

A briefing on the Instruction *Dignitas Personae*

A new instruction about bioethical questions

Dignitas Personae is a document about in vitro fertilisation and embryo experimentation. It reaffirms the principles of *Donum Vitae* (1987) and *Evangelium Vitae* (1995) and applies them to new questions. The two fundamental ethical principles affirmed by the document are

- The human being is to be respected and treated as a person from the moment of conception; and therefore from the same moment his or her rights as a person must be recognized, among which in the first place is the inviolable right of every innocent being to life. (n.4)
- The origin of human life has its authentic context in marriage and in the family, where it is generated through an act which expresses the reciprocal love between a man and a woman. Procreation which is truly responsible vis-à-vis the child to be born must be the fruit of marriage. (n.6)

A third principle relates to the proper distribution of the benefits of research

- [The Church] hopes moreover that the results of such research may also be made available in areas of the world that are poor and afflicted by disease, so that those who are most in need will receive humanitarian assistance. (n.3)

These principles help to distinguish research or treatment that fails to respect the dignity of the human person, and may even involve the deliberate destruction of human lives, from authentic medical science at the service of the human person and the common good.

Topics covered: the CDF overview

Dignitas Personae applies these key principles to a variety of bioethical questions. The Congregation for the Doctrine of the Faith has supplied an overview of the document including key excerpts. These provide easy reference to teaching on specific issues. They cover:

- [p.3] Techniques for assisting fertility
- [p.3] In vitro fertilisation (*IVF*) and the deliberate destruction of embryos
- [p.4] Intracytoplasmic sperm injection (*a form of IVF*)
- [p.4] Freezing embryos (*and what can be done for them*)
- [p.5] The freezing of oocytes
- [p.5] The reduction of embryos (*selective abortion*)
- [p.5] Preimplantation diagnosis
- [p.5] New forms of interception and contragestion (*e.g. the morning after pill*)
- [p.6] Gene therapy
- [p.7] Human cloning
- [p.8] The therapeutic use of stem cells (*embryonic and adult stem cells*)
- [p.8] Attempts at hybridization (*creating human-animal hybrid embryos*)
- [p.9] The use of human 'biological material' of illicit origin (*including vaccines from aborted foetuses*)

What is the significance of the title?

The title of a Vatican document is carefully chosen. *Dignitas Personae* echoes the document of the Second Vatican Council on religious liberty, *Dignitatis Humanae*. In something of a contrast to *Donum Vitae* (whose title was a deliberate echo of *Humanae Vitae*), the focus of this new instruction is less on the transmission of life and more on the dignity possessed by the human embryo. The word *persona* in the title, rather than *vita*, emphasizes that the human embryo is a personal reality sharing in human dignity. It is not only a means by which life is transmitted. "The human embryo has, therefore, from the very beginning, the dignity proper to a person" (para 5)

Is this a development of Church teaching on the embryo?

This document does not give a new teaching on the fundamental principles, but reaffirms the principles already set out in *Donum Vitae* and *Evangelium Vitae*. The first key principle of the document, on the moral inviolability of the embryo, is in fact a quotation from *Donum Vitae*. The document does not say that the human embryo "is a person" but that it must be "respected and treated as a person" as it has "the dignity proper to a person". The human embryo has *full anthropological and ethical status*. The implication is clear: human embryos must not be deliberately destroyed or abandoned, nor should they be conceived irresponsibly in circumstances where they will not be given a chance of life. The document does not define, as a matter of faith, that the spiritual soul is given at conception. It repeats the teaching of *Donum Vitae* that "the presence of the spiritual soul cannot be observed experimentally". (n.5)

How does the Church regard scientific research?

In this document the Church offers a positive picture of ethical scientific research. "The Magisterium also seeks to offer a word of support and encouragement for the perspective on culture which considers *science an invaluable service to the integral good of life and dignity of every human being*. The Church views scientific research with hope and desires that many Christians will dedicate themselves to the progress of biomedicine and will bear witness to their faith in this field." (n.3) The document strongly encourages scientific endeavour that is both ethical and effective in areas such as "research initiative involving the use of adult stem cells" (n. 32).

