Parental Responsibility
And Assisted Reproductive Technologies

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Introduction: The Conundrum of Assisted Reproductive Technologies

The debate concerning the ethics of assisted reproduction usually rotates around identifying whether the technical method helps the conjugal act; in which case it is deemed morally licit, and the resulting children are considered begotten not made; Or the technical method completely replaces the conjugal act; hence clearly immoral and the resulting children are made not begotten. This kind of categorisation treats symptoms not the underlying causes of the problem. Resorting to assisted reproduction in human generation is a symptom of a morally disordered irresponsible cultural milieu.

Our society promotes parental autonomy, self-determination and total liberty at the expense of the traditional moral values. The contemporary mentality favors the immanent and shuns any reference to the transcendent in ethics. With the secularization of bioethics, traditional ideas of morality are viewed as outdated. The place of religion in bioethics is being questioned. As a result, parenthood is no longer a vocation/mission since it has acquired many ramifications and as Steinbock reiterates, courts now have to decide who the ‘real’ owners of parental responsibility are. Judging from the ever widening and unresolved controversy on this matter in the media, courts of law, the church’s magisterium, public forums and ethics committees, it appears that society as a whole is not capable of reaching a rational consensus on the issue of assisted reproduction.

Perhaps the current conundrum is traceable to the confusion over precisely how the issue should be framed, and progress in resolving the problem will not occur until we begin to direct the debate towards the right direction. In my view, what should be at the center of the debate over assisted reproduction is not whether the technical method used is morally licit or illicit, but the need to re-awaken the concept of parental responsibility. I thus propose to explore this neglected and often misinterpreted concept in this paper. The key to this concept is the notion that the procreative process imposes obligations and moral responsibilities on potential and prospective parents; obligations to procreate and not to create; to “beget” and not to “make” children. I will contrast it with its most common misinterpretations namely; procreative liberty and procreative beneficence, and then postulate it as an indispensable moral imperative for the current society. I intend to re-awaken the moral integrity, accountability and answerability of potential and prospective parents for their procreative actions.

The Principle of Parental responsibility

Parental responsibility has acquired many possible interpretations due to the radical extension of human power into the field of procreation in the techno-era. It can mean anything from ‘responsible parenthood,’ – which is a euphemism for contraception, -to
the imputation of guilt for child neglect. In English law for example, according to the concept of parental responsibility as set out in the children act of 1989, it is defined as “all the rights, duties, powers, responsibilities and authority which by law a parent of the child has in relation to the child and his property”. Parental responsibility is therefore normally awarded by law for the regulation of parent-children relationships. This suggests that there is a difference between simply being a parent and being a parent with parental responsibilities. Consequently, there can be parents without parental responsibility! In fact, in most cases involving assisted reproduction, since the genetic parents have no legal relationship with the children, they have no parental responsibility for them. More so, according to the children’s Act, parental responsibility runs from the date of registration rather than from conception.

In 1994, Bonnie Steinbock and RonMcClamrock jointly published an article “When is birth unfair to the child?” in The Hastings Center Report, in which they developed a principle of parental responsibility stating that prospective parents are morally obliged to consider the kinds of lives their offsprings are likely to have, and to refrain from having children if their lives will be sufficiently awful. They thus reduce parenthood to a functional sense. These and many other conceptions of parental responsibility have little or no consideration for the dignity of the unborn and the way they are conceived. Due to a manifold of problems created in our society by new types of families and advances in reproductive technology, parental responsibility should be extended to the decision-making stage to enable potential parents make sane positive procreative decisions. We shall thus define our principle as follows:

**Principle of Parental Responsibility:** Potential and prospective parents have a moral obligation imposed upon them by the procreative process to procreate and not to create; to beget and not to make children.

Some features of this principle require comment. First, the term *Parent* is to be understood in the biological sense of progenitor, rather than in the role-related functional sense. It is emphasized here to denote that an individual rather than technology or the state, has been accorded by nature the primary obligation to procreate. As Hans Jonas rightly says; parental responsibility requires no deduction from a principle since it is powerfully implanted in us by nature or at least in the childbearing part of humanity. In this understanding of parental responsibility, parents are obliged to act responsibly in the generative process of fellow humans. Parenthood is therefore a vocation/mission and not just a function. Parental responsibility hence entails strong moral obligations not only to refrain from acts of omissions which might injure their children or prevent their healthy development but also to generate them in a natural way, promote their future well being and assist their moral, spiritual and physical development towards maturity.

