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# *What's Wrong with Warnock*

RICHARD HIGGINSON

The title of this article might at first sight suggest an intemperate, extreme, totally negative response to the Warnock Report. That is not in fact what appears here. There is much in the Government Committee's Inquiry into Human Fertilization and Embryology which I applaud and commend. Certainly in offering criticism, it is appropriate to grant that the Committee had a very difficult task. The issues with which they grappled are complex; there does not appear to be any general agreement in society concerning them; and the task of legislating in the moral sphere in a society as pluralistic as ours is becoming increasingly difficult. The Warnock Report has merits of orderliness and readability. Credit should be given where credit is due. Readers are strongly recommended not to allow perusal of this or any other critical comment upon it to substitute for reading the Report itself.<sup>1</sup>

Yet in relation to certain crucial issues the Warnock Report is desperately weak. In supporting the introduction of new techniques in the areas of fertilization and embryology as readily as it does it has failed to grasp the gravity of the threats conveyed by these techniques for our understanding of children, of marriage and of human life. The Warnock Report is the offshoot of the short-sighted liberal utilitarianism which pervades our society. Nor are contemporary Christians immune from such a way of thinking. It has been evident in reactions I have encountered in the Christian Medical Fellowship, a significant evangelical group, and in the response made by the Board of Social Responsibility (BSR), an official representative of Anglican opinion (at least in the majority views which it has expressed; as with the Warnock Report itself, there were dissentient minority views).<sup>2</sup>

An initial, general criticism of the Warnock Report is that though its writers sum up differing points of view reasonably well, they are poor in setting out the process explaining why they finally decided on a particular point of view. Too often it seems to be simply because they deemed it 'the more generally held position'; sometimes it is a case of a bald 'we recommend', or an inadequately explained 'we have reached the conclusion'.<sup>3</sup> Considering that the chairman of the Committee was

an able moral philosopher, the Report is an intellectually sloppy piece of work. Its reasoning is frequently unclear.

In this critique I shall not attempt to comment on all aspects of the Report, but will concentrate on areas which in my view give most cause for concern.

### **The Alleviation of Infertility**

It is estimated that about 10 per cent of couples have great difficulty in conceiving; at least, roughly that percentage have failed to conceive after ten years of marriage. A small minority, who choose to be childless, are of course happy that this is the case. But most couples in such a situation do want children. They experience sadness and suffering in their failure to conceive. Quite apart from their own individual desires for children, there are strong social pressures to have a family. And theologically, there seems to be every justification for saying that it is normally God's will that married couples should do so.

Why are some couples unable to conceive? The reasons vary. Fertilization is something of a random, hit-or-miss matter and some have simply been statistically unlucky. Psychological factors can affect the performance of the act of sexual intercourse and result in ejaculation taking place prematurely or not at all. For such couples help is available in the form of sexual therapy. But perhaps most commonly, couples are hampered or prevented from conceiving by physical factors of varying degrees of severity. Occasionally an operation can be performed to cure the problem, e.g., the reconstruction of damaged fallopian tubes. But in many cases (accurate statistics are unavailable) the only way couples may ever be able to conceive is by resort to the artificial aids discussed in the Warnock Report (and here it is worth pointing out that *alleviation* is a misnomer for most of these techniques; it is more a case of *circumventing* infertility).

Are these techniques acceptable? Their aim is surely good, but are the means used morally dubious? Is the *cost* of using them acceptable? Here I have in mind not principally the financial cost – though this is in some cases considerable – but three types of cost to our way of thinking and understanding which are much more difficult to gauge accurately.

### **The Cost to our Understanding of Children**

A child which is the product of artificial techniques is precisely that: a product. It has been *made* rather than been *begotten*. The danger of this is twofold.

First, too much attention may be focused on the child, and too many expectations attached to it. A child conceived as a result of sexual intercourse emerges from an act in which two partners are principally interested in each other. From the outset the child is incorporated into a union between husband and wife. He or she is not consciously and deliberately created by a couple. In the case of an artificially created child, that is exactly what is happening. Procreation has been separated from the sexual relationship. The fate of a child who has been so earnestly desired and deliberately fashioned may be that too much is expected and unrealistic demands are made of him or her.

