

# Dignity & Reproductive Technologies

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*Scott Klusendorf*

**Big idea:** The pain of infertility is real. Assisted Reproductive Technologies (ART) help infertile couples have children of their own. Assisted technologies are not wrong per se, provided their use falls within certain moral fence posts. Outside these fence posts, human life is devalued, family lines are blurred, and children are reduced to products of parental desire.

I. **Intro:** “Baby M” case (1986)—William and Elizabeth Stern contracted Mary Beth Whitehead as a genetic surrogate. Mrs. Whitehead received \$20,000 (plus medical expenses) in exchange for providing expert prenatal care and giving the child up for adoption at birth. Whitehead signed the contract and was artificially inseminated with Mr. Stern’s sperm. Upon giving birth, Whitehead refused to give the child to the Sterns. She sued for parental rights as the genetic mother of the child. The lower court upheld the surrogacy contract and ruled in favor of the Sterns, denying Whitehead any parental rights. Upon review, the New Jersey Supreme Court reversed some of the lower court’s decision, allowing Whitehead visitation rights. Parental lines were blurred. Who was Baby M’s real mother?

II. **Topic:** Dignity at the Beginning: The Ethics of Reproductive Technologies

III. **Significant,** because just as an autonomy-driven culture demands an unrestricted right to abortion, so it demands an unrestricted right to reproduce. Assisted technologies teach us to think about children as products of parental desire rather than gifts to be received—as manufactured, rather than begotten. Assisted technologies are not wrong per se, but without grounding in moral truth, they result in the self-centered production of children to satisfy parental wants.

- A. Couple wants a designer child and pays \$50,000 to an egg donor with, blue eyes, five foot ten tall, and SAT score of 1,400. (An ad of this nature ran in college newspapers nationwide in 1999.)
- B. Lesbian couple wants a child of their own. One woman provides the egg, which is fertilized with donor sperm. The resulting embryo is then implanted into her partner’s uterus.
- C. A married couple uses in-vitro fertilization (IVF) to create ten embryos. They then screen the embryos for possible defects, discarding four. The other six are implanted. When all six embryos live, they surgically “reduce” (abort) four, leaving the wife pregnant with the remaining two.
- D. An infertile married couple uses donor sperm and donor eggs to create an embryo via IVF. The wife then has the embryo implanted in her womb, where she functions as a gestational surrogate.
- E. A sixty-year-old British woman is fighting a court battle to use her dead daughter’s frozen eggs and to act as a surrogate for them in order to conceive a child. The intention

is to fertilize eggs from the dead mother with donated sperm (anonymous presumably), and if any embryos result for these to be implanted in what would in effect be the womb of the prospective child's grandmother.

F. Note: In each of the above cases, medicine is not treating the disease of the mother or father. It's treating their desire to have a child at any cost.

G. Overview of reproductive technologies:<sup>1</sup>

1. **Intrauterine insemination (IUI)**—Sperm is artificially inserted into the uterus via a catheter. Before inserting sperm, fertility drugs are sometimes used to increase the number of eggs the wife produces in a single cycle. The procedure is relatively simple and inexpensive. The procedure can involve husband's sperm or donor sperm. Unlike egg donation, GIFT and IVF (see below) where eggs are harvested, IUI works with the eggs already inside the woman's body. If multiple ovulation drugs produce multiple eggs, there is no telling how many will be fertilized. In short, IUI—used in conjunction with these hormonal drugs—cannot control the number of embryos that result. Thus, the risk of selective termination of embryos is real. To avoid multiples, IUI should be preformed without multiple ovulation drugs. Success rate: 20%.
2. **Egg donation**—Donor woman is given hormonal stimulation to release multiple eggs which are retrieved via surgery. The eggs are then given (sold, really) to the infertile couple and are fertilized using GIFT or IVF. Egg donation is expensive, difficult, and involves powerful hormonal drugs to produce multiple eggs. Not exactly a walk in the park for the female donor.
3. **Gamete intrafallopian transfer (GIFT)**—Sperm and egg are removed and placed in close proximity to each other in the fallopian tube. Thus, fertilization occurs in woman's body. As with IUI, hormonal drugs are used to produce multiple eggs in a single cycle, which are removed via surgery. Because egg harvesting is hugely expensive, it saves money to get as many as possible in a single cycle. Once the eggs are removed, the man's sperm is obtained through manual sexual activity with his wife or through masturbation. The sperm is then treated and placed near the eggs inside the fallopian tube. (Usually one of two eggs are placed in fallopian tube, the rest are fertilized via IVF (see below) and stored. Advantage: Strategic placement of sperm near eggs increases chances of conception. Success rate: roughly 50%.
4. **In vitro fertilization (IVF)**—Like GIFT, sperm and egg are collected. However, unlike GIFT, they are joined in a test-tube rather than the woman's body. The resulting embryos are either implanted or stored on ice. To save costs, hormonal drugs are used to release several eggs in a single cycle. The eggs are then surgically retrieved and placed in the petri dish with the man's sperm in hopes most will be successfully fertilized. If the first round of embryo implants fail, a second round occurs using the embryos stored earlier. Embryos are easily kept at least five years in

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<sup>1</sup> Summarized from Scott Rae, *Moral Choices: An Introduction to Ethics* (Grand Rapids: Zondervan, 2009), pp. 168-170; Agneta Sutton, *Christian Bioethics: A Guide for the Perplexed* (London: T&T Clark, 2008) pp. 60-64.

storage. Eggs, however, are difficult to thaw once frozen, thus, all a fertilized upon retrieval. Normally, no more than three embryos are implanted in the uterus. Of course, if the couple ends up with more embryos “on ice” than they can parent, the embryos will either be destroyed or donated to another couple. Success rate: 30%.

5. **Zygote intrafallopian transfer (ZIFT)**—Similar to IVF, only embryos are implanted in the fallopian tube rather than the uterus.
6. **Intracytoplasmic sperm injection (ICSI)**—A single sperm is injected into an egg in vitro. Nearly always, ICSI is used to treat sperm-related infertility problems. The resulting embryo is then placed in a woman’s uterus or fallopian tube.
7. **Surrogacy** –two types:
  - (a) *Genetic surrogacy*: Surrogate is inseminated with husband’s sperm. She provides the egg *and* the womb. After conceiving and carrying the child, she turns over her parental rights to the contracting couple. The genetic surrogate is not only the child’s biological mother; she is also the legal mother until the adoption is complete. In short, a child is conceived for the express purpose of being adopted.
  - (b) *Gestational surrogacy*—Surrogate provides the womb but not the egg. Embryos created via IVF are implanted in the surrogate. Upon birth, she relinquishes all rights to the child. Gestational surrogacy is commonly known as “womb renting.”

Either type of surrogacy—genetic or gestational—can be done for a substantial fee (commercial surrogacy) or for no fee (altruistic surrogacy).

#### IV. **Thesis:** Reproductive technologies are not wrong per se, but must be subjected to moral fence posts to help us set parameters for procreation.<sup>2</sup>

##### **A. Fence post #1: status of the embryo**

1. Scripture: All humans have value because they bear the image of God (Gen. 1:27; James 3:9). Because humans bear the image of God, the shedding of innocent blood is strictly forbidden (Ex. 23:7; Prov. 6:16-19; Matt. 5:21).
2. Science of embryology: From the earliest stages of development, the unborn are distinct, living, and whole human beings. True, they have yet to grow and mature, but they are whole human beings nonetheless. Leading embryology textbooks affirm this. For example, in “The Developing Human: Clinically Oriented Embryology” (Saunders/Elsevier, 2008), Keith L. Moore & T.V.N. Persaud write: “A zygote is the beginning of a new human being. Human development begins at fertilization, the process during which a male gamete or sperm...unites with a female gamete or

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<sup>2</sup> These “fence-posts” are from Scott Rae, *Moral Choices*, pp.168-181; see also Gilbert Meilaender, *Bioethics: A Primer for Christians* (Grand Rapids: Eerdmans, 2005) pp.10-24; Sutton, *Christian Bioethics*, pp.59-80.

oocyte...to form a single cell called a zygote. This highly specialized, totipotent cell marks the beginning of each of us as a unique individual.” T.W. Sadler’s “Langman’s Embryology” (Saunders, 1993) states: “The development of a human begins with fertilization, a process by which the spermatozoon from the male and the oocyte from the female unite to give rise to a new organism, the zygote.” Embryologists Ronan O’Rahilly and Fabiola Müller write, “Although life is a continuous process, fertilization is a critical landmark because, under ordinary circumstances, a new, genetically distinct human organism is thereby formed” (Human Embryology & Teratology. 2nd edition. New York: Wiley-Liss, 1996).

Objections and replies:

- (a) *Twining*—Just because an organism may split doesn’t mean it wasn’t a whole entity (flatworm example). A twin can be formed from any one of our cells. Does it follow we are not human? If the early embryo is just a hunk of cells and not a whole living organism, why don’t each of its cells develop individually into new entities? Instead, they function together for the benefit of the whole of which they are a part.
- (b) *Miscarriage*—How does it follow that because nature spontaneously triggers a miscarriage, that 1) the embryos in question were not human, and 2) I may intentionally kill them? Earthquakes kill thousands in 3<sup>rd</sup> world countries, but that does not justify mass murder.
- (c) *Sperm and egg are alive*—This objection confuses parts with wholes. Sperm and egg are parts of larger human beings and they die in the act of fertilization. The embryo is already an integrated organism.
- (d) *Women don’t grieve miscarriages*—How does my feelings about something change what it is? Suppose I grieve the death of my own child more than the hundreds who die in poor nations. Is my child more human than those children?
- (e) *Burning research lab*—How does it follow that because I save one human over others, the ones I leave behind are not fully human? Moreover, who we choose to save doesn’t prove who we can kill.
- (f) *Embryos are mere clumps of cells*—Embryos function as coordinated organisms and develop themselves from within. Mere clumps of cells do no such thing. (Condic’s “Corpse” example)
- (g) *Molar pregnancies*—they don’t start off as embryos and morph into tumors. They never were complete organisms from the start (Alphabet Song example).
- (h) *No absolutes in embryology, only judgment calls*—Including that one? Claim is self-refuting. Moreover, if we don’t know if the unborn are human, we shouldn’t be killing them.

