

FROM GENERATION TO PRODUCTION

How the Meaning of “Coming to the World” Changes in the Era of Reproductive Techniques.

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Abstract

This article discusses the ongoing biotechnological revolution in connection with reproduction, examines the main arguments in favour of the new reproductive techniques and the warnings against the dangers and negative aspects of these techniques. It stretches out the changes occurred in the meaning of “coming to the world” and the moral problems aroused by this shift.

Keywords: *Practical Ethics, biotechnology, in vitro fertilization*

I

In the last period, reproduction – one of the biological processes of major significance in a person’s life - has relevantly changed by the introduction of new techniques. I will examine three techniques which lead to the birth of a new human individual: assisted fertilization in all its forms, the genetic screening to predictive purposes and the genetic manipulation of embryos. The fourth and by far most revolutionary technique is also the most problematic and radical: clonation. This will not be examined here because of its vast implications.

The first of the assisted reproductive techniques we are going to examine is the *in vitro* fertilization, that is the insemination of oocytes with gametes in glassware. To carry it out one starts by retrieval of oocytes from a woman who has undergone ovarian hyperstimulation for fertilization purposes; these oocytes are inseminated in glassware and subsequently implanted into the uterus.

The success of the operation obviously does not include, as a necessary prerequisite, that the sperm fertilizing the oocyte should belong to the husband or friend of the future mother, or to whom presumably will act as legal father and fulfill the emotional needs of the new individual; neither is it necessary that the oocytes should be retrieved from the woman who wants to conceive: fertilization can thus be *homologous* if the oocytes and gametes belong to the future parents or *heterologous* if they are retrieved from others. As far as the mother is concerned there are two possible situations: the *in vitro* fertilization can cure the woman’s sterility by retrieval of oocytes from another woman: in this case the sterile woman is the *biological* mother in so far as the fertilized oocyte is implanted into her uterus and she is the actor of pregnancy and childbirth.

A second situation is when the woman is unable to keep a pregnancy: in this case an oocyte is retrieved from the would-be mother, it is fertilized *in vitro* and subsequently implanted into another woman's uterus – a surrogate mother, or, as she is usually called with a certain amount of cruelty a “rented uterus” – who will bear the pregnancy and the child and will deliver the newborn to the “mother” at the end of the process.

We can hypothesize a third situation, when neither the donor of the oocytes, nor the woman who bears the pregnancy will act as legal mother and fulfill the emotional needs of the newborn: for example the oocyte can be sold or donated by a woman chosen by the would-be mother for some of her physical or mental features which look desirable for the future individual; a second woman could be subsequently chosen for her health status and her reliability to implant the *in vitro* embryo into her uterus, after an insemination with the sperm of a man chosen for his genetic features too. It follows that the child born in this way will have two fathers, a biological one and a legal one, and three mothers, two biological – the oocytes donor and the surrogate mother – and a legal one.

So far we can conclude that the reproductive techniques allow manipulation of the biological process and interruptions at various phases with various results. This makes it particularly difficult to define the “mother” concept even in strictly biological terms; whereas so far it used to be commonsensically retained of utmost clarity. This notion is fundamental for the emotional life, for the structure of primary relations and for the construction of personal identity; it acts as an irradiating centre of every future relation.

The second technique under focus is screening, which consists in the analysis of the embryo's genetic inheritance to predictive purposes. The method helps discovering genetic predispositions for serious diseases or malformations. It is not a manipulating but an investigating technique and it is likely to appear as the least problematic. Nevertheless, as everything that increases our knowledge it also increases our power and can produce outstanding questions and ethical conflicts: for example, if it is appropriate to inform parents of a genetic predisposition for serious diseases in case of a high but not certain possibility, or in case none of the parents bears a “sick” gene and the child has been conceived outside the marriage.

The ethical relevance of screening is obvious when associated with assisted fertilization and genetic manipulation: identifying genetic predispositions will allow the selection of the embryo to be implanted and in a very near future to effectively penetrate the DNA in order to remove the undesirable genetic segments of the chromosomes and replace them by others. The union of these three techniques – *in vitro* fertilization, genetic screening, possibility of manipulating the genetic inheritance – brings about a radical change of the human reproduction process.