Secondly, 'making' a child in this way may lead one to think that he or she is a *thing* one has at one's disposal. The child is no longer a gift; it is mankind's own ingenious creation. As Oliver O'Donovan has pointed out, it is significant that the current readiness to use embryos for research is a readiness to use embryos made by artificial techniques. There is a clear danger that when we start making embryos we stop loving them, that we do not respect and reverence them as fellow-humans in the usual way.<sup>4</sup>

I have been careful to describe these ways of viewing artificially conceived children as *dangers*. We may not necessarily fall into them. We do not have to carry out embryo research. And of course couples who conceive children by natural means may also have totally inappropriate and unrealistic expectations of their children. So I do not think that we can rule out the possibility of resorting to these techniques altogether. One such technique, artificial insemination by husband (AIH), appears to be open to no major moral objection. In AIH there exists a real possibility of the incorporation of the technique into a couple's sexual relationship. The semen produced by masturbation may even be obtained within the context of that relationship. Here sexual intercourse and procreation may be said to be only partially separated. Unfortunately, this is a technique which is only likely to help a very small number of childless couples.<sup>5</sup>

The dangers to our understanding of children outlined above may only be possible dangers, but they are real dangers. Oliver O'Donovan has explored the psychological gulf between these two ways of creating children in some depth.<sup>6</sup> Neither the Warnock Report nor those Christian bodies whose response I have criticized earlier show any awareness of this dimension of the question. It is a testimony to the technology-saturated age in which we live that they appear blind to the insidious effects technological innovations can have upon our attitudes to that most precious category of being – our own offspring.

## The Cost to Our Understanding of Marriage

Many of the artificial techniques considered by the Warnock Report involve the crucial intervention of a third party to bring about the creation of a child. The nature of the input varies: sperm, egg, embryo, or actually bearing the child. Many – including many Christians – see no moral objection to this. Where a couple are agreed in wanting to seek the conception and birth of a child in this way, what objection can there be? I suggest that there are some very important objections.

A high view of marriage, a Christian view of marriage, is that it is a covenant relationship between husband and wife exclusive of all others in certain key areas of life. Clearly there are some areas of life (from my personal interests I would suggest playing golf or sharpening my philosophical wits) where it does not greatly matter whether it is one's marital partner with whom one finds satisfaction or someone else. But there are certain areas so fundamental to the nature of marriage that it *ought* to be unthinkable that one should seek satisfaction with someone other than one's marital partner. The most obvious such areas are those of sexual intercourse and the procreation of children. (Normally of course if these two are sought outside marriage they are sought together. The peculiarity of the infertile couple's situation is that they can be sought separately.) These, I would suggest, are on a moral par with each other.

We do not say to someone having difficulty experiencing sexual satisfaction in marriage that he or she is free to look elsewhere.<sup>7</sup> Why then do we say to someone having difficulty procreating in marriage that he or she is free to find satisfaction from another? The logic of the marriage vows is that if there is going to be a child at all, it should be a child by both partners, and if this is not forthcoming, then not at all. When a couple promise in the course of the marriage service to be faithful 'for better, for worse, in sickness and in health' isn't natural childlessness one adverse circumstance that they should bear in mind? If the promise of exclusiveness faithfulness does not apply to such a sacred and precious activity as the conception of children, then to what does it apply?

I suggest, with Oliver O'Donovan, that to commission another person to play a crucial role in creating one's progeny can have a measure of appropriateness only in a social context where another person is so identified with one's interests as effectively to be one's *property* – as was the case with the slave-maids who bore sons to Abraham and Jacob, and who are sometimes cited as parallels to egg donation or surrogate motherhood.<sup>8</sup> If such arrangements strike us as incongruous, as they probably do, it is not the third party intervention as such which is offensive but the institution of slavery which lies

behind and gives justification to it. Such examples should *not* be cited as parallels of, or precedents for, the modern practices under consideration.

