

Ethical aspects of human reproduction

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Outline

1. General principles
2. Contraception
3. Sterilisation
4. Abortion
5. Assisted reproduction

General principles

General principles

- Reproduction differs from many other areas of medical practice because of the tension between the **rights of women** to make decisions about their own bodies and the **moral duties owed to embryos and fetuses**.
- Given the existence of such diversity of opinion, it is clear that some of these questions can never be resolved to the satisfaction of all sections of society, but will be the subject of continuing ethical debate

General principles

1. The **confidentiality** of all patients, including those aged under 16, should be respected except in exceptional cases.
2. Young people **who are sufficiently mature to understand** the nature and implications of the treatment requested are able to give valid consent, but parental involvement should be encouraged.
3. No treatment may be provided to an adult who has capacity without valid consent.
4. **Adults are presumed to have capacity** unless there is clear evidence to the contrary.

General principles

5. **Women** should be encouraged to participate to the greatest possible extent in decisions about their pregnancy.
6. A woman who plans to carry her fetus to term has special **moral responsibilities towards the unborn child**, but neither health professionals nor society can **force her to fulfil those duties**.
7. Discussion about reproduction inevitably focuses **primarily on women**, but the role of men should not be undermined.

The autonomy of pregnant women

- It is an accepted principle of medical law and ethics that adults with capacity have the right to refuse any treatment or medical intervention, even if that refusal results in their avoidable death.
- The courts have held that this rule applies equally to a woman who is pregnant even if she is carrying a viable fetus capable of being born alive.
- The fetus, up to the moment of birth, **does not have any separate legal interests** capable of being taken into account by a court, and therefore the legal position is that the woman's right to **refuse treatment overrides all other legal considerations**.

Is there a right to reproduce?

- A woman's right to refuse life-prolonging treatment is one of a number of 'rights' that are frequently appealed to in relation to reproduction.
- Negative rights simply involve being free from interference and are based on the notion that the state should not interfere with essentially private decisions.
- Positive rights, however, would include the right to demand appropriate healthcare. In terms of reproduction, this would include a positive obligation on the state and health professionals to support the individual's reproductive choices, including providing reproductive technology for every person who requires it.

Contraception

Contraception

- The continuing high number of unwanted or unintended pregnancies demonstrates a clear need for better access to, and uptake of, contraceptive information and services.
- Cooperation has been encouraged for many years between various agencies, including health and education services, the voluntary sector, and service users to try to improve family planning services.
- Most women who seek contraceptive advice and services do so from their GP practice, although many younger women tend to prefer the anonymity of specialist clinic

Contraception

- The ethical issues surrounding contraception are complex and include the following:
 - The age at which contraception should be made available to young people.
 - The provision of emergency contraception

Sterilisation

Sterilisation

- Depending on national legislation, men or women above certain age may apply for sterilization. For men, the procedure (vasectomy) is simpler than for women (tubectomy or the blocking of Fallopian tubes).
- From the point of view of ethics, it is important that the person understands that after successful sterilization, fertility can be recovered only in exceptional cases.
- Sterilization without consent or even under coercion is illegal and represents a grave ethical offense.

Sterilisation

- Male or female sterilisation is usually expected to produce permanent sterility.
- Although some people have conscientious objections to sterilisation for contraceptive purposes, within society as a whole it appears to be viewed as an acceptable form of family planning, as long as individuals are adequately informed of the implications of the procedure and no pressure is exerted upon them.

Sterilisation

- 3 legal systems have been proposed to regulate sterilization:
 - Voluntary sterilisation is illegal
 - Voluntary sterilisation is legal but only after a certain age or number of children
 - Voluntary sterilisation is legal without any restrictions

Abortion



Types of abortion

1. Medical Abortion - conducted for **medical reasons**, typically when the continuation of a pregnancy poses a **threat to the health or life of the pregnant women**.
2. Social Abortion - **elective abortion**, is the termination of a pregnancy **for non-medical reasons**. It is a personal choice made by the pregnant woman
3. Criminal Abortion - refers to an abortion that is performed **in violation of the laws of a particular jurisdiction**. This can encompass a wide range of circumstances, such as performing an abortion **without proper medical training or in a setting that doesn't meet legal standards**.

Arguments in support of abortion

- Woman's right to choose and to exercise control over her own body.
- Even if the fetus has rights and entitlements, these are very limited and do not weigh significantly against the interests of people who have already been born, such as parents or existing children of the family.
- Although contraception is understood to be the appropriate means to avoid unwanted pregnancy, all methods have a failure rate. When contraception fails, or when couples fail to use it effectively, many people accept that abortion is preferable to forcing a woman to continue with an unwanted pregnancy.

Arguments against abortion

- Abortion is wrong in any circumstance because it fails to recognise the rights of the fetus or because it challenges the notion of the sanctity of all human life.
- An embryo is a human being with full moral status from the moment of conception see abortion as intentional killing in the same sense as the murder of any other person.
- Many worry that the availability of abortion on grounds of fetal abnormality encourages prejudice towards any person with a handicap and insidiously creates the impression that the only valuable people are those who conform to some ill-defined stereotype of 'normality'.

Arguments against abortion

- More recently, some have shifted the arguments on to the pregnant woman and have argued that abortion is wrong because of the psychological and health consequences
- Some of those who oppose abortion in general nevertheless concede that it may be justifiable in very exceptional cases when termination is seen as the lesser moral offence.

Assisted reproduction

Assisted reproduction

- Assisted reproduction enables the deliberate manipulation of the processes and materials of human reproduction outside of sexual intercourse.
- All such practices are embedded with ethical issues, whether standard therapies such as ovulation induction, insemination with donor sperm, and in vitro fertilization (IVF) or emerging practices such as pre-implantation genetic diagnosis (PGD); surrogacy; and the use of gametes from donors.

Sperm and Egg Cell Donation

- Insemination with donor sperm is a relatively simple procedure that has been available for many years.
 - In Bulgaria the donor must be over 18 years and be healthy
 - The donor must be informed and the consent can not be revoked after the procedure
 - The donor information will be kept confidential at the site of the procedure for 40 years

Sperm and Egg Cell Donation

- The use of donor eggs is a more recent development and requires
 - legally approved informed consent
 - the donor to be over 18 years of age
 - the donor to have at least one child of her own

In Vitro Fertilization

- Because fertility decreases with age, it is understandable that many parents require medical assistance in conception. - The procedures of in vitro fertilization are also used in cases when we need to select among the fetuses to avoid genetic diseases.

Surrogate Motherhood

- The most significant deviation from natural conception and pregnancy is **surrogate motherhood**.
- Surrogacy arrangement means that the fetus is implanted into the womb of another woman who gives birth to the child and then gives the child to the “biological parents”.
- Surrogacy opens the door to severe abuse.
- In some parts of the world, for example, India, the so-called rent-a-womb is already a well-established source of income for poor women. This practice is illegal in many countries and is ethically very problematic.

Surrogate Motherhood

- Few healthy women would accept the role of a surrogate mother purely for altruistic motives, and in the large majority of cases, it is the money that drives the decision.
- Surrogate motherhood is a clear case of disrespect of the ethical principle of justice. Ethically, it is hard to defend exploitation of the poor, who are forced to put their health and well-being at risk.
- The second problematic issue is that pregnancy is not merely a waiting time, but rather a precious period for both parents to prepare for their new role.

Thank you for your attention!