Naturally sterile individuals can have children, and in theory, combine their own reproductive cells with those of people they wish or they can use reproductive cells of others. Moreover, one will be able to select which of the produced embryos are to be implanted and which discarded; it will also be possible to modify the genetic features of an embryo according to the wish of the customer-parent. The

thus produced child will no longer be the result of accident or destiny, but of the free, conscious choice of the parents, of their will and their wishes.

II

Philosophers are divided on the subject of these important novelties. Some are enthusiastic about the widening of the horizon of human action therefore of individual freedom, some read them as an upsetting violation of nature, a dangerous, ambiguous “playing God” (DWORKIN, 2000). A reflection on the good and bad implied in these new techniques, leads us to reexamine the ethical aspects generally connected with the action/event of reproduction in a wider context.

Natural generation itself has consequences on others and must therefore respect ethical criteria and be managed in a conscious and responsible manner. Even before the ongoing biotechnological revolution, the revolution of contraceptives turned reproduction from an event, something that occurs to us - into an *action* every adult can *decide* to perform or not to perform, which increases our freedom and consequently, our responsibilities.

Contraceptives have freed sexuality from its necessary connection with reproduction. Now the new reproductive techniques operate an opposite change – freeing reproduction from its necessary connection with sexuality. According to many, this is a double conquest: individuals can become parents only if and when they are ready to; and secondly, they can satisfy their need to be parents even if nature has decided differently. This does not only imply a great scientific progress, but also an ethical and human one, because essential biological processes of the involved individuals are no longer a matter of accident or destiny (BUCHANAN, BROCK, DANIELS and WIKLER, 2000). Human beings acquire thus more possibilities to manage their own existence and live a happy life at least deprived of some natural sources of unhappiness like the birth of an undesired child, or, on the contrary, the impossibility to generate.

The two symmetrically opposed judgements appear as ethically equivalent. There can be one objection: whereas contraception limits itself to block the race of gametes to conceiving, assisted fertilization enacts artificial processes to make conception possible. The respective responsibilities are quite different: in case of contraception nobody is damaged, nor is there anybody to whom one must respond for the failed conception – that would be nonsense; while in case of conception by help of reproductive techniques there is somebody to whom we must account for the desire and achievement of his or her birth.

Assisted fertilization raises yet another problem: in order to enact it one must produce a larger number of embryos than the ones really implanted because implantation is often difficult and the ovarian stimulation cannot be repeated in a short time. Every assisted fertilization implies a certain number of ‘extra’ embryos whose ontological *status* is hard to define - are they ‘individuals’ in a primitive state, or simply biological material? What is, ethically speaking, their correct destination? Adoption by other

couples? Experimentation? Therapeutic purposes?

Besides, the extra number of embryos raises the issue of *selection*: which of them should be implanted first, which are to be discarded? The supporters of the new technologies retain that the choice between a plurality of embryos is not a morally ambiguous situation, but an opportunity to take morally just decisions. One has thus the possibility to make a *negative selection* – eliminating the embryos revealed by the screening as bearers of diseases or malformations, but also a *positive selection* – choosing the embryos with the desired genes, bearers of health, beauty, intellectual talents (POLLO, 2003).

Generally speaking, there is full agreement on the lawfulness of the first selection; problems arise in connection with the second. Somebody could say that we have to do with *eugenetics*, a practice of sinister memory. Yet associating *eugenetics* to *nazism* – the supporters of this technique could retort – is an argument of no importance. The fact that certain theories used to be supported and turned into practice by criminal procedures do not make them automatically criminal. We wish for ourselves and the others moral qualities that we consider *virtuous*, encourage them by praise and promote them by education. Why not produce genetically the physical qualities, the predispositions of body and mind, of character, of emotions, etc.? This should not be retained only lawful, but morally *right*.