My argument thus far has been about the *nature* of marriage and the threat of a third party's intervention to our understanding of it. The Warnock Report is very weak on this. But it is also possible to argue along lines more congenial to the members of the Committee, those of possible (even probable) adverse consequences. Such an argument runs like this. Where a third party is involved, the child is usually 50 per cent the mother's and 0 per cent the father's, genetically speaking. Even if a couple have agreed to, for example, AID together, one partner has a stronger physical bond which may in turn produce a stronger emotional bond. A husband may subsequently come to reject a child who can appear as a sign of his lack of virility. It is known that this sometimes happens. What could be termed the breaking of the solidarity between husband and wife in agreeing to the intervention of a third party can contribute to the breakdown of relationships in the family at a later stage.

There is a further objection concerning the part played by the donor in all this. Where a male donor is concerned (as with AID) he produces sperm through a process of masturbation which is here quite separated from the loving sexual relationship which could be the context of an act of masturbation in the case of AIH. There is a big question-mark over donors' motivation. They may claim that their motives are altruistic, that their sperm or eggs represent a loving gift to a childless couple in their hour of need, but dubious motives are always likely to be present so long as donors are *paid*. The Warnock Report does recommend a gradual move towards a system where semen donors should be given only their expenses, but a more rigorous decommercialization of the practice would have been welcome.<sup>9</sup> The BSR Response, to its credit, does recommend that the sale of semen by donors should stop forthwith.<sup>10</sup>

What, then, are my conclusions? I have suggested that the intervention of a third party conflicts with a high view of marriage, and that we should not accept such developments with equanimity. But in certain areas of life, especially in a society as pluralistic as ours now is, we may as Christians have to accept that what we believe to be morally right cannot be imposed on everybody else, and that there are limits to legal enforceability. I am aware that what I have presented is a high and demanding view of marriage, some way removed from the rather looser arrangement which many couples understand by marriage today. Because many couples are prepared to look for a solution to the sadness of infertility outside of marriage, and the practice (as least as regards the donation of sperm) is well established, it may be necessary to make provision for gamete donation in this country. But

we should at least express regret at this, and note that it is part and parcel of a gradual retreat from a high view of marriage.

If one accepts the Warnock Report's view that practices involving third party intervention can be accepted, many of their recommendations make sense. The licensing of all clinics offering such practices should eliminate the commercial crudities of obtaining sperm by mail order. The Report makes sensible suggestions about the lifting of secrecy concerning AID. Up till now AID couples have usually resolved to keep the nature of their child's conception a secret from all but themselves, but Snowden and Mitchell's well documented work reveals the tremendous strain they often put on themselves by so doing.<sup>11</sup> Keeping such a secret is also morally dubious: granted that hearing of the unusual nature of its origins may be a shock to the child: hasn't he or she the right to know such a fundamental piece of information? The Warnock Report suggests the adding of the phrase 'by donation' to the parents' names in registering a birth. This is good, but I think it would be better to *require* such a phrase; otherwise a legal fiction is being promulgated on the certificate. Other sensible recommendations are the stipulations that at the age of eighteen the child should have access to basic information about the donor's ethnic origin and genetic health, and that the number of children produced by any one donor should be limited to ten, to reduce the danger of his transmitting an unknown inherited disease or the remote possibility of unwitting incest between children from the same donor.

If AID and its approximate equivalent of egg donation are to be allowed, then, many of the Warnock Report's recommendations make sense, and should be welcomed, but in saying that I do not mean to imply enthusiasm for the practices *per se*. In anticipation of the obvious objection, I believe that this conviction would hold even if my circumstances were such as to lead my wife and I to consider them as a personal possibility (as it has held in the case of many childless couples).

Certain practices under consideration involve the intervention of a third party beyond the provision of sperm or egg. Embryo donation may involve donation of both sperm and egg (so that the child is genetically neither husband's nor wife's).<sup>12</sup> The Warnock Report while allowing it, reveals less enthusiasm for this practice and the BSR by a small majority declines to support it, apparently because the complete absence of biological relationship gives the child more the character of a 'product'.<sup>13</sup> This appears to me a valid objection, though it is possibly balanced by the consideration that at least husband and wife stand in an equal relationship to the child, more on a par with adoption. Embryo donation is morally questionable, but not significantly more so than AID or egg donation.