- (i) *People disagree on when life begins*—How does it follow that because people disagree, nobody is right? If disagreement means nobody is right, the abortion-choicer’s position is refuted because pro-lifers disagree.
  - (j) *Appearance: The embryo doesn’t look human*—The question is *not* what an entity looks like, but what it is. Mannequins look human but aren’t remotely so while the Elephant Man didn’t look human but was. We have a long history of defining people out of existence who don’t look like us. As recent as 1906, eugenicists and racial anthropologists at the Bronx Zoological Gardens encouraged an African Pygmy—Ota Benga—to play in a cage with a monkey. (Stith’s Jaguar and Corvette examples.)
  - (k) *The early embryo relies on maternal RNA*—The embryo uses this RNA, but controls its use and thus remains the primary organizer of its own growth and development.
3. Philosophy: There is no morally significant difference between the embryo you once were and the adult you are today that would justify killing you at that earlier stage of development. Differences of size, level of development, environment, and degree of dependency are morally irrelevant.

Objections and replies:

- (a) *Embryo is not self-conscious*—Why is self-consciousness value-giving? What do you mean by consciousness? As Christopher Kaczor points out, “requiring actual consciousness renders us non-persons whenever we sleep. Requiring immediately attainable consciousness excludes those in surgery. Requiring the basic neural brain structures for consciousness (but not consciousness itself) excludes those whose brains are temporarily damaged. On the other hand, if potentiality for consciousness makes a being a person, then those sleeping, in surgery, or temporarily comatose are persons, but so also would be the normal human embryo, fetus, and newborn.”<sup>3</sup>
- (b) *Embryo lacks an immediately exercisable desire to live*—Why is having “desires” value giving in the first place? A slave can be conditioned not to desire his freedom. Is he still entitled to it in virtue of his humanity? Moreover, the “desires” argument proves too much: it disqualifies newborns. Having “desires” presupposes belief and judgement, which newborns lack until several weeks (if not months) after birth. At the same time, human equality is undermined: if rights are based on desires and humans don’t share desires in equal measure, those with more desire to live have a greater right to life than those with less. Indeed, Buddhists and Stoics may not desire anything! Are they non-persons we may kill? Or, to cite Kaczor, suppose I shoot myself in the head with a staple gun. I live, but

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<sup>3</sup> Christopher Kaczor, *The Ethics of Abortion: Women’s Rights, Human Life, and the Question of Justice* (New York: Routledge, 2011) p. 53

I damage the part of my brain that controls desire so that I no longer want anything. Have I forfeited my right to life?<sup>4</sup> Finally, suppose a scientist surgically alters brain of a developing fetus so it can never desire anything. Two years later, the child is killed so his organs can be harvested to treat disease in others. Given he didn't desire anything when he was killed, was he harmed? If so, what's doing the moral work is the nature of the fetus, not his immediately exercisable desire to go on living. Desire accounts of human value conflict with the concept of inalienable rights. That is, if your right to life is inalienable, you can't dislodge it simply because you no longer desire to live. Inalienable rights can't be negotiated away, ever.<sup>5</sup>

Functionalist accounts of human value result in savage inequality. They diminish us all. As Peter Singer points out in *Practical Ethics*, if self-awareness determines value, and newborns and fetuses lack it, both are disqualified from the community of persons. You can't draw an arbitrary line at birth and spare the newborn.<sup>6</sup> Abraham Lincoln raised a similar point with slavery, noting that any argument used to disqualify blacks as valuable human beings works equally well to disqualify whites:

You say 'A' is white and 'B' is black. It is color, then: the lighter having the right to enslave the darker? Take care. By this rule, you are a slave to the first man you meet with a fairer skin than your own.

You do not mean color exactly—You mean the whites are intellectually the superiors of the blacks, and therefore have the right to enslave them? Take care again: By this rule you are to be a slave to the first man you meet with an intellect superior to your own.

But you say it is a question of interest, and, if you can make it your interest, you have the right to enslave another. Very well. And if he can make it his interest, he has the right to enslave you.<sup>7</sup>

## **B. Fence post #2: gift of common grace**

1. General principle: Technological advances that improve the lot of mankind and help alleviate the effects of sin's entrance into the world are part of God's common grace, His general blessing on creation. Infertility is an effect of the Fall, thus, there is no biblical reason why medical technology can't be used to treat infertility like it does malfunctions of the liver, heart, kidney, or other organs.<sup>8</sup> Medical technology is God's gift to human beings, especially when used to help the human race fulfill its mandate to multiply and fill the earth (Gen. 1:27). Of course, some reproductive

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<sup>4</sup> Kaczor, *Ethics of Abortion*, p. 59-60.

<sup>5</sup> Francis J. Beckwith, *Defending Life: A Moral and Legal Case Against Abortion-Choice* (Cambridge: Cambridge University Press, 2007) p.148.

<sup>6</sup> Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1997) pp. 169-171.

<sup>7</sup> *The Collected Works of Abraham Lincoln* (New Brunswick: Rutgers University Press, 1953) vol. II, p. 222.

<sup>8</sup> Rae, *Real Choices*, p.162.

technologies are morally problematic. However, it doesn't follow infertile couples can't use any assisted technologies.

2. Objection—Roman Catholic teaching:

- (a) In RC teaching, the unitive (one flesh) and procreative aspects of marital love must never be split. If you separate the two, you have a structural break in the act of marriage that is immoral. Thus, one cannot have procreation without sex or sex without openness to procreation. There is, in other words, “a God-designed, natural continuity between sex in marriage, conception, pregnancy, childbirth, and parenthood.”<sup>9</sup> Many reproductive technologies separate marital sex and procreation and thus are immoral.
- (b) Catholic teaching does not rule out all reproductive technologies, but draws a line between technologies that *assist* normal intercourse and ones that *replace* intercourse in the process of creating new life. Anything that *assists* intercourse is part of God's wisdom we can use for procreation. Anything that replaces intercourse is immoral. In short, the unitive and procreative aspects of marriage must be preserved. Thus, fertilization must always occur inside the body (IVF is immoral) and masturbation may not be used to secure sperm.
- (c) Biblically, it's not clear the unitive and procreative aspects of marital love must always go together. Paul commands married couples to devote themselves to frequent sex so they are not tempted to look outside the marriage (1 Cor. 7:1-5). In fact, he insists spouses not deprive one another of sexual pleasure. Meanwhile, The Song of Songs celebrates the beauty of married sexual love as a good in itself.

**C. Fence post #3: procreation must occur within a permanent, heterosexual, and monogamous marriage.**

- 1. Without exception, when Jesus and Paul describe marriage within the context of the new covenant, they do not appeal to the polygamist kings and patriarchs of the Old Testament, but the pre-fall monogamous union of Adam and Eve in Genesis 2. It's here we find the norm for marriage and sexuality. “For this cause a man shall his father and his mother and shall cling to his wife; and they shall become one flesh” (Gen. 2:24; Mt. 19:5; Mark 10:7-8; 1 Cor. 6:16; Eph. 5:31). It's within this context of permanent, heterosexual marriage God commands the man and wife to be fruitful and multiply. In short, the mandate to procreate is given to Adam and Eve within the context of leaving, cleaving, and becoming one flesh (Gen. 2:24). And though polygamy, surrogacy, and divorce were allowed in the Old Testament, they were never sanctioned. The norm was the creation account.

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<sup>9</sup> Rae, p.163.

2. Children born into a marriage do better on every level than ones raised by single parents or homosexual parents. Conjugal marriage brings together the two halves of humanity (male & female) in a monogamous relationship that is permanent and ordered toward the begetting of children. Marriage provides children a relationship with the man and woman who made them. Why should anyone believe that a child raised by two dads is just as well-off as one raised by a mother and a father?
3. Family lines matter. Evidence suggests that children fare best in virtually every category when raised by their wedded biological parents. Children in intact homes do best in terms of educational achievement, emotional health, familial and sexual development, and law-abiding. Marriage reduces the probability of child poverty by 80 percent. A leading indicator of whether someone will be poor or prosperous is whether or not he/she knew the security of having married parents.<sup>10</sup>
4. The breakdown of marriage harms society as a whole. A Brookings Institution study found that \$229 billion in welfare spending between 1970 and 1996 was directly attributed to the breakdown of the marriage culture and the resulting social ills: poverty, crime, teen pregnancy, and drug use—to name a few.<sup>11</sup>
5. A study published by the left-leaning research institution Child Trends concluded:
 

[I]t is not simply the presence of two parents...but the presence of two biological parents that seems to support children’s development.... [R]esearch clearly demonstrates that family structure matters for children, and the family structure that helps children the most is a family headed by two biological parents in a low-conflict marriage. Children in single-parent families, children born to unmarried mothers, and children in stepfamilies or cohabiting relationships face higher risks of poor outcomes.... There is thus value for children in promoting strong, stable marriages between biological parents.<sup>12</sup>
6. Maggie Gallagher: “Sex makes babies. Society needs babies. Babies deserve mothers and fathers.”

#### **D. Fence post #4: adoption as a legitimate rescue mission**

1. Anyone who thinks that God’s people are wasting their time pursuing justice for the weak and vulnerable may want to look at how important it is to God (James 1:27; Jeremiah 5:26-28; 9:24; Isaiah 1:16-17, 21-23; 58:67; 61:8; Psalm 94:1,23; Proverbs 24:1-12; Matthew 25:41 46).

<sup>10</sup> Ryan Anderson, “The Social Cost of Abandoning the Meaning of Marriage,” Heritage Foundation Issue Brief #4038, 9-9-13.

<sup>11</sup> Isabel V. Sawhill, “Families at Risk,” in Henry J. Aaron and Robert D. Reischauer, eds., *Setting National Priorities: The 2000 Election and Beyond* (Washington: Brookings Institution Press, 1999), pp. 97, 108. See also Witherspoon Institute, “Marriage and the Public Good,” p. 15. Cited in Anderson, *Ibid.*

<sup>12</sup> Kristin Anderson Moore, Susan M. Jekielek, and Carol Emig, “Marriage from a Child’s Perspective: How Does Family Structure Affect Children, and What Can We Do About It?” *Child Trends Research Brief*, June 2002, pp. 1,6. Cited in Anderson, *Ibid.*

2. Adoption is central to gospel proclamation (Eph. 1:5). God creates a good world, but we rebel against our King. God who had every right to destroy the race for its rebellion sends Jesus to bear in full His wrath against sin rebels like us can be completely forgiven. But the news gets even better. For those who trust in Jesus for salvation, God the Father is no longer their judge. He's their Dad, and He lovingly adopts them into His family! With that rich theological background, Christian couples should never rule out adoption *a-priori*. This applies to born children and embryos, both of whom benefit from adoption into a loving family.
3. Biological lines of descent matter. However, traditional adoption is not like surrogacy arrangements where a child is created with *intent* of placing him with someone other than the mother who carried and/or conceived him. Rather, the child already exists and we provide a necessary rescue.

