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In Vitro Fertilization and Ethical Dualism

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The procedure of in vitro fertilization and embryo transfer has become an established and widely accepted method of overcoming some forms of infertility. This article will be concerned with some of the ethical issues which have been raised. These relate to two areas above all: those touching on the value of life and those related to the values of human sexuality, marriage and parenthood. Under the first heading would come the very serious problems raised by the loss of human embryos, the discarding or deliberate destruction of embryos, experimentation upon them and abortion of defectives. These questions have been raised in particular form by recent government appointed committees in some countries.¹ Since this range of issues would require an extensive analysis in their own right, I will not attempt to deal with them here.² Attention will be focused on the second set of values. The precise question to be addressed will be: how are IVF and ET to be assessed ethically from the perspective of the Christian and, in particular, the Roman Catholic tradition on the meaning of human sexuality, marriage and parenthood? I propose to review a number of significant contributions to the debate which have emerged from within the tradition. Such a review will indicate how these issues have been treated, the presuppositions and the significant developments in ethical thinking which the debate has occasioned.

The inseparability of the unitive and procreative dimensions or meanings of human sexuality has been a central feature of Roman Catholic moral doctrine.³ Artificial contraception is rejected because it separates the love-union and procreation. IVF also entails the separation of love-union (sexual intercourse) and procreation (in the petri dish). Must, then, IVF be rejected on the same grounds?

Before dealing with the question of IVF it will be necessary to analyze some of the more general issues which recent discussion has brought to

light. I believe one of the most important is the alleged presence of a form of "dualism" in some of the arguments which have been presented. As a first step, therefore, I will attempt to sketch out the main outlines of this problem.

Integral Humanity vs. Dualism

Throughout its history, the tradition which concerns us here has often had to struggle with various forms of "dualism." It has been constrained to resist tendencies to split apart soul-body and to uphold the integrity of the human. Some philosophies and theologies have exalted the spirit or mind and devalued the body. Others have elevated the physical at the expense of the spirit. This problem appears in contemporary discussions of the Roman Catholic tradition, but is presented in two quite different ways. There is, on the one hand, a critique of certain traditional positions on the grounds that these are based on a form of dualism which separates rationality and animality in the human.⁴ The burden of the charge is that these positions accord a morally definitive meaning to the physical structures of humanity, prior to and apart from the rational or spiritual. For the sake of brevity, this position will be referred to as "physicalist dualism."

Argument Challenges Dualism

A second argument challenges a kind of dualism which equates the truly human with rational consciousness, or with what can be consciously experienced. This kind of dualism, it is argued, reduces the bodily to the merely biological, that is, to the subpersonal, subhuman level. The bodily, and, specifically, the procreative aspect of human sexuality, is thus reduced to the level of the merely instrumental.⁵ In such a view, the bodily aspect has no inherent moral significance, apart from its capacity to be used instrumentally for the purposes of the rational agent. Perhaps we could name this "instrumental dualism." We could construct two different forms of argument corresponding to the two distinct types of dualism. The first argument would be based on the premise that the physical, biological structure itself sets the moral norm. The second would take its foundation on the presumption that the physical, biological structure in itself has no moral significance. The first type of argument would reject IVF on the sole ground of the physical separation of sexual union and procreation. The second argument would justify IVF on the ground that the separation is, in itself, morally neutral and is given its moral meaning by the end intended. An argument of the first kind would be open to the objections directed against "physicalist dualism."⁶ On the other hand, an argument of the second kind would be exposed to objections that it rests on the presupposition of "instrumental dualism." Neither form of argument seems to take adequate account of integral humanity.

The next question to be asked is whether the relevant teaching of the

Magisterium rests on the sole ground of the physical inseparability of sexual union and procreation. In the analysis which follows, I will argue that it does not. Together with this, it must also be asked whether those who have argued for IVF under some conditions, do so on the grounds that bodily and physical sexuality has no significance which is morally relevant. In particular, do they hold that the separation of sexual union from procreation is neutral from a moral perspective?⁷

Integral Humanity in the Teaching of the Magisterium

To resolve the fundamental problem, we need some way of conceptualizing integral humanity in such a way as to display the complex variety of relevant features and their connection with one another. Further, we need to explain why it is that this integrated humanity has morally normative status. I suggest that this notion of integral humanity is not fully clear and that at least some of the difficulties of the present debate may arise from this lack. In what follows, I will suggest some ways towards a clarification of this point.