Second, the term *Potential parents* refers to both those who are biologically fertile/capable of procreating and those who are infertile but have an inclination or desire to procreate. Third, is the term *Prospective parents*. This refers instead to potential parents who have successfully conceived.

Fourth, are the terms *begetting* and *making*. The two terms follow two different logics: What I make is something within my power to do, to produce, to manufacture. It becomes a property that I can own and dominate simply because it is my product. In begetting, Man and woman provide the biological material through a conjugal act of love and God puts together this material to give life, a new human life who is a person right from the
moment of conception. Procreation is therefore simply a pre-disposition to co-creation with God. Children are begotten not made. What kind of child gets conceived; whether male or female, how he will grow; whether he will be a saint or a sinner is all mysterious. There is therefore a mysterious originality in procreation which is the dominion of God the creator. A child is therefore a gift. You cannot determine the nature of a gift. It is determined by the giver.

Fifth, since parental responsibilities do entail strict obligations to generate children in the natural way; there are limits to what potential and prospective parents may be required by society to do in order to discharge these responsibilities. For example, parental autonomy (the right of potential and prospective parents to determine which method to use in the generation of offsprings) is conditioned by parental responsibility.

Sixth and finally, I generally assume that the individuals who are the bearers of parental responsibilities are persons and moral agents in the full sense. The extension of parental responsibilities to potential parents, is intended to cater for the decision-making stage of parenthood. This is essential in determining the procreative conduct of potential parents amidst the numerous choices offered by reproductive technologies. Parental responsibilities and obligations are acquired naturally (their acquisition is independent of social conventions). In other words, they are embedded in the procreative process and are acquired automatically from the moment one takes a decision of opening up to the procreative process and of participating in the procreative role. Conception then becomes a clear expression of that decision and an outstanding point of departure. Such responsibilities and obligations are hence inclusive of both the pre-conception, post-conception and pre-natal stages of human life. This extension not only favors the parental accountability for the assisted reproduction behaviors but also requires potential parents to believe that human life begins at conception. As Evans put it: “Without this belief, we risk the possibility of making a child into a product we consume, and consequently of turning ourselves into products to be manipulated at our own whim”11.

One challenge with this notion of parental responsibility is that our personal moral intuitions about parenting and parental responsibilities are likely to derive from our own experience with the institutional arrangements and practices commonly accepted in our society. Since the contemporary culture canonizes total liberty and freedom of choice, direct appeals to the potential parents’ moral intuitions on this issue will not persuade the sons and daughters of this society. In order to get some leverage on the dilemma of assisted reproduction, it is necessary to begin from the heart of the human person, by re-awakening the moral consciences and the natural moral inclination towards the good that is intrinsic within us all. Potential and prospective parents need to re-discover that original humanism, that inclination and desire for the good both for the self and for others. This re-discovery will be essential in the making of positive procreative choices for the future not-yet conceived children in case of potential parents, and for the unborn children in the case of prospective parents. Parental responsibility therefore obliges both the potential and prospective parents to make positive procreative choices12.

Parental responsibility in this context therefore advocates for a return to human generation through nuclear family-matrimonial structures; where natural, biological and legal parenthood is a given, where the dignity of children especially the unborn who are the most vulnerable is protected, where intent is intrinsic in determining parenthood since it is embedded in the conjugal relationship, where the biological and gestational roles of parenthood enjoy an intrinsic unity, where children are a gift from above to the family and the whole society and not objects of desire, where the vocation to parenthood is a responsibility. It asserts that the source of human origin should be restricted to a loving act between husband and wife rather than allowing the power that science provides to
occupy an equally prestigious place at the origin of human life. This ethics of parental responsibility is not only a set of rules but also a commitment to moral integrity, values, honesty and service in the mission of procreation. It is actually embedded in the traditional ideas of morality and responsibility which have been under serious criticism by some contemporary thinkers. According to William Schweiker, what is under criticism is the belief that the consideration of the well-being of others or one's duty to God ought to determine a person's conduct and also what kind of life he or she should strive to live. This criticism is specifically directed to the definition of morality which is ‘other oriented’ and holds ‘divine oriented obligations’.