Let us imagine we can foresee the physical and character features of an individual on the base of the embryo's genetic inheritance and also manipulate this genetic inheritance by introducing desirable genes and discarding others. In this case it would be ethically right to *improve the nature* of the newborn, and, on the contrary, not doing so, would be ethically wrong. Suppose we could control the gene responsible for physical stature or mental capacities and the embryo had the predisposition of such a low stature or limited mental capacities that might bring the future individual frustration and psychological suffering in his or her future life: not trying to act in order to change this situation would mean condemning the future individual to unhappiness and limit, while we could give him or her the mental and physical potential for a happy future life.

An ethical conception of responsibility in procreation must prescribe as moral obligation of a responsible parent, choosing the best possible genetic inheritance for one's own future child. *Selecting who will be born*, as far as we can do it, is not only an opportunity for parents, but also a new responsibility and a duty.

III

These theses and arguments can be objected to. In order to do it we have to shift from the ethical-normative perspective we have so far examined – to a deeper perspective regarding the meaning of human existence, human acting and identity constitution of the individual. This is the point of view of Habermas (HABERMAS, 2001) who reflects upon the asymmetrical relation of reproduction, which

involves not only ethical and political issues, but also questions regarding the entire meaning of human life. Habermas' thesis is that determining the genetic inheritance of the would-be individual according to one's own desires does not mean only exercising an enormous, indelible power on the individual that is to come to the world, completely deprived of reciprocity, but also seriously damaging the constitution of his identity and the possibility that the future individual could attribute his own actions and way of being in the world to himself.

The following considerations, inspired by Habermas' theses which we fully accept, inquire into an extreme possibility of inverting the sense of an "ontological" power over somebody who is not able to elude it. What we question is coming to the world, or being born, which, as a biological event, is rooted in casualness and destiny: the original event of being born, instead of not being born, the fact that we were born at that moment and in that place, instead of being born somewhere else and in a different epoch; the fact that we are made in a way and not another, these are all given data over which we have no retroactive control. The process resulting in the formation of the embryo's genetic inheritance is significantly called "genetic lottery". The predominance of accidental or destiny factors, is an element of great ontological relevance: it belongs to *being generated*, therefore coming to the world according to natural biological modalities, rather than *being produced* in the technical and industrial meaning of the term, in other words, being manufactured by somebody according to a preestablished project or according to the prefiguration of the operation results. The crux of the matter lies in this difference and in its implications for the subject coming to the world.

In the context it is of utmost importance to rightly understand what is at stake, keeping in mind that we have to do with a dual relation and not with the existence of a single, for whom restricting *accident* in favour of *choice* is acquiring freedom. In our case the individual who is able to choose and thus diminish the ground of accident and destiny, is not the same as the individual for whom the choice is made. One subject makes the choices and another one copes with them. For the latter subject, whose existence and features have been desired and decided by somebody else, the withdrawal of accident in favour of choice does not increase his freedom, but on the contrary, diminishes it. *This subject is the product of someone else's will*, so he finds himself in an irreversible, asymmetrical relation of power, where the power of the other over him is intolerably immense: that other subject has in fact, decided his coming into being, and his being the way he is.

This way of reasoning could appear warped and useless: in fact being and being the way we are is something each of us anyway copes with or finds as unchangeable data, as limited horizon of his being as *finite* being. The fact that we can be determined by accident or by our parents makes no difference, since our life runs along a preestablished course. One could even say that being desired and chosen with certain characteristics could be a reason of satisfaction: because our parents, who made the choice, wished the best conditions for us – either what they retained best, or was objectively retained best like lacking defects or malformations, or, in the positive sense, having physical and intellectual qualities generally desirable etc. - As we fulfill our parents' desires we could expect to be more loved than if we

had come to the world according to traditional natural procedures, which may have increased the possibility of falling short of their expectations.

I wish to focus on the *fallacy* of this judgement. Every human being becomes himself by assuming what he naturally – biologically is; by education, formative relationships and self-reflection, the partly conscious partly unconscious work on himself. Anything he does when acting is the product of what he is and he decides to do under the circumstances. In his being the way he is, there is a residual “given”, which represents his limit in trying to fulfill his life project, acting in conformity with principles, norms or interests that are consciously reflected upon.