#### **E. Fence post #5: trust in God's sovereignty**

1. Any reproductive technology can fall outside biblical parameters if motivated by desperation.
2. There is no unrestricted right to procreate.
3. The virtue of contentment is part of the Christian walk (1 Cor. 7:17-28). This does not mean passive acceptance of infertility or rejection of assisted technologies, but a refusal to make having a child an ultimate good.

#### **F. Fence post #6: general moral considerations about assisted technologies**

1. Moral issues for IUI, GIFT, and IVF<sup>13</sup>
  - (a) **Risk of multiples**—At first glance, IUI does not appear problematic. Third party donors are not required (though an option) and because fertilization occurs in the woman's body, even Catholic teaching is not opposed. However, fertility drugs commonly used in conjunction with IUI carry risk of major multiples. Remember, with IUI, eggs are not harvested—as done with GIFT and IVF. Rather, they remain in the woman's body, meaning we have no idea how many eggs will be released and fertilized. If multiples result, selective destruction of some embryos is done to preserve the mother's health. However, intentionally killing innocent human embryos is wrong and is morally equivalent to abortion. Therefore, using IUI with fertility drugs puts at risk innocent human life and thus falls outside biblical parameters. Couples using IUI should do so without these strong fertility drugs.

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<sup>13</sup> Based on Rae, Meilaender, Sutton, and Kass. I owe my thoughts here to them.

- (b) **Risk of leftovers**—With GIFT, sperm and egg are removed and placed in the fallopian tube in close proximity to each other. The procedure does not appear wrong on the surface. Donor gametes are not required (though available) and because fertilization occurs in the body, Catholic teaching is not opposed. The problem with GIFT is its connection to IVF. Because egg extraction is hugely expensive, fertility drugs are used to secure several eggs in a single cycle. Currently, egg freezing is not practical. And, to prevent multiples, only one or two eggs are placed with sperm in the fallopian tube. The only way to save the remaining eggs is to fertilize them immediately and freeze the resulting embryos. If the first round of GIFT fails, leftover embryos can be thawed for subsequent attempts, thus avoiding the cost of starting all over. However, if the first GIFT attempt succeeds, what should be done with the leftover embryos in storage? Suppose the couple does not want additional children. Destroying them for research is morally wrong. So is discarding them. So is allowing them to die naturally when they could be spared. Donation to another infertile couple is the only morally acceptable alternative.
- (c) **Risk of seeing children as products of parental desire rather than gifts we receive**—Assisted technologies change how we think about children. We see them as “made” rather than “begotten.” For example, IVF is often combined with pre-implantation genetic screening to weed out defective embryos. Sperm will soon be sorted to select for desired gender and traits. The result is the self-centered production of children to make parents happy. “When we start making human beings, we necessarily stop loving them,” writes Oliver O’Donovan. “That which is made rather than begotten becomes something that we have at our disposal, not someone with whom we can engage in brotherly fellowship.”<sup>14</sup>
- (d) **Problem of donor gametes**—Use of donor sperm and/or egg is *not* adultery. There is no extra-marital sex and no deception that accompanies adulterous betrayal. Meanwhile, you won’t find a Bible verse which states, “Thou shalt not use third-party gametes!” Nevertheless, a cumulative case can be made that Scripture looks skeptically on outside donors. First, they introduce a third party to the procreation process—a process which, according to Scripture, is to take place within a heterosexual, monogamous, and permanent marriage. Second, biological lines of kinship (a big deal in Scripture) are blurred. A child produced by egg donation has three biological parents—a genetic father, a genetic mother, and a gestational mother. Third, the child begins to resemble a product of our wills rather than the offspring of marital love.<sup>15</sup> Fourth, with donor gametes, medicine is not treating the disease of the mother or father. It’s treating their desire to have a child at any cost. In short, the use of third-party gametes does not fit well within the biblical norms of marriage and procreation. Infertile couples have other options such as embryo adoption or baby adoption. Adoption, for the Christian, should never be ruled out in advance. Having a genetic child at all cost is desperation, not biblical trust in a sovereign God.

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<sup>14</sup> Oliver O’Donovan, *Begotten or Made?* (Oxford: Clarendon Press, 1984) p.65; cited in Sutton, p.76.

<sup>15</sup> Meilaender, p.16.

- (e) **Problem of egg donation**—Harvesting eggs is difficult, expensive, and involves invasive surgery for the donor. She is also subjected to heavy hormone stimulation so she can donate multiple eggs in a single cycle. Christians should ask if fellow image-bearers should be subjected to risky procedures just because infertile couples want children of their own. Moreover, the commercial selling of eggs should give us pause, as poor women will be exploited to sell their eggs (after being subjected to potentially risky surgery) to make ends meet.
2. Moral issues with surrogacy:<sup>16</sup>
- (a) **Surrogacy is subject to the same criticisms** offered against third-party contributors noted above.
- (b) **Commercial surrogacy looks like baby selling** and thus violates the 13<sup>th</sup> Amendment—which outlaws selling human beings.
- (c) **Commercial surrogacy violates the dignity of human beings.** Persons are not to be sold as objects. Even if the child is treated well, the problem of selling humans remains. As Scott Rae points out, during the Civil War, some slaves were treated as family members and flourished. Nevertheless, they were still bought and sold as objects of barter.
- (d) **Surrogacy creates a moral and legal mess:** In cases of genetic surrogacy, the surrogate is the legal mother of the child. To complete the surrogacy contract and get paid, she must give up her biological child for adoption to the biological father and his wife. In short the biological mother conceives a child for the express purpose of giving him up to someone else! This sad situation has no parallel to normal adoption, where the child already exists and adopting parents rescue him.
- (e) **Commercial surrogacy exploits poor women** who “rent their wombs” (either as gestational or genetic surrogates) for desperately needed cash. Already, surrogacy is outsourced to poor women in India, where they are hired for a fraction of the cost of western women.
3. Moral guidelines for using assisted-technologies—they are not forbidden in every case, but...
- (a) Couples who use assisted technologies must take personal responsibility for every embryo created. All deserve to be implanted.
- (b) Leftover embryos (those in storage) should be kept to a minimum. Thus, fertility drugs should not be used to create more embryos than the couple can implant during their reproductive years. If excess embryos remain, the only ethical option is donation to an adopting couple.

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<sup>16</sup> Rae, *Moral Choices*, pp. 172-179.

- (c) Couple should not implant more embryos than the wife can safely carry. Embryo “reduction” is the moral equivalent of abortion.
- (d) Pre-implantation screenings, like pre-natal screenings, should be rejected. It turns children into commodities we produce for our enjoyment. Worse still, it’s used as a search-and-destroy mission to weed out defective embryos.

### **Pastoral consideration regarding infertile couples:**

Be *extremely* careful saying anything that would minimize the emotional pain of infertility. For some couples, that pain is off the charts. Infertility produces feelings of inadequacy, disappointment, and anger—to name a few. At church, Christmas and Mother’s Day are unbearable. As one wife put it, “I’ve had cancer. I had double mastectomy. The pain of infertility was worse.” Statements like, “Perhaps God doesn’t want you to have children” or “If you adopt, you’ll get pregnant” are not helpful. Nor should you insist the couple “just relax.” Far better to just be with them and acknowledge their pain. Sadly, Christians often convey the message that marriage completes us, or, having children does. NO! Believers are complete in Christ, period!

### **Session Summary**

Technological advances that help alleviate the effects of sin’s entrance into the world are part of God’s common grace, His general blessing on creation. Infertility is an effect of sin’s entrance to the world; thus, there is no biblical reason why medical technology can’t be used to treat it. Of course, some reproductive technologies are morally problematic, but not all are. A couple using them must take personal responsibility for any resulting embryos. At a minimum, it means only creating embryos the woman can safely carry to term. Moreover, reproductive technologies are not neutral. They teach us to think about children as commodities who are made rather than begotten. The result is the self-centered production of children for our benefit. When a couple destroys an embryo who does not measure up to particular standards, the child’s intrinsic worth is sacrificed for the parent’s quality of life. Under those conditions, children are no longer a gift, only the property of parents. Christians in particular must resist the idolatrous desire to have children at any cost. They must also reject functionalist accounts of human value. The claim that destroying excess embryos for research is no big deal because they are not self-aware is deeply problematic. How self-aware must you be to count? And if self-awareness determines value, don’t those with more of it have a greater right to life than those with less? The result is savage inequality. Finally, Christians should avoid third-party gametes and surrogacy arrangements that undermine the one-flesh union of husband and wife and blur biological lines of descent.

### **Suggested Reading:**

1. Scott Rae, *Moral Choices: An Introduction to Ethics* (Grand Rapids: Zondervan, 2009)
2. Agneta Sutton, *Christian Bioethics: A Guide for the Perplexed* (London: T&T Clark, 2008)
3. Gilbert Meilaender, *Bioethics: A Primer for Christians*(Grand Rapids: Eerdmans, 2005)

4. Leon Kass, *Life, Liberty, and the Defense of Dignity* (San Francisco: Encounter Books, 2002)
5. John Kilner, ed., *Why the Church Needs Bioethics* (Grand Rapids: Zondervan, 2011)
6. Christopher Kaczor, *A Defense of Dignity: Creating Life, Destroying Life, and Protecting the Rights of Conscience* (Notre Dame: Notre Dame University Press, 2013)
7. Christopher Kaczor, *The Ethics of Abortion: Women's Rights, Human Life, and the Question of Justice* (New York: Routledge, 2011)
8. John Kilner, *Dignity and Destiny: Humanity in the Image of God* (Grand Rapids: Eerdmans, 2015)

**Appendix:** The ethics of embryonic stem cell research (ESCR):

1. Definitions:

- Stem cells—fast growing, unspecialized cells that can grow new tissue for the body
- ESCR—destroying human embryos so their stem cells can be harvested
- Cloning—creating an embryo that is the genetic clone of the patient and using that embryo as a source to harvest stem cells. The procedure is known as somatic cell nuclear transfer (SCNT) and is the same whether the embryo is used for therapeutic reasons or reproductive reasons. In short, all cloning is reproductive in that a human embryo is produced. The only question is how we treat the embryo.