Surrogate motherhood involves the carrying and bearing of a child

as well – in some cases – as the provision of an egg. Here the intrusion of a third party is substantially greater than in the practices considered so far. The involvement of the surrogate mother extends over a much longer period of time, and it is more personal and more intimate, carrying a high probability of a considerable degree of bonding between child-carrier and child. The Warnock Report decided against surrogacy, partly on this ground, partly because of the commercialization connected with the practice, and in my view rightly so.<sup>14</sup>

The question of who these practices should be available to also deserves comment. The Warnock Report argues that they should be available to heterosexual couples living together in a stable relationship, whether married or not.<sup>15</sup> I think this is right. This is not because I agree with sexual relationships outside marriage, but the facts are that many couples' view of marriage is so shallow these days that a couple living together outside marriage may actually have a stronger long-term commitment to each other than a couple who are formally married but ready to abandon their relationship at the first sight of serious trouble. It is no longer possible to measure depth of commitment by the presence or absence of a marriage certificate.

I would also agree that homosexuals and lesbians should not have the right to conceive children by these techniques. As Christians we are surely committed to the view that a two-parent family, with parents of different sexes, is the most appropriate context for the rearing of children (while granting that one parent sometimes fulfils this task very well where he or she has to). Society too still seems just about committed to the view that a child's interests are best served by having two parents of different sexes. Long may it remain so.

### **The Cost to the Life of the Embryo**

The most controversial issue raised by the Warnock Report is that of embryo research. As is well known, the possibility of embryo research has arisen out of the techniques used in *in vitro* fertilization (IVF). To increase the chances of creating an embryo and successfully implanting it in a woman, she is usually given fertility drugs to make her produce several eggs at the time of ovulation. All these eggs (a typical number appears to be six) are fertilized; all may develop into embryos. Two or three will probably be implanted in the womb; the likelihood is that only one will 'take', though the others might, in which case a multiple pregnancy will result. Doctors are reluctant to put all five or six embryos back into the womb, partly because most women don't want that many children at once, and partly because of the risks they may be incurring in carrying so many. The question then arises: what does one do with the spare embryos?



One option is to keep them by a process of refrigeration. Such embryos might then be implanted at a later date when a couple desire another pregnancy. The Warnock Report makes provision for this, with a ten-year limit on storage – time for embryos and regulations about who has the right to decide what should be done with them, viz., basically the couple but after ten years or, if they both die., the rather sinisterly named ‘storage authority’.<sup>16</sup>

Another option, however, is to use the spare embryos for experimentation or research. Scientists believe that such embryos can be useful for research into genetic disorders (with the ultimate hope of preventing them), the testing of new drugs, and the replacement of defective organs. All these aims, if achieved, appear to be of obvious long-term benefit to the human race.

Such arguments sound plausible. But they should be resisted with every fibre of intellectual acumen, moral energy and political where-withal at our disposal. Messrs Steptoe and Edwards, the pioneers of IVF, may understandably ask why. If we allow abortion of a fetus up the age of twenty-eight weeks on so-called compassionate grounds, why not allow research on embryos of two or three weeks old on the grounds of calculated future benefit to humanity? But it is worth looking closely at this comparison. Abortion could conceivably be justified – though I would certainly not justify it myself – on the grounds that a fetus is destined to be born into so awful a situation (e.g. suffering from an acute handicap, or the victim of very unpropitious family circumstances) that it would be better for that fetus not to live. Admittedly, it is not usually the welfare of the fetus which is the concern of those procuring the abortion, but the welfare of the mother and possibly her family, but the former argument *could* be used. No such argument can be used with the spare embryo. It is being used – and that means sacrificed – simply as a means to an end.