It has been common to express this complex of integrated elements in terms of a "design." Thus, authors commonly spoke of the "natural design of the act," or the "divine design." However, there are further questions to be asked as to (1) what are the relevant elements of this design? (2) what is the unifying principle of the design? and (3) why is that the design has the normative moral significance? In other terms, why is it wrong to disrupt it?

Pius XII indicated at least the principle elements of the design when he stated that:

A child is the fruit of conjugal union when this union is fully expressed by the bringing into play of the organic functions and the sensory emotions attached to them, and of the spiritual and disinterested love which animates this union. It is in the unity of this human act that the biological conditions of generation must be posited.⁸

The elements identified here are: (1) the physical sexual act (organic); (2) the biological conditions of generation (union of sperm and ovum, etc.); (3) the emotional elements of the union; (4) the spiritual elements (the love which is expressed in the act which we could perhaps rephrase as interpersonal love, reaching out towards a child to be loved). This would seem to be an adequate account of what is involved.

What is the unifying principle which links all these features together? In this and other statements, Pius XII spoke of several such unifying features: (1) the natural structure of the act; (2) the nature of the agents; (3) the nature of intercourse as mutual gift in "one flesh", (4) the moral act which draws all together. Finally, he mentioned several grounds for the normative status of this integrated design: (1) the will and plan of the Creator; (2) the dignity of the marriage partners; (3) their bodily and spiritual nature, (4) the requirements of the development of the child; (5)

what is willed by nature; (6) the rights which husband and wife give each other.⁹ Clearly, Pius did not assert that the sole ground which established the normativity of the integral process was the physical structure of the act.

In his encyclical "Humanae Vitae," Paul VI wrote of the integrally human, and the integral human vocation.¹⁰ He then went on to explain this in terms of the nature of conjugal love. This has its origin in God. Couples participate in this love by mutual self-giving which is proper and exclusive and by which they pursue the personal communion by which they perfect each other, and are associated with God in the task of procreating and educating living beings. The necessary qualities of this love are then explained as fully human, complete (a special form of friendship), faithful, exclusive, and fruitful.¹¹ Further, when it is explained how this love is to be expressed in the task of responsible parenthood, further features are included. For example, in regard to the biological processes, conscious parenthood entails the knowledge of and respect for their functions, since human reason discerns in the faculty of procreating life, laws which pertain to the human person.¹² This, of course, brings us directly to the much debated questions of the natural law and its significance for papal teaching on sexuality and procreation.

Most recently, in an address on this subject, Pope John Paul II again presented, as the central issue, integral humanity or, in his terms, "the unity of (man's) personal being."¹³ The Pope stated that the central issue was consistency with a Christian view of sexuality as an expression of conjugal love. "For sexuality reflects the innermost being of the human person as such, and is realized in a truly human way only if it is an integral part of the love by which a man and a woman commit themselves totally to one another until death."¹⁴

A Basis for Agreement Within the Tradition

In these accounts, it is clear that the physical integrity of the act of sexual intercourse is not the sole ground of the moral norm. In order to make this extensive range of other factors more manageable, we could perhaps group them together as: (1) love values; where the significant feature is the integrity of marital, inter-personal, parental love; (2) dignity values; where the concern would be the personal dignity of husband, wife and the child and also that of other persons who may be involved (e.g., donors); (3) bodily values, where the issue would be the integrity of the bodily processes and actions involved.

The love values relate to the intentions of those concerned and to deliberately adopted attitudes towards others. One party might deliberately withhold love from the other, or one or both adopt an attitude of rejection of love to the child who might be conceived. In such a case, the choice to pursue IVF would clearly be morally vitiated at root. The dignity values relate to the intentions and attitudes of those concerned and to the quality of their relationships to one another. It would be possible that

the wife might be regarded as a mere "instrument" in the process (e.g., as mere provider of ova and womb). Or the husband might be regarded as mere instrument (e.g., as provider of sperm). Or, finally, the child-to-be might be regarded as mere instrument (e.g., for the satisfaction of egotistic desires on the part of the parents to achieve the satisfaction of having a child.)¹⁵ In these cases, the persons would not be loved for their own sake, but sought as mere means to some other end.