2. The moral question of ESCR: What is the embryo?

- If embryos are human, killing them to benefit others is wrong.
- If they are not human, there's no reason to oppose creating them for research.
- From the beginning, the embryos are distinct, living, and whole human organisms.
- Thus, killing them to benefit other humans is wrong.

3. Arguments for ESCR:

- Leftover embryos will die anyway and it's a shame to waste all that usable tissue.
- Pro-life advocates are anti-science.
- ESCR is more promising than adult stem cell research.
- SCNT is not cloning.

4. Response to arguments for ESCR:

- Leftover embryos will die because scientists intend to kill them for research.
- Pro-life advocates are not anti-science, but insist research must be tied to moral principle.
- At the moment, ESCR is not more promising than adult cell treatments.
- SCNT is indeed cloning and anyone who says otherwise is misinformed or lying.

# Dignity at the End of Life

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Scott Klusendorf

When is it okay to withdraw or withhold treatment from a dying patient? Is it morally permissible for a physician to cause or hasten death?

## Key terms:

1. *Euthanasia*—The physician kills the patient, usually with a lethal injection.
2. *Physician-assisted suicide*—The physician gives the patient a prescription for lethal drugs the patient takes on his own.

## Case Study—Dying parent:

You're a church leader. A church member, the wife of a cancer patient, sends you an email asking a few heart-wrenching questions. How should you reply? Be prepared to explain your answer.

*As you know, my husband Gregg is nearing the final stages of terminal cancer. He's refusing further aggressive treatment for the disease and is content to die. His physician tells us food and water—currently administered through a tube—may soon be an unnecessary burden and only increase his discomfort. At the same time, the doctor said that without increased doses of morphine, Gregg's pain will skyrocket as death approaches. Three questions: First, is it morally permissible to remove his food and water tube? Second, isn't increasing his morphine tantamount to hastening his death, perhaps a gentle form of euthanasia? At a minimum, it will render him unconscious. What principles should guide my decision? Gregg loves Christ and would want me to please God in all this.*

**Thesis:** Withholding treatment that no longer benefits a patient is morally permissible but intentionally killing him is not.

## Help from theology

1. The biblical case against euthanasia and physician assisted suicide is clear: Humans bear the image of God and thus have value (Gen. 1:26-27). Because humans bear the image of God, the shedding of innocent blood—that is, the intentional killing of innocent human beings—is strictly forbidden (Ex. 23:7; Prov. 6:16-19; Matt. 5:21). Euthanasia and physician assisted suicide shed innocent blood—that is, intentionally kill innocent human beings. Therefore, euthanasia and physician assisted suicide are wrong.<sup>17</sup>
2. How and when a person dies is up to God (Eccl. 3:1-12; Heb. 9:27). Death was not part of God's design but is here due to sin. It is now a normal and natural part of the human race. For the Christian, death is indeed an enemy, but it's a conquered enemy. The resurrection of Jesus Christ secures a resurrected and perfected body for every believer (1 Cor. 15).

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<sup>17</sup> Jay Watts, "Death with Dignity and the Imago Dei," *Christian Research Journal*, vol.38, #6, 2015.

3. Because death is a conquered enemy, it must not always be resisted. In cases where further treatment is futile or burdensome to the dying patient, death can be welcomed as the doorway to eternity. Earthly life, while good, is not our ultimate good. Eternal fellowship with God is. Allowing natural death to run its course does not violate the sanctity of human life. However, we must never forget that terminally ill patients—like all humans—bear God’s image. Thus, we are never to intentionally kill them via euthanasia or doctor-assisted suicide. We are obligated to always care and never harm.
4. Note! Be careful telling dying patients and their families “all suffering for the Christian is redemptive,” an unsupported claim that might cause them to unreasonably resist treatment or, ultimately, the release of death. Generally, suffering has value when it comes on account of one’s faith. To say all suffering is redemptive is to suggest we should never seek treatment for disease!<sup>18</sup>

### Help from ethics

1. With the dying patient, it comes down to *intent*. Are we withdrawing treatment because we intend to kill the patient or because it no longer benefits him? Agneta Sutton makes a great point: A truly medical (as opposed to quality of life) decision to withdraw treatment is based on the belief that the *treatment* is valueless (futile), not that the *patient* is so. So, while doctors are indeed qualified to determine if a treatment is futile, they are no more qualified than anyone else to determine that an individual life is futile. In Gregg’s case, food and water should only be withdrawn in the final stages when they no longer benefit him and will only cause additional suffering. On this understanding, the withdrawing of treatment is not intended to kill, only to avoid prolonged and excessive agony for the patient. True, death will come, but it comes as the result of the illness not my direct action.<sup>19</sup>
2. Gilbert Meilaender puts it well: “The fact that we ought not aim at death for ourselves for another does not mean that we must always do everything possible to oppose it.” Thus, rejecting a treatment that is burdensome is not a refusal of life. But here the physician must be both careful and honest. Instead of asking, “Is the patient’s life a benefit to him?” the physician should inquire “What, if anything, can we do that will benefit the life that he has? Our task, writes Meilaender, “is not to judge the worth of this person’s life relative to other possible or actual lives. Our task is to care for the life he has as best we can.”<sup>20</sup>
3. Regarding morphine, we must again draw careful distinctions, this time between euthanasia and sufficient pain relief to dying patients. Put differently, Meilaender says we must distinguish between an act’s *aim* (intent) and its *foreseen* results. A patient in the final stages of terminal cancer may request increasingly large doses of morphine to control pain even though the increase might (though not necessarily) hasten death. In this particular case, the intent of the physician is to relieve pain and provide the best care possible given the circumstances. True, he can *foresee* a possible result—death may come slightly sooner—but

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<sup>18</sup> Rae, *Moral Choices*, p.222.

<sup>19</sup> Sutton, *Christian Bioethics*, pp. 51-52.

<sup>20</sup> Meilaender, *Bioethics*, pp. 70-72

he does not *intend* that. He simply intends to relieve pain and make the patient as comfortable as possible. Thus, instead of intentionally killing the patient with a heavy overdose, he provides a carefully calibrated increase in morphine aimed at controlling pain, not bringing about a quicker death. As Rae points out, “it’s acceptable for dying patients to sleep before they die.” Though death is foreseen, it is not intended. In the end, the patient dies from his underlying illness, not because the doctor intentionally kills him.<sup>21</sup>

4. To sum up, treatment can be removed when:

- competent patient requests removal
- futile
- burden outweighs benefit

### Help from pastoral care

1. Help dying patients finish well—A “good” death is:<sup>22</sup>

- culmination of life well-lived
- affirms the value of the person
- follow a change in longing from earth to heaven
- minimizes suffering when possible and affirms human dignity
- comes after closure with family and loved ones
- uses medical technology appropriately
- does not involve euthanasia or assisted-suicide
- involves resting in Jesus
- brings people to God
- brings glory to God

2. Help dying patients bring closure—They want the truth about what they’ll experience. They want a “heads-up” that it’s time to say what needs to be said to wrap up. Four key things dying patients need to hear and say, frequently:

- I love you.
- Thank you.
- Forgive me.
- I forgive you.

3. Help church members anticipate objections, pre-need:

- *Argument from “autonomy”*—Christians are not masters of their own fate. They belong to God (1 Cor. 6:19-20). They are to honor God with their bodies, not destroy them. The timing of one’s death belongs to God alone (Heb. 9:27). Meanwhile, the appeal to autonomy is flawed in other ways. First, a *desire* to die is not the same as a *right* to die.

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<sup>21</sup> Meilaender, *Bioethics*, pp.66-69; Rae, *Moral Choices*, pp.212-238; Sutton, *Christian Bioethics*, pp.52-52

<sup>22</sup> John T. Dunlop, “Bioethics and a Better Death” in J. Kilner, ed., *Why the Church Needs Bioethics*, pp.240-243.

Second autonomy is not absolute. You cannot use your body for prostitution or illegal drugs. Third, if the right to die is grounded in autonomy, you can't limit that right to dying people. Anyone—sick or well, old or young—must be able to exercise it and government must compel others to help them exercise it. Yet most proponents of assisted-suicide want to limit the right to die to terminal patients. Fourth, the coupling of autonomy with the right to die undermines the autonomy of the elderly, sick, and dying—who may feel the need to justify their existence. The right to die becomes a duty to die—as true in the Netherlands. Fifth, the right to die also undermines the autonomy of physicians who are forced to participate in assisted-suicides or quit.

- *Argument against “religion”*—Any challenge to autonomy is dismissed by secularists as “religious.” This is a dismissal rather than rejoinder. Arguments are true or false, valid or invalid. Calling an argument “religious” is a category error like asking, “How tall is the number five?”<sup>23</sup> Moreover, the claim that my ultimate good in life is to be independent is itself a deeply metaphysical commitment every bit as religious as a Christian view of the human person. The Christian worldview states my ultimate purpose is to serve my Creator. I am not my own; I belong to Christ, who purchased me with His own blood. The secular- autonomy view says I am master of my own fate and my ultimate good is to be independent. Notice that *both* views are doing metaphysics—that is, advancing a philosophical anthropology about the nature of human persons and how they ought to order their lives. One view is no more religious than the other.
- *Argument from “mercy”*—The claim goes like this: The most merciful thing you can do for a dying patient is end their misery with assisted-suicide or euthanasia. After all, that is what we do with animals. However, we don't have to kill people to control their pain. Even if we heavily sedate them so they “sleep” before they die, the intent is not killing, only controlling their suffering.
- *Argument from utility*—The argument goes that the right to die results in good consequences for all. Patients are relieved of suffering and society saves on health costs. The worldview in play here is utilitarianism—namely, does it produce the greatest good for the greatest number? However, utilitarianism is flawed. First, some acts are wrong in themselves, such as torturing toddlers for fun or framing innocent people for crimes they didn't commit. Second, it's an incomplete theory: Utilitarianism can't define “good” without borrowing from other, deontological systems. Third, utilitarianism fails to give guidance on decision making. That is, it can't calculate the greatest good. For example, suppose you have \$5,000,000 to help the poor. Should you give one dollar to 5,000,000 people or give the whole sum to an agency that will feed one thousand orphans for a decade? Fourth, the consequences of an act are difficult to measure. If city planners displace 200 families from their homes to build revenue-generating zones, how do they know the greatest good for the greatest number will follow? Suppose those displaced families are forced to relocate to crime zones where their quality of life suffers greatly while only a small percentage of the population benefits from new businesses. How long must we wait to know if the greatest good was served? Finally, who decides what is useful/good? Might makes right in this system.