The BSR, in what I find hard to describe as anything other than a moment of craven folly, has agreed to the Warnock Report’s recommendations on embryo research on the grounds that ‘it is consistent with Anglican tradition that a fertilised ovum should be treated with respect, but that its life is not so sacrosanct that it should be accorded the same status as a human being’.<sup>17</sup> This is a piece of Anglican tradition we would be better off without, and which ought to be abandoned (as the BSR Response comes close to admitting) in the light of our more advanced knowledge of embryology. Of this more in a moment. But the BSR Committee would have been better advised to consider another, more relevant and more weighty aspect of moral tradition. This concerns the relationship between means and ends.

There is a remarkable unanimity among ethicists of many different hues, Catholic, Protestant, and (until very recent times) secular

thinkers, that human beings should always be treated as ends in themselves. Whether desirable ends may be achieved by the dubious use of other sorts of means has been a more open question. For instance, most ethicists would agree that stealing – which one might term a dubious use of property – might be justified in extreme circumstances to prevent starvation. But human beings are *not* to be treated in this way. No one has been clearer that the status and dignity of human beings is such that they should always be treated as ends in their own right than that great philosopher of the Enlightenment, Immanuel Kant.<sup>18</sup> For him, the peculiar glory of man consisted in the fact that he was a rational being. As Christians, we can surely ground man's special status and dignity more securely: in the fact that he is created, known, loved, and redeemed by God. It is a matter of perplexity and distress to me that many present-day Christians appear to be collaborating with Kant's secular successors in abandoning a moral tradition which has until recently been a common heritage.

The obvious rejoinder is that I have begged the crucial question in assuming that an embryo up to the age of fourteen days is a human being. Indeed I do assume that, and will shortly explain why. But I will first serve advance warning that even if one takes a different position, even if one believes that personhood is only acquired or attained at a later stage in pregnancy, this by no means provides a *carte blanche* for the performance of experiments on early embryos.

Let me begin my discussion of the status of the early embryo by making some statements on which I trust there is general agreement. First, what is present from the moment of fertilization is unquestionably *alive*. It is an organism in a process of growth and development. There is life. Even if the life is very shortlived, and the embryo miscarries at an early stage, this makes no difference. A short life is still a life, just as a batsman who is out first ball has still had an innings. Secondly, life at this very early stage (and here I am thinking of the first two or three weeks of pregnancy) is without doubt *human* life. It makes no sense to think of it simply as some neutral, anonymous, unnamed sort of life. It is not plant life (e.g., the life of a honeysuckle), nor animal life (e.g., the life of a hedgehog), but human life. The fact that it has been conceived of human parents is enough to tell us that.

The question which surely puzzles and disturbs and divides people, including Christian people, is whether life at this very early stage justifies use of the category of *person*. Or sometimes what appears to be substantially the same question is asked in other, more theological terms. Does the embryo have a soul at this early stage? Is this life which warrants the description 'man made in the image of God'?

Inquirers look for indications as to when personhood begins in evidence of a key moment of *discontinuity* in the embryonic process. The tradition to which the BSR Committee appeals discerned the key

moment as assumption of the human form by the fetus, a stage thought to coincide with animation of the human soul. But this no longer commands widespread assent for two reasons. Firstly, advances in embryology have revealed that the assumption of human 'form' is a gradual process which is set in motion from the moment of fertilization. Secondly, research into biblical usage has suggested the inappropriateness of understanding soul in terms of a substance or entity. Soul (*nephesh* in the Old Testament; *psyche* in the New) actually means *life*, though increasingly in the New Testament life with man's eternal destiny in view.<sup>19</sup> It should not be thought of as something divorced from man's bodily existence. Rather it is what gives life and vigour to the body.