As far as I am aware, both those who would accept IVF under certain conditions and those who would reject it absolutely would agree with what has been proposed here. Such a clear violation of love-value and/or dignity-values would constitute the choice morally wrong. It is at the point where the body-values are introduced into consideration that clear differences emerge.

Points of Disagreement

Three types of argument are presented. The first type would assert that since, on the physical level, IVF entails the separation of sexual intercourse and procreation, it is morally wrong precisely for this reason. Physical separation *tout court* constitutes the choice of the procedure morally wrong.

The second type of argument does not claim that IVF is morally wrong merely because it entails the physical separation of sexual intercourse from procreation. Rather, it is argued that where a couple choose a procedure which deviates from the physically integral act, such a choice inevitably has negative implications for the dignity of the persons involved, the quality and dignity of their relationships to each other, and for the authenticity of marital-parental love. On these multiple grounds, it is then judged to be morally wrong.

The third type argues that physical separation of sexual intercourse and procreation cannot, of itself, constitute grounds for moral condemnation. Granted that the love values and dignity values are preserved in intention, these may be expressed and embodied in other choices of procedures besides the integral physical, sexual act. That is, it is asserted that authentic marital-parental love, expressed in such a way as to uphold the dignity of the persons concerned, need not be expressed only in the integral, physical sexual act. I now propose to examine each of these arguments in more detail.

Type 1: Arguments from Physical Structure

In this argument the morally relevant features are to be found in the physical structure of the act. Thus, the physical integrity of the act is given morally normative status. Further, it has this morally normative status because it is a (relatively) constant feature of human functioning and therefore must be presumed to reflect the design of the One Who created

the human organism. To violate the integrity of the structure of the act is, therefore, to violate the design of the creator. This "physicalist" interpretation of the natural law has been the subject of frequent criticism.¹⁶

Some recent authors have explicitly challenged this form of the natural law argument in its application to IVF and developed a case for the acceptance of the procedure. For example, John Mahoney, S.J. criticizes the questionable transition from fact to moral norm which the natural law argument seems to entail. He then questions the assumption that since the normal course of events is that natural intercourse is the means to procreation, this normal structure must also be the morally normative structure. Why, he asks, must natural intercourse be the *only* morally acceptable means of procreation? He goes on to query the presumed normative link between the normal structure of the loving procreative act and the design of the Creator. If God has created humankind with intelligence to control its environment and to discover means to ends, why is it, then, that other means to the end of procreation which human intelligence may discover are necessarily contrary to the design of the Creator? He does not, in effect, question the requirement of marital, interpersonal love between spouses, which reaches out towards a child to be loved. Rather, He asks why such a love may be embodied *only* in the normally structured act. Why may such love not be embodied in the complex of actions, decisions, burdens and sufferings which the couple undergo in seeking to conceive a child through IVF?¹⁷

Some of these objections are, of course, commonly raised in debates about the "natural law." There are several points here which need attention. The first is the question as to why marital-parental love may be embodied only in the normally structured act. This is the right question and other recent articles have sought to address it. But there is a second point which is more problematical. This is the assumption that those who argue that such love cannot be embodied in procedures other than the normally structured act, do so simply because they accept a physicalist understanding of the natural law argument. Thus, the argument is presumed to go as follows. Acts which deviate from the normally structured act are contrary to the design of nature and therefore morally wrong. Such morally wrong acts cannot embody and express rightly ordered love. There would be a contradiction between the rightly ordered love and the wrongly ordered acts. But is this, in fact, the only way in which the case against IVF can be made? In the following analysis of the second type of argument, I propose to show that it is not.¹⁸