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<sup>23</sup> I owe this illustration to Francis J. Beckwith.

## Case Study: Enhancement Drugs—

Dr. Bright—an enterprising scientist and anatomy professor at a leading medical school—has secretly developed a new drug that will radically enhance the cognitive abilities of those who take it. It works by altering the gene structure of nerve cells, enabling recipients to radically transcend their natural intellectual limits and thus gain a substantial competitive advantage over their fellow med students. As one of his medical interns, Dr. Bright wants you to take the drug, which is completely safe and legal for clinical trials. When you hesitate, he asks why you resist transformational change that will enhance human nature and make you better at healing others. Besides, it's not different than a drug that restores lost brain function. As Dr. Bright's intern, should you take a drug that enhances your natural limits? How does a Christian worldview inform your decision one way or the other?

## Competing Worldviews

Neutrality is impossible. Everyone debating biotechnology must grapple with worldview questions in five key areas. How one answers these questions profoundly impacts how one approaches biotechnology:

1. Metaphysics: What is the nature of reality? What is ultimate reality?
2. Epistemology: How can we know the world? What counts as knowledge?
3. Philosophical Anthropology: What is human nature? What makes humans valuable?
4. Ethics/morality: What is right and wrong and on what basis do you decide?
5. Cosmology: How did we get here? What happens after death? Where is history going and is it guided or unguided?

The worldview assumptions underlying a favorable view of cognitive enhancement are italicized below:

1. **Methaphysics**—*physicalism*: Reality is strictly physical and consists of the material world alone. Non-material things like souls, minds, morals, and human value are not real, but mere human constructs. Human dignity itself is a fiction and thus has no basis in reality, only religion. In a strictly material universe, autonomy and consent drive bioethics.
2. **Epistemology**—*scientism*: Only what we empirically observe via the five senses counts as knowledge. Science, and science alone, gives us truth. Everything else is strictly opinion.
3. **Philosophical Anthropology**—*functionalism*: In a universe that came from nothing and was caused by nothing, human beings, like all living things, are cosmic accidents. Intrinsic dignity is a fiction. Human nature is strictly physical. Immaterial souls are fictions. Functional abilities—not one's immaterial nature (essence)—determine value. Minds are mere brain states. Thus, ultimate human good is physical and developmental, not moral or spiritual.

4. **Ethics/Morality**—*Utilitarianism/consumerism*: Right and wrong are determined by utility, the greatest good for the greatest number. Technological morality rules: If we *can* do it, we *should* do it. Meanwhile, citizens should have the right to purchase cognitive-enhancement drugs like they do any other item consistent with principles of individual liberty.
5. **Cosmology**—*Naturalism*: Human beings are the product of a blind watchmaker that did not have them in mind. Man's primary problem is reduced to constraints of nature. Salvation comes from medical technology designed to transcend natural limits, is strictly physical, and available for purchase.

**Thesis:** Christians should not participate in technologies aimed at re-writing the created order.

1. Regarding Dr. Bright, it is one thing to restore (or repair) human function. It is quite another to alter the natural limits of human nature. As Kevin Vanhoozer points out, the quest for cognitive enhancement is as old as Adam and Eve. It's a denial of the created order and represents salvation through medical technology.
2. For the Christian, transformation does not come through biochemistry, but through growing up in Christ (Ephesians 4:15). The gospel, in particular, is about conforming our minds to Christ, not enhancing them with a substitute bio-chem savior. Enhancing one's cognitive limits implies a wrongful heart towards the Creator's design. The larger biblical narrative is the story of God redeeming the world from the Fall and how He is renewing, not enhancing, all things.
3. For the Christian, the ultimate reality is a resurrected body, not chemical transformation. In short, using technology to repair broken bodies is a gift from God. Using it to transcend our God-given limits is sin.<sup>24</sup>
4. Moreover, the scientism upon which the case for enhancement is built is self-refuting. The claim that all reality is material cannot be verified empirically. It is a philosophic claim about science, not science itself. Nor can naturalism account for fundamental human rights, including an alleged right to enhancement drugs. Remember, we're all cosmic accidents; there is nothing special about any of us.

### **Gene Therapy:**

1. *Somatic cell gene therapy* affects only the individual patient.
2. *Germ-line therapy*—Genetic material is added to the gametes or early embryo and impacts all succeeding generations, minus their consent. Risk to future generations is unknown. Will it be used to heal or enhance? Will it be used for eugenics, to create super race of humans? Or, will parents use it to select traits such as eye color and hair color for children they manufacture?

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<sup>24</sup> Kevin J. Vanhoozer, "Wisdom from Theology" in J. Kilner, ed., *Why the Church Needs Bioethics* (Grand Rapids: Zondervan, 2011) pp. 105-124; see also B. Mitchell, et al, *Biotechnology and the Human Good* (Washington, DC: Georgetown University Press, 2007) pp. 110-136)

## **Purpose of medicine: restore or transcend?**

As noted earlier, the use of medical technology to treat disease is part of God's general revelation to alleviate the effects of sin's entrance to the world. Biotechnology used to that end is clearly within biblical limits. Enhancing existing traits is not reversing or alleviating the effects of the Fall. Here is where it gets fuzzy. Is all enhancement therapy wrong? What about:

1. Orthodontics (braces)
2. Baldness treatments
3. Cosmetic surgery
4. Anabolic steroids to enhance muscle growth in athletes
5. Beta blockers to calm performance anxiety
6. Medications like Adderall, Ritalin, Inderal, and Aricept have clear clinical uses, but can be used as cognitive enhancers to improve executive function or study.

## **Concerns:**

1. Access: widening gap between haves / have nots
2. Pressure to enhance or be left behind
3. Failure to use therapies seen as child neglect
4. Undermines "givenness" of life
5. Undermines incentive for effort

## **Conclusion:**

Genetic therapies that cure disease are morally permissible, but therapies used to enhance the genetic endowment of the person are problematic. Traits like eye color, height, and gender are God-given and His sovereignty in these matters should not be usurped. The notion of designer offspring undermines the unconditional acceptance of children as gifts.<sup>25</sup>

## **Suggested Reading:**

1. J. Kilner, ed., *Why the Church Needs Bioethics* (Grand Rapids: Zondervan, 2011) pp.101-182.
2. John S. Feinberg & Paul D. Feinberg, *Ethics for a Brave New World*, 2<sup>nd</sup> ed. (Wheaton: Crossway, 2010) pp.461-582.
3. B. Mitchell, et al, *Biotechnology and the Human Good* (Washington, DC: Georgetown University Press, 2007).
4. Leon Kass, *Life, Liberty, and the Defense of Dignity* (San Francisco: Encounter Book, 2002) pp.119-139.
5. C. Colson & N. Cameron, ed., *Human Dignity in the Biotech Century* (Downers Grove, IVP, 2004) pp. 7-114; 160-180; 200-220.
6. Gilbert Meilaender, *Bioethics: A Primer for Christians*, 2<sup>nd</sup> ed. (Grand Rapids: Eerdmans, 2005) pp.38-47.
7. Wesley J. Smith, *Consumers Guide to a Brave New World* (San Francisco: Encounter, 2004)

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<sup>25</sup> Rae, *Moral Choices*, pp.200-205.

# The New Dignity and the Loss of Moral Meaning

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Scott Klusendorf

## 1. **Intro:** The loss of moral meaning:

- (a) Example #1—Joe Biden, October 2012 debate w/ Paul Ryan: “With regard to abortion, I accept my Church’s position on abortion as a *de fide* doctrine. Life begins at conception. I accept that position in my personal life. But I refuse to impose it on equally devout Christians, and Muslims and Jews...I just refuse to do that, unlike my friend here, the Congressman. I do not believe that we have a right to tell other people, women that they cannot control their body. It’s a decision between them and their doctor in my view, and the Supreme Court. And I’m not going to interfere with that.”
- (b) Example #2—John Kerry, 2004 debate w/ George W. Bush: “First of all, I cannot tell you how deeply I respect the belief about life and when it begins. I’m a Catholic, raised a Catholic. I was an altar boy. Religion has been a huge part of my life...But I can’t take what is an article of faith for me and legislate it for someone who doesn’t share that article of faith, whether they be agnostic, atheist, Jew, Protestant, whatever. I can’t do that.”<sup>26</sup>
- (c) The quotes from Joe Biden and John Kerry were carefully crafted to resonate with a majority of Americans. But each is terribly flawed and confuses the nature of moral reasoning. When pro-life advocates claim that elective abortion unjustly takes the life of a defenseless human being, they are not saying they dislike abortion. They are saying it’s objectively wrong, regardless of how one feels about it. Consider the popular bumper sticker: “Don’t like abortion? Don’t have one!” Notice what’s going on here. The pro-life advocate makes a moral claim that he believes is objectively true—namely, that elective abortion unjustly takes the life of a defenseless human being. The abortion-choice advocate responds by changing that objective truth claim into one about likes and dislikes, as if the pro-lifer were talking about a mere preference. But this misses the point entirely. Pro-life advocates don’t oppose abortion because they find it distasteful; they oppose it because it violates rational moral principles.
- (d) Francis J. Beckwith writes: “Imagine if I said, ‘Don’t like slavery, then don’t own one.’ If I said that, you would immediately realize that I did not truly grasp why people believe that slavery is wrong. It is not wrong because I don’t like it. It’s wrong because slaves are intrinsically valuable human beings who are not by nature property. Whether I *like* slavery or not is not relevant to the question of whether slavery is *wrong*. Imagine another example, ‘Don’t like spousal abuse, then don’t beat your spouse.’ Again, the wrongness of spousal abuse does not depend on my preferences or tastes. In fact, if someone liked spousal abuse, we would say that that he or she is evil or sick. We would not adjust our view of the matter and I [sic] say, ‘I guess spousal abuse is right for you, but not for me.’”<sup>27</sup>

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<sup>26</sup> Second Presidential Debate, St. Louis, 10-8-04.

<sup>27</sup> Carl E. Olson, “The Case Against Abortion: An Interview with Dr. Francis Beckwith, Author of *Defending Life*,” *Ignatius Insight*, 1-21-08. [http://www.ignatiusinsight.com/features2007/beckwith\\_defendlife\\_dec07.asp](http://www.ignatiusinsight.com/features2007/beckwith_defendlife_dec07.asp)

2. **Topic:** “Life on the Edges: Dignity in a Post Human World.” We will look at dignity in three key areas where it is hotly debated:

(a) Dignity at the *beginning* of human life—

- What is the moral status of human embryos? Can they be destroyed for research?
- Can Christians use assisted reproductive technologies to treat infertility? If so, what biblical principles should guide their use? Who decides?