Critics further affirm that such altruistic morality mutilates the genuine human goods. In the place of fundamental ethics of obligations and responsibility as the definitive characteristics of morality, the critics propose fulfilment and authenticity. This criticism is significant because it tells us something about the problems contemporary ethics faces in thinking about responsibility. For the contemporary technology-oriented mindsets, traditional morality that attaches responsibility to external causes should be abandoned as irrelevant. This pervasive moral outlook that characterises the progressive society is a hindrance to the correct application of the principle of parental responsibility. I strongly believe that much as responsibility demands some sacrifice of some personal desires, it might be the best way of facing the advancing artificial reproductive technologies.

In the contemporary technological era, perhaps nowhere is the concept of liberty abused more than in the area of human generation. Despite uncompromising opposition from the catholic church, some feminist groups, prolife activists, and despite the worries of many people about issues such as the dangers of commercialisation, and the many frequent abuses; people are increasingly resorting to assisted reproduction in search for children of their choice and desire. This is probably due to the liberalising trends in reproductive issues and the erroneous conception of liberty. One of the most complete expositions on the subject of liberty in human reproduction is John A. Robertson in his 1994 book entitled Children of Choice: Freedom and the new reproductive technologies.
argues for the primacy of what he refers to as “procreative liberty,” meaning that individuals have the freedom and right either to reproduce using artificial technologies or not to reproduce. Robertson’s procreative liberty open handedly embraces surrogacy, artificial reproductive techniques, sterilization, the right to choose the characteristics of one’s offspring for example by genetic engineering, the right to use one’s reproductive capacity for non-reproductive purposes such as donating gametes or embryos for research, the right to contraception and other practices that characterize the sex revolution of the contemporary society. He further argues that given the primacy of procreative liberty, “the use of artificial reproductive techniques should be accorded the same high protection granted to coital reproduction.”

Such conceptions of “reproductive liberty” put emphasis on reproductive autonomy and thus fail to demonstrate the telos of procreation and of parental obligations which is the common good. This end is inherent in human nature and cannot be reduced to personal goals or aims. A child is an overflowing of parental love and cannot be turned into a product of the will. Autonomy should not trump over the children’s values. Freedom of choice should neither conflict with the respect and welfare of prenatal life nor trump concerns about the offspring. Liberty as used by the promoters of ART is a negative right. It means that a person, by resorting to ARTs violates no moral duty in making a procreative choice and that other persons have a duty not to interfere with that choice. It further means that procreative decisions should be left to the individuals whose procreative desires are most directly involved!

Parental responsibility requires potential and prospective parents to think about the consequences of their procreative choices on the life and dignity of the unborn who too have a right to be conceived naturally, received as a gift and brought up in a family.

I argue in this paper that liberty cannot be devoid of responsibility and responsibility in matters regarding procreation encompasses obligations. The core value of the right to procreate is the right to marry, found a family and accept children as a gift and fruit of the marriage bond. This understanding and interpretation of procreative liberty may seem too conservative or insufficiently grounded, but its moral importance cannot be underestimated. It is not desire or choice that deserves to be an important moral and fundamental legal right. Rather, procreative liberty intended as a responsibility has this status because of its connection with the creator from whom we share the freedom to procreate. The claim that individuals have a fundamental right to use technology to design offsprings to their specifications, for example with certain desired traits, where these are not connected to the child’s own well-being is not only implausible but also offensive. True liberty is composed of both the immanent and transcendental dimensions. True freedom is not limited to the various finite goods. Actually, the separation of the doctrine of freedom from the doctrine of the Common good makes it futile to justify the freedom of choice highly advocated for by the contemporary society. True freedom in parental responsibility is therefore embedded in the recognition of the life of the child as a gift from the creator even before being the fruit of conjugal love. As Sgrecia affirms, the procreative design is neither a mere temporal function nor a worldly-manipulative operation. It is to be perceived as a transcendental deduction. Liberty in parental responsibility is hence freedom to procreate not to reproduce. Parental responsibility is often confused with the principle of procreative beneficence but are they really alike?

Parental Responsibility and the Principle of procreative beneficence

Continually, there is a confusion and misinterpretation of parental responsibility. Julian Savulescu, in 2001, developed a principle of procreative beneficence (PPB) in which he claims that parents have a moral obligation to have the best child that they can possibly have. This involves an obligation to test for genet-
ic contribution not only to disease but also to non-disease states such as intelligence, hair colour, eye colour, memory or sex and to use this information in reproductive decision-making. This principle was later modified in 2009 by Savulescu and Kahane to imply that couples or single producers have a moral obligation to use available reproductive technologies to create children who have the best chance of enjoying the best possible life. This principle has been refuted by Rebecca Bennett, Sarah Stoller, Robert Sparrow, Andrew Hotke and many others as implausible, promoters of assisted reproduction continue to forward this euphemism as the embodiment of parental responsibility.