Type 2: Arguments from Multiple Implications of Departure from the Natural

As I have already stated, the official Church position does not make the physical separation the sole ground of moral objection to artificial

contraception. Nor is the separation considered merely as a separation of two physical *events*, sexual intercourse and procreation. Rather, the ground for moral objection is the separation of “. . . the two *meanings* of the conjugal act: the unitive meaning and the procreative meaning.”²⁰

Thus, the merely physicalist argument cannot claim the support from the authority of the Magisterial teaching. However, in the light of this, another important conclusion follows. It is sometimes presumed that the precise reason for the rejection of artificial contraception by the Magisterium was the mere physical separation of sexual union and procreation. On this same presumption, two different arguments might be developed. The first would be that, since there is also a separation of sexual union and procreation in the case of IVF, the latter must be rejected on exactly the same grounds. The second would challenge the adequacy of the rejection of artificial contraception on the grounds that the supporting reasons are “physicalist.” Since this reasoning is alleged to fail, it is then further argued that the separation of sexual union and procreation in IVF cannot provide grounds for moral rejection (in principle). Both these arguments are inadequate as I will seek to show by an analysis of a number of recent contributions to the debate.

Francesco Giunchedi establishes the necessary basis for any further argument with an explicit rejection of dualism. As he correctly points out, the human person is an embodied subject; the body constitutes a part of the integral human subject. Whatever touches the human body inevitably touches the person. Since the human person is composed of spirit and body, the inherent finality or purpose of the body cannot itself be the ground of a moral norm except to the degree that reason discovers in it a significance. This significance carries a moral imperative insofar as it guarantees the fullness of human meaning in an action.²¹

Integral humanity is construed here in terms of integral significance or signification. Where the integral significance is attacked, integral humanity is thereby attacked. The author then applies this to IVF. The separation of the unitive aspect and the procreative aspect of human sexuality violates integral signification and so violates integral humanity. But, according to Giunchedi, where the separation is brought about precisely to actualize procreation, the moral significance is different. Therefore, IVF cannot be judged morally in the same way as artificial contraception.²²

This argument seems to me to be fundamentally sound in its basic direction and intention. The argument that artificial contraception to avoid procreation and IVF to promote procreation have different moral meanings and must be judged differently also seems convincing. However, there is need for more explicit explanation of some of the links in the argument. How does reason go about establishing the precise nature of the “signification” of an act? Without a further explanation of this point, it is not clear why a separation of the exercise of sexuality and the event of conception necessarily separate the signification of the unitive and

procreative. If the normal physical, biological link between the two immediately established the necessary link between the two significations, the argument would stand. But that step would seem to take us back, after all, to identifying the physical structures with the structures of signification and so with the moral norm. The precise meaning of this intermediary notion of signification needs more explanation if the argument is to be completely convincing. Furthermore, why is it necessarily and absolutely required that every act have *full* human signification?

John M. Finnis argues that the departure from the natural process of procreation is morally significant, not simply because it deviates from the physically normal, but because of its implications for the parent-child relationship. To choose to have a child by IVF is to choose to have a child as the product of a making. This choice structures the relationship of parents to child as one of a maker to product. A relationship of maker to product is inherently one of radical inequality and essential subordination. This does not mean, he is careful to point out, that the child has an objectively real different status. Rather, the structure of choices, "... tends to assign (that) child, in its inception, the same status as other objects of acquisition."²⁴

A similar argument has been presented by Donald G. McCarthy and Edward J. Bayer. These authors argue that the child of technological intervention does not issue from normal human fertility and the procreative embrace of the parents. Thus, its origin is different in a radical way from that of the normal origin of a child. The nature of the harm to the child is expressed through the language of rights. The claim is made that every child has a natural right to fundamental security and self-identity. This no one would dispute. The authors, however, extend the argument by proposing that the child has such a right to that kind of security which comes from generation through natural marital intercourse. Thus, it follows that every child who is conceived as the "product" of technology incurs a specific harm or "handicap." The choice of parents to conceive a child by such means involves the infliction of harm on the child, and violates the right it has to this specific form of security. They support their case by calling to mind our growing awareness of the problems which arise from disrupting the fundamental relationships of nature. It is granted that, so far, there is no empirical evidence for such a handicap. But they insist that such a handicap is objectively present whether or not it has any measurable effect on the child.²⁵

Both these arguments postulate an objective harm to the child. But such an argument from a non-verifiable harm does not seem to be very strong. On the other hand, an argument based on the voluntary exposure of the infant to be conceived to the *risk* of harm would have much more force.²⁶ But in this case, the harm envisaged is a real, possible identifiable damage to the child, which cannot be precluded.