(b) Dignity at the *end* of life—

- When, if ever, is it okay to withdraw or withhold treatment from a dying patient?
- Is it okay for a physician to cause or hasten death?

(c) Dignity and the life *well-lived*—

- Biotechnology: Is our purpose to restore the body or enhance it?
- Is it okay to alter human nature so we can transcend our

3. **Significance:** The topic of “dignity” is crucial because the term has been radically redefined.<sup>28</sup> Human dignity is no longer understood as intrinsic and God-given, as stated in the Bible and Declaration of Independence. Rather, in a world no clear origin, no purposeful end, no intrinsic meaning, and where nothing is real beyond matter in motion—dignity is now understood as our freedom to defy natural limitations and create ourselves anew. The new dignity demands new *positive* freedoms to:

- (a) remake gender
- (b) to marry someone without regard to sex or procreative potential of the union
- (c) to choose when to die and force medical staff to participate when I am ready
- (d) to not only abort unborn humans, but harvest their organs for commercial profit

The new dignity also calls for new *negative* freedoms:

- (a) Freedom from all unwanted pain or discomfort
- (b) Freedom from limitations on what I can do with my body
- (c) Freedom from language or ideas that offend me or challenge my decisions. Indeed, 70% of university students don’t believe in freedom of speech if it will hurt someone’s feelings. They insist on an absolute right not to be offended. As theologian D.A. Carson points out, the “new” tolerance has replaced the classical version. Classical tolerance tolerated persons as equally valuable but rejected the premise that all ideas are so. The new tolerance insists all ideas are equally valid and don’t you dare say your idea is true with a capital ‘T.’

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<sup>28</sup> Roberta Ahmanson, “The New Dignity: Gnostic, Elitist, Self-Destructive Will-to-Power,” *Public Discourse*, Nov. 24, 2015.

In short, “dignity” is no longer about the *imago Dei*, it is about what our unfettered wills can do, and what they can forbid others to do. It’s nothing more than a self-creating will to power.

- (a) Example—“Mystery Passage” defense of abortion (SCOTUS—*Casey*, 1992)—“At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life.”
- (b) Example—Demand for unrestricted right to abortion AND procreation: A Lesbian couple wants a child of their own. One woman provides the egg, which is fertilized with donor sperm. The resulting embryo is then implanted into her partner’s uterus.
- (c) Example: Scientists in the UK edit the gene structure of a developing embryo, but destroy the embryo before implanting. The article states the research is not yet safe for human subjects. (Was it “safe” for the embryo?)
- (d) In short, assisted reproductive technologies, physician assisted suicide, and genetic engineering aimed at transcending natural limits fit nicely within a worldview where what it means to be human is up for grabs. This weekend, we will dive into those technologies and examine how they square with a biblical worldview.

4. **Thesis:** To understand our post-human future, it’s vital that we understand two cultural shifts that got us here:

**Shift #1: The loss of moral meaning—realism to non-realism<sup>29</sup>**

1. The players—moral realists:

- (a) Old and New Testament writers—God reveals objective moral truths that are grounded in his divine character. These truths exist objectively whether I recognize them as such or not. That is to say, they are mind-independent.
- (b) Plato/Aristotle—Like O.T. writers, classical philosophers posit a mind-independent world consisting of humans with a rational nature (soul) who maintain identity through time and change. Because they possess a rational nature, humans can know objective moral truths through the proper use of reason. These moral truths are grounded in the abstract (ideal) forms and exist whether I recognize them or not.
- (c) Thomas Aquinas—Also a moral realist, believed moral truths are grounded in the nature of man rather than in the world of ideal forms (as Plato taught). Man’s nature bears God’s image, despite the fall, and there are certain things appropriate for us given the kind of thing we are.

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<sup>29</sup> I owe my thoughts in this section to R. Scott Smith’s lecture notes, “Ethics and the Search for Moral Knowledge.”

## 2. The players—moral non-realists:

- (a) Thomas Hobbes: We know truths by reason apart from revelation. Hobbes’s philosophy is strictly mechanistic and materialistic. Our thoughts, sensations, emotions, and imaginations are merely motions in the physical body.
- (b) David Hume (empiricism): Hume is the decisive break. All knowledge comes through the five senses. Morals are nothing but personal passions and feelings, mere preferences. They are beyond the pale of rational thought and reason. Hume is a major shift from Plato, Aristotle, and the Biblical writers who taught that morals were both real and knowable.
- (c) Immanuel Kant: Attempts to rescue knowledge from Hume’s empiricism, but he was doomed from the start because he bought Hume’s premise—namely, that knowledge comes through the five senses. Kant says we cannot know things as they really are, but only as they appear to us through our sense perceptions. Here’s the problem: If science gives real (empirical) knowledge, but morals cannot be known this way, how can moral knowledge exist? Kant’s answer: I must act as if God exists (though I cannot know that He does) so that I can ground my moral claims. For Kant, objective moral truths are not objective and knowable; only the “constructive mind” (transcendent ego) is. There is no independent reality apart from our thoughts. We are trapped behind our sense perceptions. Ethics, morality, and religion are no longer objective. Note: Kant has never seen this transcendent mind empirically, but he says we must act as if it objectively exists.
- (d) Ludwig Wittgenstien: We are trapped behind language. Instead of me making up morals for myself, we do it as a community by constructing language. We construct morals and religion through language as we do law. The modern view says we are trapped behind our sense perceptions. The post-modern view says we are trapped behind language and, as a community, must construct morality through it. The PM view differs radically from the biblical writers and Aquinas who taught that moral truth was both real and knowable.
- (e) AJ Ayer (from Hume)—all moral statements (i.e., “murder is wrong”) are mere emotive utterances. They cannot be verified empirically, hence are meaningless. However, Ayer’s argument is self-refuting. We cannot verify empirically that the only true knowledge is that which comes through the five senses (i.e., that which can be measured empirically).

## 3. History of moral knowledge in more detail:<sup>30</sup>

- (a) We begin with the moral realism of the Old Testament, where moral truth is both real (objective) and knowable. From Moses forward, biblical texts point to objective moral truths that exist independent of my thinking they exist. That is, my believing them to be real does not make them real. Instead, moral truths are grounded in the character of God

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<sup>30</sup> R. Scott Smith, *Truth and the New Kind of Christian* (Wheaton: Crossway, 2005) and *Virtue Ethics and Moral Knowledge: Philosophy of Language After MacIntyre and Hauerwas* (Aldershot: Ashgate, 2003).

and accessible to all His people. (See Deut. 30: 11—“For this commandment that I command you today is not too hard for you, neither is it far off.”) At times, these objective moral standards take on a utilitarian application, as in Deuteronomy. 30: 19—“Choose life, that you and your family may live.” However, this utilitarian application does not cheapen the objective truth standards, but instead shows their practical benefits. Even secular thinkers like Plato and Aristotle recognized these objective moral truths. For Plato, universal morals are grounded in the world of ideas (forms) but are nonetheless real. For Aristotle, objective morals are rooted in the nature of man, namely, his immaterial soul or essence. Moreover, man can know what’s right and wrong through the rational faculties of the soul. Man’s duty, then, is to cultivate virtuous habits so that he acts and behaves in a manner consistent with (and proper for) his nature as a human being. Both man’s nature and the standards he is obliged to obey exist objectively.

- (b) Moral realism continues with the New Testament writers, but with one significant addition. Not only is moral truth real and knowable, it is also transforming. That is, while ethics are deontological in their foundation, they do not end with “duty for duty’s sake.” Rather, through the transforming power of the Holy Spirit, God’s objective truth radically changes the Christian disciple more and more into the image of his Master. The moral life is not just doing good deeds and avoiding bad ones. It’s about becoming more like Jesus. Good deeds flow from a regenerated heart. In short, our chief end is to glorify God and it’s His purpose that we conform to the image of his Son. However, even the non-believer can know certain objective moral truths and act upon them without the aid of special revelation. The moral law, rooted in God’s general revelation, is something all men know intuitively. True, that intuitive knowledge is not sufficient to save non-believing men from their sins, but it doesn’t follow from this that they can’t recognize right and wrong—even if they work overtime to suppress that recognition. (See Romans 1: 18-32.)
- (c) During the Middle Ages, Thomas Aquinas combined Aristotle’s ethics with Christian theology, preserving the moral realism of the Biblical writers. However, there’s a slight twist. While the Biblical writers grounded objective morals in the character of God, Aquinas grounds it more or less in man’s unique nature as a rational being, a substance made in God’s image with both a body and a soul. Unlike the Protestant Reformers who come later, Aquinas is confident that human reason, unaided by special revelation, can know moral truth (an idea known as natural law).
- (d) Then comes the decisive empirical (modern) shift of the 17th and 18th centuries. For empiricists like Thomas Hobbes (1588-1679) and David Hume (1711-76), all true knowledge is restricted to what we can observe through the five senses. Since morals are immaterial things that cannot be observed empirically (i.e., we cannot taste, smell, feel, or see them), they are not items of true knowledge. Instead, they are passions and feelings, mere preferences if you will. Human nature is also diminished. Hobbes, for example, disputes that man possesses a unique immaterial nature (soul) that bears God’s image. Instead, human beings are just heaps of physical parts. Morals are reduced to self-interest and only a dominant ruler (a “Leviathan”) can keep self-interested humans from tearing each other apart.