An increasingly popular alternative is to locate the key moment of discontinuity in the point where the embryonic brain has acquired self-consciousness and the embryo is therefore sentient. Donald MacKay, for instance, believes that the concept of personhood presupposes a capacity for organizing, cognitive activity.<sup>20</sup> By this definition, a zygote or embryo in its early stages has not yet assumed personhood; it does not do so till about seven weeks into pregnancy. Although the Warnock Committee never actually comes clean as to when it thinks the embryo 'becomes' a human person (preferring, by a curious leap in the essential argument, to go 'straight to the question of *how it is right to treat the human embryo*'<sup>21</sup>), it appears to incline to a similar viewpoint. In choosing to set a fourteen-day deadline to embryo research, the Committee was influenced by the fact that from twenty-two or twenty-three days after fertilization the first beginnings of the central nervous system can be identified; they then subtracted a few days to err on the side of safety!

This view emphasizing the significance of embryonic brain development requires to be taken seriously. If we momentarily shift the discussion from that about personhood to what it means to say that man was made in the image of God, MacKay (and Warnock – if it is of any concern to her!) might be tempted to call on Christian tradition for support. There is an important Christian tradition, classically expressed by Aquinas, which locates the image of God in man's capacity for rational and moral activity.<sup>22</sup> Without a brain, man would not have this capacity. Might we not say, then, that God does not stamp his peculiar image on man until the point when the embryonic brain has shown the first vestiges of activity?

However, though that tradition exists, the fact is that Christian theologians have not rested content with it. Whenever a particular capacity or characteristic of man has been identified as *the* distinctive aspect of man which reflects the nature of God, they have rejected that account as reductionist. It has not seemed an adequate or sufficient account. Other characteristics which have been suggested and found

wanting are lordship over creation, duality of sexuality and creativity – important though all these are as part of a more all-embracing account. What more and more theologians have been coming to recognize in recent decades is that the biblical word *image* needs to be taken seriously. Human beings reflect God; and a reflection takes in the entirety of one's being. In other words, man is the nearest God could come to creating a replica of himself within the limitations he had set himself, those of an earthly, physical being. Consider Derek Kidner's comments in his exegesis of Genesis 1:26:

When we try to define the image of God it is not enough to react against a crude literalism by isolating man's mind and spirit from his body. The Bible makes man a unity: acting, thinking and feeling with his whole being. This living creature, then, and not some distillation from him, is an expression or transcription of the eternal, incorporeal creator in terms of temporal, bodily, creaturely existence – as one might attempt a transcription of, say, an epic into a sculpture, or a symphony into a sonnet.<sup>23</sup>

If this exegesis is correct, then the glory of God as reflected in man does *not* consist simply in the fact that he has (analogous to God, presumably) a highly complex brain. Such a view harks much more of a secular, Enlightenment way of thinking than an authentically Christian one. Rather, the glory of God is reflected in man in his entirety. We should not despise the physical aspects of man's being. If one takes this view, then it makes sense to believe that there is already a faint reflection, that God has already started on his work of creating a replica, as far back as the earliest beginnings of embryonic life.

The fact is that fertilization is the obvious key moment of discontinuity. In the fusion of sperm and egg, the zygote is equipped with a unique genetic package, a package that includes details like identity of sex, colour of eyes and colour of hair which are, after all, fairly fundamental to our own self-image and our image of others. As O'Donovan has shown, a concept of personhood which derives support from Greek and Latin usage that underlay early Christian thinking sees it in terms of individual identity, a continuity which survives changes in appearance.<sup>24</sup> On this definition of person, a zygote that you or I once were in as much a person as what you or I are now; there is individual identity and continuity which has survived some very obvious changes in appearance. Certainly biblical characters such as Job and the writer of Psalm 139 show no hesitation in tracing their own personal identity all the way back to the beginnings of life in the womb.<sup>25</sup>

But even if one takes a different position, even if one believes that acquisition of personhood, ensoulment or endowment with the divine image only occurs at a later stage in pregnancy, this should not lead

one to think that the early embryo has no claims to protection up to that point. To think that it does is to be guilty of a gross *non sequitur*. For is not the embryo worthy of the greatest respect in view of that capacity which is so much prized into which he or she is growing every moment? If respect is owed to certain beings at a certain stage, it is surely owed to whatever by its very nature develops into that stage. The great error of those who justify easy abortion and of those who are now trying to justify embryo research is that they treat as static a creature which is in the process of development.