This limit – the ontological shadow of what we are – is part of ourselves and belongs to us no less than what we consciously do with ourselves. If this *datum* is not a given thing, but the product of somebody else’s will, things radically change: I will never feel completely myself as my own self, nor conceive myself as actual author of my actions, when I know that the ultimate ground everything is based on the product of somebody else’s action. This “choice”, viewed as an act of freedom from *destiny*, delivers myself to a sort of irreversible *slavery*, a sort of expropriation; every moment of my life I will be aware of my being so or acting in a certain way, because somebody else wanted things to be that way. This implies an enormous power, unilaterally exercised by the parents, whose full weight rests on the entire existence of the child, and could radically compromise the child’s possibility of comprehending himself as a subject and author of his own actions.

One could retort that this power exists already in its nudest and most absolute form, let’s say ontological and it is delivered by nature: as bodies able to generate we have the absolute power *to give or not give life*. Someone is generated because someone else allowed him to exist, and we cannot reject this power, nature imposes it on us. This emerges currently in everyday life during arguments between parents and children when the father or the mother says: “I have given you life”. And the son or daughter, justly angry reacts by an argument at the non-sense limit: “I did not ask you to”. Obviously he couldn’t have asked to come to the world: this power must necessarily be exercised without the consensus of the one submitted to it. The reflection on reproduction, on the ethics involved, opens in front of our eyes the enigma of the body able to generate with all the paradoxes accompanying it.

The supporter of biotechnology will arm himself with this argument to say: as we must exercise a form of power anyway, let us do so on ethical criteria, therefore bringing to the world an individual endowed with the best and most desirable qualities. In my opinion we have to draw the opposite conclusion: as we cannot elude exercising this immense power, let us at least take a step backward instead of getting any more power: let us decide on the existence of the future individual – this we can somehow elude to, but let us not decide on how this new individual must be.

Our adversary can retort that *not-doing* is not at all neuter, but is taking responsibilities on what happens if things are not done. Thus if the individual coming to the world will be made in a certain way and we have not modified his being so by anything, we still bear the entire responsibility *by not doing anything to impede it*. Our child could complain about us and accuse us of his being too short

or not having musical talent, because *we have not done what we could have to avoid it*. As Sartre says, the *non-choice is a choice too* and we are responsible for it.

To escape from this logic, whose sophistic character we perceive, without being able to reject it as long as we stay on its ground, we have to move our glance and enlarge the view. Let us turn back to that radical responsibility of the ontological power to make someone exist. If we think of it as of a rational, conscious choice which is unilaterally done in the mind of the parents it cannot but appear as a monstrous eternal mortgage on the son's or daughter's life, like a print of another one, an alien presence, the whole life long polluting our self-belonging, the very possibility of saying "I" and understanding it as what we are most intimately and exclusively for ourselves. This type of mortgage is likely to be escaped from only by the extreme act we can, according to the Stoics, assert our freedom in a heroic radical manner: suicide.

Another possibility to restore the ontological balance between the generator and the generated could be an act of revocation of the power exercise: an unconditional act of love whose value would be as radical and absolute as the exercised power. An act of love that will *justify* the unjustifiable, our existence and the fact that we *owe it to others*. This act of love is in its deep significance opposed to the arbitrary act of deciding on somebody else's life; it means welcoming who comes to the world, called or better not called – and accepting him or her for being here now as he or she is. For example a girl instead of the desired boy, short and with no musical talent, instead of the gifted performer who would have come up to the parents' expectations.

Each individual can be justified in his being here and being as he is not because this corresponds to the domineering desire of another individual and he had to shape himself on that desire, not by having been produced according to abstract criteria of good and beauty retained valid by somebody else, but by having been welcomed without conditions, for what the parents like and what does not correspond to their wishes. Each individual can say "I" about himself only in so far as somebody else has confirmed his being, his being here and being the way he is, accepting him without reserve.

One could agree or disagree on this; what I consider undeniable is that the meaning of coming to the world and of having others come to the world is an extremely delicate and complex matter and that the abstract rationalistic arguments, by which some pretend to impose norms in this complicated domain, appear simply reductive and superficial.

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