- (e) Immanuel Kant (1724-1804) attempts to rescue objective moral truth from empiricism, but his solution is problematic. For Kant, we cannot know things as they truly are (the noumena), only as we perceive them through our senses (the phenomena). In short, we are trapped behind our sense perceptions. However—and here Kant takes a bizarre leap—we must act as if an objective moral Law-Giver exists (i.e., God) and trust our transcendent minds (or universal ego) to get at the truth. While morals themselves may not be objectively knowable, at least our transcendent minds are universally so. Problem is, does Kant really know this or is he trapped behind his own sense perceptions? The influence of Hobbes, Hume, and Kant is still felt today. If morals are not real and knowable, who are you to push your views on me or anyone else? Morality is reduced to mere preference, like opting for chocolate ice cream over vanilla.
- (f) For the most part, Christians in the 18th and 19th centuries did not respond to these empiricist attacks with anything like a vigorous intellectual counterpunch. At first, they simply surrendered. The father of Protestant liberalism, Friedrich Schleiermacher (1768-1834), proposed a strict dichotomy between faith and what’s really true. The historical reliability of the Christian faith, along with its doctrines, could be set aside. What mattered was individual religious experience. Thus, even if the resurrection and other doctrines were disproved scientifically, faith could survive as feeling. Later, those believers who resisted liberalism grew suspicious of intellectual ideas altogether, retreating first into revivalism—where emotional, simplistic preaching produced converts with no real grasp of Christian ideas—and later into fundamentalism, where Evangelicals committed to Biblical truth withdrew from the universities to form their own Bible colleges and seminaries. While evangelical fidelity to theological orthodoxy was truly commendable, the retreat from the marketplace of ideas further marginalized Christians.<sup>31</sup>
- (g) Finally, we arrive at the post-modern turn of the 20th century and its leading analytical philosopher, Ludwig Wittgenstein (1889-1951). The preceding modern view (Kant) said that we were trapped behind our sense perceptions and therefore can’t get at the truth. For Wittgenstein, truth can’t be known because we are trapped behind language. Sure, we can talk about truth all day long, but there is no correspondence between what we say is real and what actually is real. We must therefore construct morals and religion through our various language communities, just as we do law. Postmodern thinking had a near-catastrophic impact on religion and ethics. If there is no truth in religion, why should anyone take seriously a worldview that’s just a construct of the Christian language community (or any other community)? If the postmodern view is correct, it follows the Gospel can make no real truth claims whatsoever on a Muslim or Hindu who comes from a different faith (or language) community. Privately, gospel teaching may enhance the Christian’s personal life, but we should never think of it as genuine knowledge. As for what is meant by “we,” that, too, is up for grabs. Human nature is not objective, but is socially constructed from place to place.
- (h) Again, the key turns are the empiricism of the 17th and 18th centuries, followed by the linguistic shift of the 20th. The former reduced knowledge to the five senses, thus ruling

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<sup>31</sup> J.P. Moreland traces the evangelical retreat in *Love Your God with All Your Mind* (Colorado Springs: NavPress, 1997). See also Nancy Pearcey, *Total Truth: Liberating Christianity from its Cultural Captivity* (Wheaton: Crossway, 2004).

out morals as items of true knowing while the latter insisted there is no objective world outside language.

## Shift #2: The changing meaning of “dignity”

1. **Biblical view of “Dignity”**— Scripture is clear that all humans have value because they bear the image of their maker (Genesis 1:26-28; James 3:9). In laymen’s terms, that means humans are valuable in virtue of the kind of thing they are rather than some function they perform. Humans have value simple because they are human. Because humans bear the image of God, the shedding of innocent blood is strictly forbidden (Exodus 23:7; Proverbs 6:16-19; Matthew 5:21). The Bible is not saying it’s always wrong to kill human beings, a position only a strict pacifist would hold. It’s meaning is more specific: We are never to intentionally kill innocent human beings. The biblical view of human dignity is freeing and it transformed the ancient world. In Greece and Rome, married men were expected to have extra-marital sex, almost always with household slaves forced to comply. These slaves were mere sex objects, whose value was strictly instrumental. As historian Kyle Haprer points out, the arrival of Christianity provoked a tectonic shift in the cultural understanding of human dignity, including sexual practices. The gospel proclaimed that every human being has inestimable worth and value because every human being bears the image of God. Human beings have an eternal destiny and therefore must never be treated as objects. “Imagine what this meant to the slave woman or man who had been forced to submit his or her body to a master,” writes Roberta Green Ahmanson. “To those who did not have a voice, who indeed did not have a personal ‘face,’ Christianity said: that is most assuredly not who you are. Your body belongs to you, and it belongs to God. Whatever has been done to you and your body is covered by the death and resurrection of Jesus Christ. As the Apostle Paul wrote, in Christ there is neither male nor female, Jew nor Greek, slave nor free. It may be difficult for us to fully appreciate how profoundly transformative this was in the ancient world”<sup>32</sup>
2. **Enlightenment thinking on “dignity”**— Historically, the distinction between “human” and “person” is hardly novel. As Agneta Sutton points out, John Locke, Emanuel Kant, and Renee Descartes all drew a distinction between human being and human person. John Locke (*Concerning Human Understanding*) divided “man” and “person” with only “person” being defined as a self-conscious, thinking, and intelligent being. Likewise, Descartes identified the “person” with the thinking, conscious mind. On Kant’s account, only rational agents belong to the realm of morality. Locke and Descartes also identified persons in terms of rational attributes.<sup>33</sup>

Despite its rich historical pedigree, the functionalism of Locke, Kant, and Descartes is problematic for us today:

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<sup>32</sup> Roberta Green Ahmanson, “The New Dignity,” *Public Discourse*, 11/24/15.

<sup>33</sup> Agneta Sutton, *Christian Bioethics: A Guide for the Perplexed* (London: T&T Clark, 2008) pp. 23-33; J.P. Moreland & Scott Rae, *Body and Soul: Human Nature & the Crisis in Ethics* (Downers Grove, Intervarsity Press, 2000) pp. 199-201.

- (a) First, *why* is an immediate capacity for self-awareness or rational attributes value-giving in the first place? If those things define human value and humans do not share them equally, human equality is a myth.
- (b) Second, all of these arguments prove too much. As Peter Singer points out in *Practical Ethics*, if self-awareness determines value, and newborns and fetuses lack it, both are disqualified from the community of persons. You can't draw an arbitrary line at birth and spare the newborn.<sup>34</sup>

3. **Naturalistic views of “dignity”**—Stephen Pinker: “Dignity” is stupid and useless because there is no consensus on it. In his article “The stupidity of Dignity,” Pinker argues that the entire concept of human dignity is useless and stupid, as it’s based on highly speculative and metaphysical disputes over the nature and status of human beings. (Metaphysics means the ultimate grounding of things and includes topics like, What is the essential nature of human beings? What is the basis for right and wrong?) Instead, secular bioethics should take a neutral stance on these questions. Pinker makes three primary claims. First, he alleges that human dignity is a useless and subjective concept given that cultures disagree on what it means. Second, human dignity is unnecessary for bioethics since personal autonomy and consent provide a better foundation. Third, human dignity is a dangerous concept in that it forces a religious view of the human person on a pluralistic culture. Elsewhere, Pinker seem to suggest that instead of speculative metaphysics, the proper grounding for bioethics is Scientific Materialism—the belief that all knowledge is reduced to things we can measure empirically through the five senses. Pinker’s case is flawed:

- (a) Setting aside for the moment that Pinker makes his own metaphysical (and highly controversial) claim—namely, that secular bioethics should be neutral—it turns out his view is anything but neutral. Pinker says that scientific materialism (SM) should guide bioethics, but as Beckwith points out, SM is not neutral.<sup>35</sup> Rather, it’s a comprehensive worldview! Briefly, SM is the view that science best explains reality and that everything that can be known must be explained in terms of strict physical processes and blind, non-rational forces. Thus, non-material concepts like human dignity don’t count as real knowledge but are merely subjective, meaning they should never interfere with research and medical progress. Moreover, the idea that humans have an immaterial essence that categorically distinguishes them from animals is pure fiction. Humans differ only in degree, not kind, from other living things. As for the mind (soul), it is nothing more than a physical brain state. Thus, Pinker’s secular bioethics is not neutral, but embraces a physical (and philosophical) anthropology that is contested.
- (b) Moreover, how does it follow that because cultures disagree on human dignity that no one view of human value is correct? People once disagreed on whether slaves had value, but this did not mean there were no right answers. The absence of consensus does not mean an absence of truth. At the same time, Pinker’s relativism self-destructs.

<sup>34</sup> Peter Singer, *Practical Ethics* (Cambridge: Cambridge University Press, 1997) pp. 169-171.

<sup>35</sup> Francis J. Beckwith, “Dignity Never Been Photographed: Scientific Materialism, Enlightenment Liberalism, And Steven Pinker,” *Ethics & Medicine: An International Journal of Bioethics*; Summer2010, Vol. 26 Issue 2, p.93. See also Beckwith’s similar article here, <http://www.thecatholicthing.org/2015/07/16/dignity-never-been-photographed/>

Remember, he said that disagreement about human dignity means there is no truth on the matter. However, many people disagree with Pinker on human dignity, meaning his own relativistic view is defeated.

- (c) Pinker's appeal to autonomy as an adequate foundation for secular bioethics fares no better. Notice that it is not neutral. Rather, it presupposes a metaphysical view of human nature—namely, that the primary project in life is to be independent, meaning I'm free to do with my life as I please as long as I don't hurt others. But is this a good foundation for ethics? Suppose 100 men form a cult for the express purpose of eating nothing but trans-fatty foods in hopes they will all die of strokes before age 35. As they begin dying one by one, the remaining members double, then triple, their intake of fat until all are dead. Would Pinker consider their lives wasted? After all, these men exercised their autonomy according to their own concept of the universe and their place in it. Pinker's complaint, should he make one, only makes sense if these men failed to live up to their natures as human beings. That is, I suspect Pinker expects better of them precisely because humans are the types of beings who ought to fulfill their natures by living according to their intrinsic purposes. But Pinker's SM rules out any such complaint. Nor does consent provide an adequate foundation for ethics. To borrow an example from Beckwith, suppose the Jews had consented to the holocaust. Would that have made it right? In a 2004 survey, more than a third of Turkish women indicated they deserve to be beaten if they argue with their husbands, deny them sex, neglect children, or burn a meal.<sup>36</sup> If the women in question willingly consent to such abuse, how can Pinker say it is wrong?

4. **Animal rights views of dignity**—There is no difference between humans and animals that justify treating the former as exceptional. Species membership is irrelevant.
- (a) If all animals equal and humans are animals, this undermines support for abortion. Embryos, too, are animals and thus have rights.
- (b) Critic simply asserts species membership doesn't matter. But why should we believe that?
- (c) There's a difference between a hit and run with a squirrel and a hit and run with a newborn, even a disabled one. (Kazor)
- (d) There's a difference between eating a hamburger and eating a Harold-burger, even if Harold—due to disability—is no more intelligent than a cow. (Kazor)
- (e) Is there really no difference between a man who kills the family dog to feed his starving son and one who kills the son to feed the dog?
- (f) Why are we outraged at Michael Vick for running a dog-fighting ring? Isn't it because we demand better of him as a man?

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<sup>36</sup> "It's Okay for Men to Hit Us, Says Wives' Poll in Turkey," *U.K. Telegraph*, October 22, 2004.