The United Kingdom context

The instruction is addressed to "all who seek the truth" throughout the whole world, but it has particular application in the United Kingdom and some passages seem addressed especially to the situation here. It is a very timely document as Parliament has just passed the Human Fertilisation and Embryology Act 2008.

Background

It should be remembered that the first child born after in vitro fertilisation (in 1978) was conceived in the United Kingdom, as was the first child born after preimplantation diagnosis (in 1989), as was the first cloned sheep (in 1997). For better or worse, this is an area where the United Kingdom has been at the forefront.

Since 1990, in vitro fertilisation and embryo experimentation have been regulated by a statutory body: The Human Fertilisation and Embryology Authority (HFEA). This is sometimes said to be "strict regulation" but in fact in nearly twenty years the HFEA has never refused a license for preimplantation diagnosis and has never refused a license for embryo experimentation. The HFEA pays lip service to the "special status" of the human embryo but has never turned down any application to use human embryos. The membership of the Authority does not reflect a full range of opinion on the embryo. It has no members who hold the embryo to be inviolable.

Since 1990 the United Kingdom has witnessed a slippery slope in the areas of in vitro fertilisation and embryo experimentation. Over time more and more has been allowed. This has culminated in

the Human Fertilisation and Embryology Act 2008 which not only allows experimentation on human embryos but allows therapeutic cloning, reproductive cloning (in some circumstances), and the creation of part-human part-animal embryos. It even allows these embryos to be created using donated tissue without the donor's consent.

***Dignitas Personae* in a UK context**

In this context is *Dignitas Personae* is a welcome reaffirmation of the fundamental principle that embryonic human life is to be respected and protected with the utmost care. Since the first child conceived by in vitro fertilisation there have been tens of thousands of children born by this methods, but there have been hundreds of thousands of embryos who have been deliberately destroyed or discarded. At any one time there will be thousands of human embryos frozen in various fertility clinics within the United Kingdom.

Dignitas Personae prompts us to remember these frozen lives many of whom have been abandoned by their parents to be discarded or, even worse, handed over for experimentation. Of particular relevance for the United Kingdom is the plea of the late Pope John Paul II, quoted in *Dignitas Personae*: "the production of human embryos [must] be halted, taking into account that there seems to be no morally licit solution regarding the human destiny of thousands and thousands of 'frozen' embryos which are and remain the subjects of essential rights".

Dignitas Personae is also helpful in a UK context for its teaching on *human cloning* and on *hybrid embryos*. These passages give magisterial force and an explicit rationale to the case that the Catholic Church, among others, has been making in the United Kingdom. Though cloned and hybrid embryos have been approved by Parliament, it is important to restate the Church's objection to them. In this area many non-Catholics feel a repugnance that they find hard to articulate. On these subjects the teaching of the Church is heard sympathetically by many people.

Another specific teaching that is welcome is the affirmation that parents may use vaccines produced from aborted foetuses, if this is the only way to protect their children. However the document also urges against too easy a compromise on these kinds of cooperation issues.

Also significant, from a United Kingdom perspective, is the promotion of ethical science and especially adult stem cell research. During recent debates in Parliament some politicians denigrated adult stem cells as unpromising. However, only a week after the Bill was given Royal Assent, there was a report from Spain of a whole organ grown from stem cells taken from a woman's own bone marrow. There is clearly a long way to go in adult stem cell research but enough has happened to show that the promise is real and that it should be celebrated, promoted and encouraged instead of promoting embryonic stem cell research.

Some issues in the document are less relevant in the United Kingdom, as would be expected from a document addressed to the whole world. At various points the document cautions against, or rules out, various compromise solutions, for example the use of embryonic stem cells produced "independently" by someone else. Other examples are "prenatal adoption" of frozen embryos, or the freezing of oocytes as an alternative to freezing embryos. In each of these cases the proposed solution remains morally problematic. However, in the United Kingdom these questions are less relevant as the situation is so bad that such compromises are not even suggested. In this country the deliberate destruction of human embryos is both licensed by the state and paid for by the tax-payer.

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