This article critiques Savulescu’s proposal by situating “procreative beneficence” in a framework of parental responsibility in bioethics. Savulescu’s position is an inheritance of the contemporary society which situates autonomy on top of the moral spectrum and considers the traditional ideas of altruistic morality and responsibility as detrimental to the well-being of humanity. In order to better position procreative beneficence in a framework of parental responsibility in bioethics, we need to distinguish good (positive) from bad (negative) procreative reasons: Bad procreative reasons are those based entirely on the desire of the parents to have the best children, a desire that pushes them to do all it takes using technology to get the “best”. That way, children get reduced to objects that one can obtain and discard at will. Good procreative reasons are those that let nature take its course. Parents, aware of their limitedness remain open to God’s will and receive children as a gift from the creator who deems it fit to let the parents participate in the procreative process. The rightness and wrongness of the procreative conduct is thus determined by the badness or goodness of the parents’ procreative reasons. Arguing that parents have a moral obligation to create children likely to have the best possible life is a misappropriation of terms. Parents are not creators but procreators and in procreating, they assume certain obligations to be respected. Moreso, children are not objects to be selected out following human desires. Yes, every parent wants the best for his or her child but given the parents’ limited role in the procreative process, emphasis on getting “the best possible child” is not only in line with eugenics but also a misinterpretation of the concept of parenthood itself. I call this “procreative maleficence” not beneficence. True beneficence consists in affirming parental responsibility as a moral imperative.

The Imperative of Parental Responsibility

Having clearly exposed and contrasted the principle of parental responsibility with procreative liberty and procreative beneficence, we are now in a position to reformulate our original conundrum concerning the morality of assisted reproduction as a dilemma, which cannot be resolved through categorisations of the licitness or illicitness of the technical method used, but through a reaffirmation of parental responsibility as a moral imperative. The imperative nature of our principle is dictated first of all by the current dilemmas of assisted reproduction: Hannah Arrendt describes the culture of death that has ensued from assisted reproduction as “the total breakdown of morality”, the souls of the many frozen embryos continue to cry out for help, there is a disintegration of parenthood and family values (conventional definitions of father, mother and child have to be rethought), Leon Kass instead declares Aldous Huxley’s Brave New world already a reality amidst us; yet today we are more concerned about the abuse of reproductive freedom than about the vividness of our self-destruc-
tion. Changing social and cultural values have turned ART into a needed medical practice. It has become a normal accepted procedure due to ideological consensus shaped by the institutional forces of mass media, investors, pro-choice feminist movements, doctors, politicians and many other interest groups. For Stephan Kampowski, today, nature has been replaced by technology, and desire has become the foundation of rights. We are generally experiencing what the French philosopher and sociologist Marcel Gauchet calls the “anthropological revolution.”

Amidst all this, the late Cardinal Caffarra in an interview conducted on the 19th of June 2015 inquired; “How is it possible that such clear evidences of a collapsing civilisation escape the human mind?” He then retorted; “It is all the work of the devil.” We are therefore confronted with a diabolical temptation of an ‘alternative creation’ where humanity tends to think that it is better than the original one. The re-awakening of parental responsibility is one of the indispensable moral imperatives to help people keep in mind and in their moral consciences the original vision of creation.

Secondly, the imperative nature of parental responsibility is testified to by the many future threats of assisted reproduction: a) Artificial wombs or external artificial uteri capable of carrying out the entire gestation process from implantation to delivery. According to Elizabeth Yuko in the New York times, recently, scientists announced that they had created an artificial womb in which lambs born prematurely grew for a month. Human testing is not expected from three to five years if it is done at all. b) Fetal farming or the creation of embryos and fetuses specifically for use as a source of cells or tissues. c) Human cloning (both therapeutic and reproductive), d) Primate surrogacy and male pregnancy. Some of these threats sound like hallucinations but with the rapid development of human genetics and of the technology of reprogenetics, animal-human hybrids will soon be a reality. This will mean totally changing the human species and the definition of what we are. Such human enhancement technologies promoted by transhumanists will surely undermine our human dignity. The best antidote to such a situation is the restoration of the natural design of human generation.