Nevertheless, this type of argument is important in that it indicates a move away from a physicalist interpretation of the "natural design." What seems to be occurring in the debate is a move towards a more nuanced interpretation of the natural law which focuses on the interpersonal implications of deviation from the natural.

Another form of argument has been developed by William E. May.²⁷ May's argument does not rest on the physical inseparability of the procreative and unitive. He challenges the positions of those who allege that the papal teaching itself erected physical separability of these elements into a moral norm. Thus, we may not take physical integrity of the marriage act as the determinative, morally relevant feature of the natural design. What, then, are the further significant features to which we must attend? May's argument confronts directly the proposal of John Mahoney, namely that marital/parental love may be embodied in a complex of choices and actions other than those choices and actions involved in the sexual union of spouses open to procreation. His case does not rest directly on a postulated harm to the child who may be conceived, but on the inherent character of the spouses' actions. According to May, the actions and choices of couples engaging in IVF are non-marital. Why is this so? In cases involving donors or vendors of sperm or ova, this would be clear. Similarly, IVF in the case of the non-married would be clearly non-marital. But the case is also made that, even for persons who are married, such choices and actions would be non-marital.

What is the lack which constitutes these acts non-marital? It is not merely the lack of a physical conjunction of sexual union and procreation. It would seem to be rather the lack of actual embodiment of marital love in the procedure which leads to procreation. Couples are capable of sexual intercourse by the mere fact that they possess sexual organs. But they are capable of expressing marital/parental love only if they are actually committed to each other in marital love. It is only when that kind of committed love is actually embodied in an act that it is a marital act. Thus, sexual intercourse between a couple who happen to be married, but who do not actually express their marital love in that act would, presumably, be a non-marital act in this sense. Why is it, then, that such marital/parental love cannot be embodied in acts other than the natural sexual union? There would seem to be a presupposition here which is not fully explained. May's argument seems to be that such acts might be *accompanied* by what the couple *intend* to be marital/parental love. But such acts cannot embody and express what *is truly* marital/parental love. Why is this? Perhaps there is presupposed here a notion of bodiliness as sacrament or symbol of the person, together with a notion of bodily union as sacrament or symbol of the marital love of persons. Other "embodiments" apart from sexual union are then, as it were, not "apt matter" for the "sacrament." Although this argument seems to need further development, the direction in which it moves is reasonably clear. It is an argument not from the nature of the act, or

from the nature of physical sexuality, but rather from the nature of personal marital love.²⁸ It would seem to be a search for a way of overcoming the problem of dualism, not through a metaphysical explanation of the union of soul and body or rationality and physicality, but rather through an analysis of embodied love.

Type 3: Arguments from the Structure of Relationships and Procreative Intention

A common feature of this type is the argument that the kind of depersonalizing and instrumentalizing attitudes discussed previously could be present in the undertaking of IVF and ET and, if they were, this would mean a violation of love values and dignity values. In such a case the undertaking would be morally wrong. But this form of argument differs from type 2 in that it does not accept that the choice of alternative means of procreation (such as the technology of IVF) necessarily entails an attack on the love values or the dignity values. The essence of the argument is that authentic marital-parental love may be embodied in other choices and actions and in such a way that no violation of the dignity of the persons is inevitably involved.