We do not do this with human life outside the womb. We say to a fifteen year-old girl: you are not yet old enough to exercise political maturity, so you're not allowed to vote. What we do not do (and I believe would not even if plausible grounds emerged for doing so) is to go on to say: and you're never going to be allowed to do so! We do not disenfranchise her for life on the pretext that she's only fifteen now. Similarly, we might say to a six year-old boy: you are not yet old enough to exercise sexual maturity, so you're not to be involved in a sexual relationship. What we do not do (and I believe would not even if plausible grounds emerged for doing so) is to go on to say: and you're never going to be allowed to do so! We do not feel free to castrate him on the grounds that he's only six now. In that case, what right have we to say to a fourteen day-old embryo: you haven't yet got a brain, you are not yet a self-conscious person capable of exercising cognitive activity, and you're never going to be allowed to become one. That is what the advocates of embryo research are effectively saying, and it is sickening.<sup>26</sup>

The full wonder of redemption is that God considers of value even those human beings – and there must be times when we all consider ourselves among this number – who appear of little value in their own eyes or the eyes of others. Jesus affirmed the value and dignity of many in his society who were outcasts, whom the rest of his society considered worthless. I suggest that we think about fourteen day-old embryos in the same light. They may *appear* to have little intrinsic value, at that particular moment in time, but God's system of valuation – which rescued us – suggests that we think again.

The BSR Response is woefully thin in its section on 'Scientific Research on Human Embryos'. Firstly, it concurs with the Warnock Committee in regarding the possibility of cells splitting up to form twins as a phenomenon which warrants treating the embryo up to fourteen days as significantly less of a person than the embryo after fourteen days. Why it should be less serious to kill an organism which has the potential to develop into two individuals rather than a mere one is, to say the very least, obscure. Secondly, after appearing to go along with the reasoning of the Warnock Committee, it says bluntly: 'Even if the argument so far has carried weight, it is not yet clear that

the use of human embryos for research can be morally justified'.<sup>27</sup> It sounds a warning note about the lengths to which research may go and the need of a strong licensing authority to regulate it. And then without further ado – and with no attempt to show that the use of embryos for research is justified – we are told that the Board support by majority the Report's Recommendations on research. The question 'why?' screams from the page and is not answered.

Fortunately, there have been Christian bodies campaigning purposefully against embryo research. The Roman Catholic Church,<sup>28</sup> Care, Life and others have been forthright and articulate in their opposition and have evoked a response in many who do not count themselves Christians. Initial Parliamentary debates suggest that there is a reasonable chance that this part of the Report's recommendations will not be accepted. It seems that well-organized petitioning can still have its effect.

Rejection of embryo research does not necessarily mean curtailment of IVF. It does mean that from now on embryos should be created only for the purpose of implantation. This in turn may mean sparing use of fertility drugs and acceptance of a lower rate of success in implantation. To prevent this further assault on the status of embryonic life, that is surely an acceptable price to pay. But I cannot close without observing that there are potential moral dilemmas written right into the very heart of the IVF process. If fertilization *in vitro* takes place and the resulting embryo is known to be seriously malformed, but is very much alive, the choice between putting the embryo in the mother's womb and disposing of it is a hard one. This is the sort of moral dilemma in respect of which one is inclined to say that there are some situations it is quite irresponsible to allow oneself to get into. It may be that it is time for society to encourage the medical pioneers to concentrate their wits and resources in other directions, e.g., in the more mundane, though undoubtedly difficult, surgical task of reconstructing damaged fallopian tubes rather than in the spectacular and exciting IVF programme. But to shift attention in this direction is to raise a wider issue and offer a challenge to society itself. Damaged fallopian tubes are often caused by pelvic infections due to promiscuity and the after-effects of abortions. We cannot avoid the question of the sexual and social climate in which the issues tackled in the Warnock Report are making themselves felt; and we are left in no doubt as to Christians' responsibility in influencing and shaping that climate, as well as in reacting to the rights and wrongs of each new technological aid there discussed.

