take a dislike to the child, in the case of the use of a donor, resulting in a possible divorce or mental upset. The donor may gain knowledge and affection for the child and even for the mother. His thoughts may wander in that direction until they influence his mental make-up. The affair may plague the donor later.

The mother may develop a mental shock on confirmation of a successful pregnancy, especially if she is subject to mental unrest.

The child may gain knowledge of his unnatural conception and suffer mentally later in life.

Objections along legal lines may arise. To date, I know of no ruling or of any discussion of the subject in legal literature.

Entanglements may arise resulting in accusations of adultery. The husband, having proof of his sterility at the time of conception, may use his wife's pregnancy as grounds for divorce. He may refuse responsibility for the child.

Then there is the question of the legal standing of the stepfather. Would adoption papers be necessary by the sterile husband? The donor may claim custody of the child. The child's legal status in the settlement of an estate may be questioned. The child may claim a share in the donor's estate. Many more complications may arise to the detriment of all concerned.

From a moral aspect many people think the consideration of this subject is impractical. However, in the face of increased popular interest and publicity, there is sure to be more and more speculation on the subject and possibly numerous attempts to secure the operation.

Morally speaking, artificial insemination comprises any attempt to fertilize a female by substituting artificial methods for natural sexual intercourse.

Previous to 1897, the idea prevailed that under favorable circumstances where a husband and wife were unable to have natural intercourse, the seminal ejaculation by artificial means would really be directed to the fecundation of a lawful spouse. This would be no real frustration of nature. However, after the above date, the Holy Office issued a decree approved by Pope Leo XIII, condemning artificial fecundation as illicit. The opinion of most theologians was that the decree referred to at least the unnatural and evil method of procuring the spermatozoa — by masturbation.

Nearly all authorities included interrupted and condomistic intercourse within the scope of the decree.

Therefore, the minimum working principle in this matter is that artificial insemination is unlawful, if it involves venereal activity, which is of itself unnatural.

Theologians generally speak of two methods as either certainly or probably licit: (1) inserting some kind of instrument into the vagina before intercourse for the purpose of facilitating the passage of the spermatozoa into the uterus; (2) when there is insufficient penetration for probable fertilization, by having the physician use a syringe to collect the male germ cells already deposited within the vagina, forcing them further up into the uterus. The only restriction is that the seminal deposit is not withdrawn from the confines of the vagina.

Vermeersch, about the beginning of the present century, enlivened theological discussion by relating a means of insemination that involved no abuse of the sexual process. The germ cells, he said, could be obtained by anal massage or by puncturing the epididymis.

These methods are questionable as a reliable source of spermatozoa.

Is artificial insemination permissible if the male cells are obtained without venereal activity? In this case three problems present themselves for consideration: (1) the case of husband and wife;

(2) the case of two unmarried persons; (3) the case of a married person and a third person especially if the spouse consents to the operation.

In considering the first question, we presuppose a validly married couple without impotence and the marriage already consummated.

Married persons are in the same situation regarding propagation as the individual is in regard to self-preservation; such a person has a natural right to preserve his life. Failing normal means, he may use abnormal or artificial means. Thus it seems that married people, unable to generate by the normal means of sexual intercourse, may use abnormal means provided that the means are not sinful. It may be objected that married persons have not the right to use abnormal means of procreation. However, it seems that some further proof or declaration of the Holy See is necessary before it can be said apodictically, to quote Rev. Gerald Kelly, S.J., that validly married couples do not possess in common a right to propagate which allows them by mutual consent to have recourse to some extraordinary means of propagation which is not in itself sinful.

The puncture of the epididymis involves no use of an unnatural sexual act. Of itself, its intrinsic morality might partake of the nature of a minor mutilation somewhat similar to that involved in a blood transfusion.

According to Rev. Gerald Kelly, S.J., "There is a very solid extrinsic authority for permitting this type of artificial fecundation between husband and wife, and it seems justifiable on intrinsic grounds. It has nothing in common with an unnatural sex act, such as pollution; or with a disordered sex act, such as fornication. In this method of fecundation, there is no frustration of the sexual processes; and the child thus conceived is the offspring of parents united in the stable bond of matrimony, and thus naturally apt and obligated to provide for its welfare."

As to the second question, artificial insemination between two unmarried persons, traditional Catholic theology teaches without equivocation that generative activity must be confined to the married state.

The answer to the third ques-

tion, as to whether two married people unable to have children may have a proxy father if the spermatozoa is obtained from this third party without venereal activity, is that the parties to the fecundation are not man and wife; hence the law of nature forbids the operation. Rev. Gerald Kelly, S.J., summarizes the subject as follows: "Artificial insemination involving pollution or onanism is never lawful; but if married people who are unable to have natural fertile intercourse wish to resort to a means of impregnation which includes no abuse of the sexual functions, it is probable that they may do so. Between two parties who are not united together in marriage, no form of artificial fecundation is lawful."

The author is largely indebted to Father Gerald Kelly, S.J., writing in the *Ecclesiastical Review* for August, 1939.

A. M. A.'s Eight-Point Platform

The eight-point platform of the American Medical Association agrees with the proponents of the Wagner bill that the Federal Government should aid in providing medical service to the poor. Unlike the Wagner bill, however, the A. M. A. platform sets forth that the primary responsibility for public health rests with local gov-

ernment and that "Federal aid should be given only on the basis of proven local need." Dr. Van Etten said: "Needs for help should be discovered in the school district, then referred to the Township, to the County, to the State, to the Federal authority, in that order, and the Federal authority should be called upon as infrequently as possible."