An example of this kind of argument has been proposed by Josef G. Ziegler.²⁹ Ziegler's argument is founded on an interpretation of the integral structure of marriage. This structure, he explains, is an instance of the threefold, inter-connected relationship proper to any act, namely relationship to God, to neighbor and to self. This is founded on ". . . the being and meaning structure of created reality." The question then is: Is this relationship preserved in extra-corporeal generation? A Christian couple actualizes this relationship when they strive together to realize the sacramental imaging of the relationship of Christ to the Church in indissoluble marriage. Closely bound up with this is the actualizing of the individual element of marriage in partner love. This finds its starting point in recognition of the equal dignity of wife and husband. Thus they increasingly advance their own perfection as well as their mutual sanctification, and hence contribute to the glory of God.³⁰ The cultic (God-oriented) and individual elements find their expression in the social component, the generation and education of children. An action within marriage is thus to be qualified as good if it corresponds to the principle of integration of these fundamental elements.³¹

Thus far, the analysis of the structure of created reality seems to prescind from the bodiliness of human created reality. However, this aspect does play a part in the argument. Ziegler considers IVF a form of therapy. The pathological defect in the otherwise naturally given connection between partnership and procreation is healed by an artificial connection. It is artificial but is, nevertheless, made possible by nature. Thus, it can be argued that the law of procreativity which God has established in human nature is preserved in this case. The element of interpersonal love can also

be retained, as can the "cultic" structure, because the medical intervention is understood as a fulfillment of the creative love of God.³² Thus, in this form of argument, the natural, bodily structure of human sexuality has significance for the moral evaluation of IVF. The latter is morally acceptable insofar as it is "therapeutic" and made possible by "nature." Can this interpretation stand? It could be objected that IVF is not therapeutic in the proper sense since it does not heal the pathological condition. That remains after the use of IVF as before. Again, it could be argued that IVF does not assist the natural process but replaces it.³³ It would seem to be "therapeutic" only in the sense that it can produce the same results as the "normal" process. If this is what is meant, it would seem to represent a falling back into a form of "instrumental dualism." Since what is significant in the bodily structures is simply the capacity to produce the results (i.e., to reproduce), when this capacity is absent, a procedure which produces that same result can be called "therapeutic" and is thus justifiable. Other implications of the procedure do not have moral relevance.

The authors have something else in mind, however. The healing is directed not simply to the physical pathology, but rather to the totality of the continuing life of married love which is meant to, and in the case of this couple's intentions and desires actually does, reach out towards a child to be conceived and loved. The "pathology" in question is not merely physical damage, but a fracturing of this totality. The argument is, then, that the integral whole of the married project is damaged by lack of the capacity to conceive. Thus, the supplying of this capacity is "therapeutic" in respect to this total human reality.³⁴ Perhaps we could see here another attempt to overcome the problem of "dualism." Here the principle of unity is, again, not a metaphysical notion, but the historical continuity of the total project of committed married life, conjoining body and spirit in the intention to open marital parental love to the actual possibility of a child to be loved.

However, there are serious lacunae in some of the arguments for the moral justification (under certain conditions) of IVF. These become clear in the light of the instance on the moral relevance of human bodiliness which the arguments of the second type correctly stress. Some authors explicitly reject dualism and affirm the corporeal nature of the human person.³⁵ Others argue that, under certain conditions, external fecundation may be the prolongation of the sexual life of the couple.³⁶ But they, in fact, give little attention to the bodily nature of this sexual life, nor to the moral relevance of this corporeal dimension. Others recognize that IVF must be the last resort, thus apparently recognizing some moral significance in the "normal" process.³⁷ But it is not adequately explained what the significance of the normal really is. While these arguments clearly do not assume that the bodily and, in particular, the link between sexual-union and procreation is neutral and has no significance for moral value, they do not provide any account of this presumed significance. They seem to assume that this dimension has value, though not an absolute value. But

until the grounding of this value is explained, this claim is an assertion, rather than a proven conclusion.

What conclusions would follow from these analyses? On the level of fundamental principle, I would argue that the key point is the necessity of overcoming dualism (of whatever kind). A solution to the difficulties discussed here will be possible only in the light of a genuinely integrated understanding of humanity. On the level of moral conclusions, the matter is more complex. Some points, however, are clear. In terms of the present teaching of the Magisterium on the inseparability of the unitive-procreative dimensions of human sexual expression, IVF (and ET) would not be morally justifiable. What, then, of the growing acceptance of artificial procreative techniques among many moral theologians? The issue I have tried to deal with here is the intrinsic adequacy of the arguments proposed. I would conclude that these arguments are, for the reasons explained, not adequate in themselves to sustain a convincing case.