(g) Our view of pathology assumes human exceptionalism: A dog that can't read isn't a tragedy and 13-year old girl who can't is one.

(h) Mixed-species? If the creature has a rational nature, we'll debate what should be done. But that doesn't for a moment cast doubt on whether the unborn has a rational nature.

5. **Conclusion:** Dignity and the Biblical View—At the end of the day, the biblical view of dignity is the only candidate for grounding human value and human equality. Our fundamental rights are grounded in a transcendent Creator who is unchanging, not the whims of a culture obsessed with an unfettered will to power.

### **Suggested Reading:**

1. Roberta Green Ahmanson, "The New Dignity: Gnostic, Elitist, Self-Destructive Will to Power," *Public Discourse*, 11/24/15.  
<http://www.thepublicdiscourse.com/2015/11/15948/>
2. J. Kilner, *Dignity and Destiny: Humanity in the Image of God* (Grand Rapids: Eerdmans, 2015)
3. Leon Kass, *Life, Liberty, and the Defense of Dignity* (San Francisco: Encounter, 2002)
4. Charles Colson & Nigel Cameron, *Human Dignity in the Biotech Century* (Downers Grove: IVP, 2004)

## Dignity & Civic Duty: When Perfection Kills

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*Scott Klusendorf*

**Big idea:** Pro-lifers can make a moral impact by legislating to protect as many lives as we can given the judicial restrictions currently imposed on us. “The wise statesman,” writes Harry Jaffa, “will act to achieve the greatest measure of justice the world in which he is acting admits.” Doing so does not constitute an illicit cooperation with an unjust law. It does not concede the legitimacy of any abortion. It does not collapse into moral relativism. Rather, it recognizes current legal and political obstacles and works within them to save as many lives as possible.

Imagine the following...

Ahmad is a parliamentarian in a rogue Middle East nation where women 17 and under are the property of their fathers. Each year, thousands of young girls are sold into sex-slavery by age 7. Typically, a girl’s father signs a lucrative 10-year contract with an adult male who in turn possessed the girl as his slave until she turned 18. At that time, he returns the girl to her family and pays for a special surgical procedure that restores the appearance of physical virginity, allowing her father to re-sell her to another man in marriage.

Ahmad is deeply grieved by this barbaric state of affairs and is committed to protecting all girls from sex-slavery, but he does not have the votes to do it. Nevertheless, he fights on. Last year, he convinced a slim majority of MPs to ban 10-year slave contracts. While sex-slavery remained legal, it was tougher to sell young girls and the practice dipped 10 percent.

This year, Ahmad has just enough votes to do more. He knows the new Prime Minister will support a bill protecting nationals from sex-slavery, thus saving 97 percent of girls from the barbaric practice. Given the current reality is that no girls—nationals or non-nationals—are protected, Ahmad is delighted at the government’s compromise. But there is no time to lose. On Saturday, 20,000 young girls were up for auction. If the bill passed before then, 19,400 of them would walk away forever free.

Only they didn’t. On the eve of the vote, two fellow MPs who shared Ahmad’s anti-slavery convictions pulled their support for the bill on grounds that it allows exceptions and did not immediately end all sex-slavery for both nationals and non-nationals. They said they could not, in good faith, decide which girls are enslaved and which are not. Unlike Ahmad, they were not going to compromise their principles by regulating slavery.

Ahmad patiently explained that he was not deciding which girls could be enslaved and which could not. Previous regimes did that when they declared that no girls—nationals or non-nationals—had protections from slave trade. He was simply limiting the evil insofar as possible given current political realities. He asked his critics point blank whether freedom for the non-nationals was closer with 97 percent of the practice forbidden or when it was allowed 100 percent. He reminded them that the current legal environment did not require anyone to exercise a right to own girls as slaves—so, by voting for the proposed bill, they would not be making the current situation worse. They would be making it better. As for compromising, the government was the one doing that by moving from the total permissibility of sex-slavery

to almost no sex-slavery. Thus, if together they remained committed to protecting all children—something they might very well achieve if they keep at it—why not save the 97 percent right now, before the auction?

Saturday morning, 20,000 young girls had new homes...and new masters. If you think that appalling scenario can't happen here, guess again.

Last month, I witnessed a jaw-dropping exchange between former Pennsylvania State Representative Gregg Cunningham and T. Russell Hunter of Abolish Human Abortion (AHA). Hunter and AHA attack pro-lifers for allegedly “regulating” abortion rather than calling for its immediate abolition. They insist that pro-life advocates who support incremental legislation that limits the evil of abortion, but doesn't ban it outright, are not only mistaken; they are immoral. And it's their fault abortion continues.

Against that backdrop, Cunningham—who authored incremental bills in the Pennsylvania Statehouse—accepted Hunter's challenge to debate in Tulsa. Cunningham won the debate handily by pointing out a fundamental flaw in Hunter's argument—namely, the mistaken claim that pro-lifers have the power to end abortion immediately but won't. Indeed, pro-life legislators who advance incremental bills are not deciding which children live and which die; the Supreme Court did that when it declared that no unborn humans have a right to life. In short, pro-lifers don't have to choose between incremental legislation that saves some children right now and total abolition that saves all at a later time. Rather, they can advance both strategies simultaneously and save many lives in the process. Historically, that's what social reformers do.

During cross-examination, Hunter stumbled badly when asked if those babies saved through incremental legislation should have been left to die. This was the defining moment of the debate. Holding up research from Dr. Michael New of the University of Michigan, Cunningham argued that incremental laws are indeed saving lives everywhere they are passed. He then pressed Hunter to answer the question: “What about these babies? Should we allow them to die instead of passing incremental legislation that would save them?” When Hunter refused to give a direct answer—despite being repeatedly asked to do so—the debate was effectively over.

No less an abolitionist than Frederick Douglass reminded us in his tribute to Lincoln that cultural and political realities sometimes limit our efforts to advance a just cause to its rightful end. But all is not lost. Incremental steps—whether Lincoln's Emancipation Proclamation or 20-week abortion bans—educate the public and put important premises into law needed to eventually protect all human beings.

Cunningham closed the debate with these chilling words: “We will give an account to God for babies we could have saved but didn't.” Until that day, Hunter and those like him can pat themselves on the back for opposing imperfect legislation. But their moral smugness is cold comfort to dead children.

## Principles for civic engagement:

1. Pro-life advocates are not guilty of moral compromise when they support incremental laws aimed at limiting the evil of elective abortion. If you cannot promote the good, work to limit the evil done. In short, it does not follow because we can't save all children we shouldn't try to save some.
2. Pro-lifers are not the ones compromising when we support incremental laws aimed at limiting the evil of abortion. Rather, the abortionist is compromising because he's forced to give up the current status quo—namely, that any child can be killed at any point in pregnancy for any reason. Whenever we chip away at that status quo so that some lives are saved, we are not compromising, we are improving the moral landscape. Make no mistake, we do not intend to stop chipping away at the legal protections for abortion until all children are protected in law. But until that day comes, we will work to save as many as we can given current legal restraints.
3. Pro-lifers who support incremental legislation are not deciding who lives and who dies. They have no power to decide any such thing. Let's be clear: The federal courts in *Roe v. Wade* and *Doe v. Bolton* have stripped the legislative and executive branches from having any say whatsoever on the unborn's right to life. Instead, the courts—and the courts alone—have already decided that no unborn child has a right to life and can be killed for any reason the mother sees fit, which is why they currently disallow any direct legislation protecting all unborn humans. Instead of “consenting” to the deaths of some humans for the sake of saving others, we're simply trying to limit the evil done until those court decisions are overturned.
4. Incremental laws do not end with, “and you can kill the baby.” Let's be clear: The court-mandated abortion license is already extensive, the only thing state and local laws can do is limit that license around the edges—which they do quite effectively—while educating the public on the humanity of the unborn and the inhumanity of abortion. Thus, far from ending with, “and then you can kill the baby,” incremental measures really say just the opposite: “If you're 14, pregnant, and want an abortion, you can't kill the baby without your parents knowing about it.” Or, “If you aren't shown the ultrasound, you can't kill the baby.” Remember: The default position under *Roe* is that you can kill any baby. Incremental measures say, under certain circumstances, you can't kill the unborn child. We believe that if you cannot ban elective abortion outright, you should work to limit the harm done.
5. Prudent incrementalism has a rich historical tradition. Was William Wilberforce guilty of “compromise” because he supported defunding the slave trade before it could be effectively banned? Was Abraham Lincoln a great compromiser rather than a great emancipator because he worked incrementally to end the American version of that monstrous evil? We have never stated—nor have we heard Greg Koukl, Francis Beckwith, or any other pro-life thinker who favors the incremental approach—suggest compromise on the complete humanity of the unborn or the inhumanity of abortion, even in so-called hard cases. What we suggest is that we accept legislation that represents a compromise from the other side for the purposes of saving lives right now. The law is compromising, not us. The law is 100% on the side of the

pro-abortion position right now. Movement in the pro-life direction represents compromise by our foes, not by us.

6. Finally, incrementalists have good reasons for shying away from outright bans on abortion. Currently, we do not have the votes on the federal courts to support such a move. If a state were to pass a bill banning all abortions, the federal courts would immediately enjoin it based on the legal precedent of *Roe v. Wade*. Until liberal judges are replaced with conservative ones willing to overturn or significantly chip away at *Roe*, we risk yet another layer of case law decided against us. The approach preferred by the absolutists would do nothing but hinder the pro-life cause. So, we say “yes.” Yes, we support the same goal as personhood advocates—that is, the complete protection of unborn humans. And yes, we support legislation that limits the evil done while we continue working to reverse the pervasive influence of the federal courts. That’s not compromise; it’s sound moral thinking.

### **Suggested Reading:**

1. Nathan Schlueter, “On Drawing Pro-Life Lines,” *First Things*, October 2001.  
<http://www.firstthings.com/article/2001/10/drawing-pro-life-lines>
2. “Incrementalism vs. Immediatism”—Debate between Gregg Cunningham and T-Russell Hunter, <http://lti-blog.blogspot.com/2015/05/debate-between-gregg-cunningham-and-t.html>
3. J. Stanek, ed., *Abolition of Reason: Pro-Life Apologists Deconstruct “Immediatist” Ideology as Presented in Cunningham-Hunter Debate*, <http://www.jillstanek.com/wp/wp-content/uploads/2015/06/Debate-e-book-small.pdf>
4. Clarke Forsythe, “Doing What Can Be Done,” *First Things*, Dec. 1995.  
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