This can best be achieved through an appeal to the responsibility of potential and prospective parents. Such an honorable proposal is catalysed by the fact that future persons have claims on the already living. It requires a return to the traditional conception of marriage and family; a conception based on the nature of the human person: this involves the task of education (here; church leaders and christian couples will be required to take up the venture of reconstructing the original evidences in the hearts of men). It involves bearing witness to the holiness of marriage so that children are seen as fruits of their parents’ marital love not products of their making. It also involves the substitution of programming with contingency since the replacement of the person’s contingent beginning by technological domination results in an unjust inequality between the parents and their children. It further involves a transformation of the widely held beliefs about fulfilment and authenticity. Such beliefs should be re-directed to a teleological vision of well-being. Parents ought to keep in mind that gifts that have not been “received” cannot be “taken” from the owner without offense. Parental responsibility is therefore imperative to any ethics that wants to “give to Caesar what belongs to Caesar and to God what belongs to God.” It is capable of re-discovering the integral anthropological vision of the human person; a vision that is being stepped on today in all its dignity.

In this paper, I have tried to shift the ethical debate concerning the morality of assisted reproduction onto a new level. By contrasting parental responsibility with procreative liberty and procreative beneficence, I believe we can overcome the misinterpretations of this principle. In affirming parental responsibility as a moral imperative, I hope to have demonstrated its indispensability.
NOTE

1 While distinction could be made between the terms “artificial” and “assisted”, they will be considered synonymous and will be used interchangeably in this paper in reference to reproductive technologies. That is; the use of medical intervention to achieve pregnancy.


5 The term responsibility can be used in two senses: Retrospectively and prospectively. When used prospectively, it points to roles, activities or outcomes assigned to a person. Retrospectively, it is used to allocate blame or praise as well as punishment or reward for a specific action. See: T. BEACH-VERHEY, «Responsibility», in G. JOEL ET ALS (ed.), Dictionary of Scripture and Ethics, Baker Academics, Grand Rapids (MI) 2011, 674. In this paper, this term is used in a retrospective sense. In this sense, moral demands require potential and prospective parents to answer not only for their actions but also for the choices that lead to their actions. Responsibility as a fundamental facet of morality draws attention to human beings as moral actors and highlights accountability to oneself, to fellow humans and to God.


7 GOULK, «Children Acts», 1989 s3(1).


12 Procreative choices: Occur both pre- and post-conception. In the pre-conception phase, potential parents chose either pregnancy avoidance via abstinence, or conception via Coitus through the traditional family structures. When potential parents chose assisted reproduction, no matter their desires, hopes or intentions, they exhibit an indifference to parental responsibility and become makers not procreators. In the post-conception phase, prospective parents chose to terminate the pregnancy or carry the child to term. When they chose to terminate a pregnancy, they obtain an indifference to the principle of parental responsibility. Positive procreative choices therefore refer to pre-conception choices to conceive only in the natural way. They are those choices that participate in God’s procreative imperative and lead to the ultimate end of human life which is the good. Conversely, negative procreative choices refer to pre-conception choices to employ artificial reproductive means in acquiring or avoiding a pregnancy. Such a choice is equivalent to searching for the good in contingent and insufficient realities through actions that only partially realise the good and leave a remnant of unfulfilment.


16 Ibid., 35.

17 I prefer to use the term “reproductive liberty” rather than “procreative liberty” since artificial reproductive acts are totally different from human procreation (which is a participation in God’s creative act). See also: G. MEILAENDER, «Products of the Will: Robertson’s Children of Choice», Washington and Lee Law Review 52/1 (1995), 173–195.


(2001), 413–425. It could in principle be used to test any genetic trait such as hair colour or eye colour. Genetic research is rapidly progressing into the genetic basis of complex traits like intelligence and a gene has been identified for criminal behaviour in one family. Once the decision to have IVF is made, PGD has few ‘costs’ to couples, and people would be more inclined to use it to select less serious medical traits, such as a lower risk of developing Alzheimer Disease, or even for non-medical traits. PGD has already been used to select embryos of a desired gender in the absence of any history of sex-linked genetic disease.


28 A biblical expression borrowed from Jesus’ response to his enemies in Mark 12:17, Mathew 22:21.