References

1. Department of Health and Social Security, *Report of the Committee of Inquiry into Human Fertilization and Embryology*. (London: Her Majesty's Stationary Office, July 1984). The Committee to Consider the Social, Ethical and Legal Issues Arising from In Vitro Fertilization, *Report on the Disposition of Embryos Produced by In Vitro Fertilization* (Melbourne, Victoria: Government Printer, Melbourne, August, 1984.)

2. These features would be grounds for the moral rejection of IVF and ET. I will not discuss here whether there could be the so called "ideal case" in which these features could be eliminated. There are other important questions which cannot be dealt with here, for example, whether the "proportionalist" method of ethical decision-making is acceptable and whether it may be applied to this matter. For an extensive treatment see Eileen P. Flynn, *Human Fertilization in Vitro: A Catholic Moral Perspective* (Lanham, M.D.: University Press of America, 1984). The author argues a case for IVF in terms of the "proportionalist" method.

3. Paul VI, in his encyclical letter *Humanae Vitae* (July 25, 1968), n. 12, based his teaching on artificial contraception on "... the inseparable connection, willed by God and unable to be broken by man on his own initiative, between the two meanings of the conjugal act: the unitive meaning and the procreative meaning." See *AAS* 60 (1968): 481-503, p. 488.

4. A clear statement of this position is the following: "The distinction between two parts in man — that which is common to man and all the animals, and that which is proper to man — results in a two layer version of man. A top layer of rationality is merely added to an already constituted bottom layer of animality. The union between the two layers is merely extrinsic — the one lies on top of the other. The animal layer retains its own finalities and tendencies independent of the demands of rationality. Thus man may not interfere in the animal processes and finalities. Note that the results of such an anthropology are most evident in the area of sexuality." Charles E. Curran, "Absolute Norms and Medical Ethics," in *Absolutes in Moral Theology*, ed. by Charles E. Curran (Washington: Corpus Books, 1968): 108-153, p. 118.

5. William E. May, in particular, has developed this criticism. See his *Sex, Marriage and Chastity* (Chicago: Franciscan Herald Press, 1981), p. 3. May refers to this as the "separatist" understanding of human sexuality.

6. See Richard A. McCormick, S.J., "Notes on Moral Theology," *Theological Studies* 40 (1979), p. 108. "... it seems very difficult to reject *in vitro* fertilization with embryo transfer on the sole ground of artificiality, or (what amounts to the same thing) the physical separation of the unitive and the procreative — unless one accepts this physical separation as an inviolable value."

7. McCormick himself explicitly rejects this position. He recognizes that the separation of procreation from sexual love-making is not neutral. "... to say that would be to minimize the physical aspects of our being in a dualistic way." See "Notes on Moral Theology," *ibid.*, p. 108.

8. Address to the Second Congress of Fertility and Sterility (May 19, 1956). See *AAS* 48 (1956):467-474, p. 470. He went on to reject attempts at artificial human fecundation '*in vitro*' as immoral and absolutely unlawful. p. 471.

9. Address to the Fourth International Congress of Catholic Doctors (Sept. 29, 1949). See *AAS* 41 (1949): 557-561, p. 560; Address to the Italian Union of Midwives (Oct. 29, 1951). See *AAS* 43 (1951): 835-845.

10. *Humanae Vitae*, n. 7, *AAS* 60(1968), p. 485. What must be taken account of is the "whole man" and the "whole" to which he is called.

11. *Ibid.*, n. 9, p. 486.

12. *Ibid.*, n. 10, p. 487.

13. "For in the end all the matters which you have discussed and will discuss come back to this one question: Who is man? — man in the unity of his personal being, in the truth of his relationship with God, in the goodness of the married relationship." Address to International Congress on the Philosophy and the Theology of Responsible Parenthood (June 9, 1984). See *AAS* 76 (1984):844-848, p. 846.

14. *Ibid.*, p. 874. Cf. *Familiaris Consortio*, n. 11.