NOTES

- 1 The official title of the Report is the *Report of the Committee of Inquiry into Human Fertilisation and Embryology*, by HMSO, London 1984. I shall refer to it throughout as the Warnock Report.
- 2 Church of England, Board for Social Responsibility, *Human Fertilisation and Embryology*, CIO, London 1984.
- 3 See pp 62, 72 and 32 of the Warnock Report for examples of the use of these phrases.
- 4 See Oliver O'Donovan, *Begotten or Made?*, CUP, Cambridge 1984, pp 64-65.
- 5 Viz., in cases of a husband's low sperm count, physical disability, or a wife's cervical hostility.
- 6 O'Donovan, op. cit., chs 1, 2 and 4, *passim*.
- 7 I am aware that there is a significant undercurrent of opinion in our society which would say that. But I think that 'we' covers the vast majority of Christians and many others besides.
- 8 O'Donovan, op. cit., pp 33-34 and 42-43.
- 9 Warnock, op. cit., pp 23-28 for its recommendations on AID.
- 10 BSR, op. cit., p 11.
- 11 R. Snowden and G.D. Mitchell, *The Artificial Family*, Unwin, London 1983. See especially pp 82-85.
- 12 This occurs in rare cases where both husband and wife are infertile. Fertilization takes place *in vitro*. There is another form of embryo donation, artificial insemination of a female donor with the husband's semen, followed by 'washing out' (lavage) of the donor's uterus and transfer of the embryo to the wife's uterus. Warnock ruled the latter out for the time being on the grounds of risk to the female donor.
- 13 Warnock, op. cit., p 40; BSR, op. cit., p 14.
- 14 Warnock, op. cit., pp 42-47.
- 15 *Ibid.*, pp 11-12.
- 16 *Ibid.*, pp 53-57.
- 17 BSR op. cit., p 16.
- 18 Cf I. Kant *Foundations of the Metaphysic of Morals*, Bobbs-Merrill, Indianapolis 1959, p 47: 'Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only'.
- 19 As e.g. in Luke 12:20: 'This night your soul is required of you'.
- 20 Cf D. MacKay, 'The Beginnings of Personal Life' in the Christian Medical Fellowship journal *In Service of Medicine*, April 1984, pp 9-13.
- 21 Warnock, op. cit., p 60.
- 22 St. Thomas Aquinas, *Summa Theologica*, 1. 93. 4.
- 23 Derek Kidner, *Genesis: An Introduction and Commentary*, IVP, London 1967, p 51.
- 24 O'Donovan, op. cit., pp 50-54.
- 25 See Job 10:8-11; Psalm 139:13-16.
- 26 The advocates of research may argue that the embryos on which they wish to experiment are not likely to live that long anyway. Keith Ward, in a critique of O'Donovan's book where he takes a more liberal line on

embryo research, speaks of embryos 'destined never to develop to the stage of brain formation' (*Theology* 88, 1985, p 42). But the point is that the Warnock recommendations do nothing to protect embryos which *could* develop normally, and indeed stipulate express steps to ensure that they won't.

27 BSR, op. cit., p 17.

28 The Response to the Warnock Report of the Catholic Bishops' Joint Committee on Bio-Ethical Issues is particularly cogent on this issue. It focuses its argument on human rights, rightly affirming that such rights exist even when other members of society fail to recognize them. The Response also states that 'Children have a right to be born the true child of a married couple, and thus to have an unimpaired sense of identity' (thereby ruling out AID and its equivalents) and argues that the restricted use of IVF should only be available to married couples, on the grounds that there is no socially workable criterion other than legally recognized marriage which can be identified as an appropriate environment for bringing up a child. The overall position of the Catholic Bishops is therefore more restrictive than my own.

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### **The House Church Movement**

A number of observations have been made in letters not written for publication, and in other communications about Alan Munden's recent article (*Anvil* 1, 1984, pp 201-217). It has, on the one hand, been welcomed by many. It has, on the other hand, been regarded as unfairly critical by others. Correspondence which would take understanding of this important phenomenon further would be welcomed.