15. Similarly, if IVF were used as a means of manipulating the future child, e.g., to select a child of a particular sex or with certain genetic characteristics. Cf. Patrick Verspieren, S.J., "L'aventure de la fecondation *in vitro*," *Etudes* 357 (1982):479-491, p. 483.

16. Cf. Charles E. Curran, "In Vitro Fertilization," in Charles E. Curran, *Moral Theology: A Continuing Journey* (Notre Dame: University of Notre Dame Press, 1982) 112-140, p. 121.

17. John Mahoney, S.J., *Bioethics and Belief* (London: Sheed & Ward, 1984), pp. 15-17. A similar proposal is made by Verspieren. *op. cit.*, p. 482.

18. Cf. Janet Dickey McDowell, "Ethical Implications of In Vitro Fertilization," *The Christian Century* 100 (Oct. 19, 1983) 936-938. This author also presumes that "artificiality" i.e. the severance of a natural link between intercourse and procreation, is the ground on which those who argue against IVF base their case.

20. *Humanae Vitae*, n. 12, *AAS* 60 (1968), p. 488.

21. Giunchedi, S.J., Francesco, "La fecondazione '*in vitro*': considerazioni morali," *Rassegna di teologia* 24 (1983): 289-307, pp. 292-294.

22. *Ibid.*, pp. 301, 306.

23. *Ibid.*, p. 301.

24. Finnis, John M., "IVF and the Catholic Tradition," *The Month* 17/2 (February, 1984): 55-58. This article is a defense and explanation of the submission of the Catholic Bishops' Joint Committee on Bioethical Issues to the Warnock Committee.

25. McCarthy, Donald B., and Edward J. Bayer, *Handbook on Critical Sexual Issues* (Garden City, N.Y.: Doubleday & Co., 1984), pp. 206-209.

26. Cf. Paul Ramsey, "Shall We 'Reproduce'? I. The Medical Issues of In Vitro Fertilization," *JAMA* 220/10 (June 5, 1972):1346-1350; "Shall We 'Reproduce'? II. Rejoinders and Future Forecast," *JAMA* 220/11 (June 12, 1972): 1480-1485; Giunchedi

also argues against IVF on the grounds of risk of harm. See "La fecondazione," p. 305.

27. William E. May, "'Begotten, Not Made': Reflections on the Laboratory Generation of Human Life," *Perspectives in Bioethics* (New Britain, Conn.: Muriel, 1983): 31-60, p. 46. McCarthy and Bayer make a similar case. See *Handbook*, p. 210.

28. Richard McCormick finds this argument not proven. "Notes on Moral Theology," *Theological Studies* 45 (1984), p. 102. However, I suggest that the argument is not as "impenetrable" as he finds it to be.

29. Ziegler, Josef G., "Zeugung ausserhalb des Mutterliebes," *Theologisch-praktische Quartalschrift* 131 (1983): 231-241.

30. Cf. *ibid.* p. 238, cf. *Gaudium et Spes* n. 48.

31. Ziegler, *op. cit.*, p. 239. In Ziegler's view the issue is the intentional or moral unity of partnership and parenthood, which normally finds its expression in physical unity.

32. *Ibid.*, p. 239.

33. Cf. Paul Ramsey, "Shall We Reproduce?" II pp. 1480-1481. Herman Hepp, "Die In-Vitro-Befruchtung: Perspektiven und Gefahren," *Stimmen der Zeit* 201 (1983): 291-304, p. 300, also holds that the procedure can be considered "therapy" for sterility.

34. Cf. Verspieren, "L'Aventure," p. 483; Henri Wattiaux, "Insemination artificielle, fecondation 'in vitro' et transplantation embryonnaire: repères ethiques," *Esprit et Vie* 93 (1983): 353-369, p. 369.

35. Cf. for example, Curran, "In Vitro Fertilization," p. 117; "Human beings exist as corporeal persons in time and space with other human beings; . . . they are more than merely freedom events."

36. Verspieren, "L'aventure," p. 483. Cited with approval by Wattiaux, "Insemination artificielle," p. 362.

37. Ziegler, "Zeugung," p. 239.
