

The Ethics of Gender Selection in Human Embryos in Healthcare

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Science has had a great impact on improving various aspects of human life. When combined with technology, science has allowed humanity eradicate a number of health problems completely, for instance leprosy. However, genetic health disorders such as albinism and sickle-cell disorders can recede and come up in a later generation. Research in science has led to the discovery methods of determining whether certain couples can reproduce children with such disorders. In cases where the disorder is related to an X-linked dominant, the parents might avoid having a female child to avoid the disorder while in a case where the disorder in question is related to an X-linked recessive, the couple might avoid a male child to reduce chances of having a child with the disorder. In both cases, the couple is examined for all the gene related abnormalities and disorders and are given a chance to decide which method to use to avoid this disorder. The use of sex selection for this purpose has raised very few ethical concerns which become negligible when weighed against the benefits. There are three most common methods applied in pre-birth and pre-gestation sex selection (Doty, 2005). The first method is the separation of Y-bearing from X-bearing spermatozoa. This is usually followed by selection for IVF (In Vitro Fertilization) or artificial insemination. The second method involves diagnosing the genetic composition of the embryos which is usually followed by selective abortion depending on the choice of the parents. The third method involves pre-implantation genetic diagnosis (PDG). The use of the various methods of sex selection for other reasons rather than medical has raised legal, moral and social ethical concerns that need to be addressed. Organizations and individuals have complained about how sex selection distorts natural sex ratio, facilitates reinforcement of sexist and discriminatory stereotypes against specific gender, especially women and also places a psychological burden on many children born as a result of

this process. This paper will look at a brief history of sex selection and discuss the various ethical issues raised under this matter.

History of Gender Selection

Sex selection has been a subject of interest for humanity for a long time. According to the Ethics Committee of the American Society of Reproductive Medicine (1999) human beings practiced infanticide and timing of coitus and other special methods in order to ensure that they bear children of a certain gender for varied reasons. Discoveries in science and technology have revolutionized this concept by facilitating sex selection of children before conception or even parturition. Parents can know what gender their child will be before pregnancy or birth. Among the choices that can help couples achieve sex selection are in vitro fertilization, terminating of certain pregnancies and separation of sperm. The initial core motivation of gender separation was medical-related. Scientists sought for ways to prevent the conception and birth of children who are likely to be affected by certain X-linked health disorders. However, this began to change as time went by. People started using birth control for social reasons (De Wert & Dondorp 2010). One of the most common among these reasons is family balancing. Some couples might choose to have a child of a certain sex because their other children are of the other gender. In other cases, couples might decide to have a child of a certain gender because of the stereotypes that prevail in the society that they exist. In most of these instances, couples prefer having a male child because of cultural and social bias. In countries where the government limits reproduction, such as China, this bias is widespread and many parents resort to sex selection for social reasons. The issue of sex selection drew the attention of Ethics Committee of the American Society of Reproductive Medicine and wide deliberations and consultations were carried out in the early

1990s. Though this committee did not arrive at a unanimous decision, the discussion was concluded by the decision that nonmedical use of preimplantation sex selection was unacceptable. Since this time, medical scientists have come up with invasive technology that has made many scholars revisit this issue because of the lessening of the burden involved in this process.

According to WHO (2016) most countries in the world do not have any law on sex selection. Only five countries completely prohibit sex selection while 31 prohibit it for social reasons. These countries are only found in Europe, Asia and North America. The rest of the world remains oblivious of this issue. It is important to note that in most of these countries, especially the developing ones, many people do not have access to sex selection services because of the costs involved. This means that these people cannot utilize the available methods even for medical reasons. Some of the most common aspects of laws on sex selection include consent of the couple involve, protection of the mothers and clauses meant to protect individuals who seek sex selection services from exploitation. The number of countries with laws on sex selection shows that in the legal perspective, most countries have not given this issue the attention that it deserves. This may be due to the fact that many countries still have problems providing even the basic healthcare to the population and a good number of the population has not embraced this technology because of cultural and religious reasons. There is little research on the attitude of the population, academia and policymakers on sex selection in such countries. China and Asia are two countries that prohibit sex selection for social reasons. Despite passing several laws to enforce this position, people in these countries still practice gender selection for social reasons. This has seen an imbalance in gender ratios with that of males shooting beyond that of females in some towns. Israel is one of the country that permits gender selection for social reasons.

However, a directive issued by the Ministry of Health in May 2005 required that any couple that had more than four children of the same sex and wish one of the other should apply to a special committee for the approval of PDG. The couple has to meet the costs of the whole process and the directive indicated that these approvals will only be issued in cases where very unusual circumstances exist. There are other countries with similar laws and directives. It is important to note that at the moment there is no universality in the moral, ethical, and legal perspectives of gender selection.

Ethical perspectives look at the effect that sex selection has on both the child and the society. A major percentage of the world population is bound to certain religions and faiths. Most of these religions are guided by rules that were established centuries or even millenniums ago. For most people, the concept of birth, life and death is defined by their respective faiths. However, it is important to note that most faith-oriented traditions around the world have created a contemptuous attitude towards new medical procedures. In many cases, religious beliefs are supposed to be fulfilled even if they infringe on personal freedom. Many religions consider giving in to this infringement as sacrifice and often have promises on various rewards that people who make such sacrifices receive. Medical inventions seem to be more dynamic than the ability of the society to accept and implement them. Most of the discoveries that come up often receive wide criticism from community leaders for interfering with nature. No writers have been able to effectively reconcile modern scientific discoveries with traditional faiths. All the three secular ethical perspectives tend to argue against gender selection in human embryos. Virtue ethics focus on human beings as moral characters. This perspective tends to ignore the unborn child and focuses on the parents as the decisions makers. Most of the thinkers who apply virtue ethics tend to be conservative as they believe that an action is intrinsically right or wrong in itself and

human beings should obey this classification without asking questions (Gardiner, 2003). On the other hand, deontological theories believe that it is the duty of human beings to do what is right and desist from what is considered as wrong without looking at the consequences on oneself.

Utilitarianism focuses on the consequences of an action. For utilitarians, sex selection for social reasons, especially when the child has already started developing, tends to victimize the unborn child. Most utilitarians therefore propose that human beings should not implement this procedure as the benefits are less than the negative impacts that it has on the population (William, 2011).

The major reason why science has supported sex selection for all these years is because it enables the mother to detect flaws in the genetic makeup of the child. This created an impression that all genetically flawed embryos were destined for destruction. This action received criticism even in the initial stages when it was solely applied for medical purposes and was not accessible to the majority of the population (Merhi & Pal 2008). With time, this has changed and has seen many people apply it for non-medical reasons. The use of this technology for non-medical reasons that eventually leads to termination of pregnancies can hardly be challenged since the decision made by the parents based on social reasons can easily be justified. In the social perspective, several justifications can be created by a couple that terminates pregnancy on the basis that it wants the child of the opposite gender. From the ancient times, many societies value life and they believe that equality starts when the society respects all its members right to life. Therefore, allowing sexual selection for social reasons means that any embryo can be destined for destruction depending on the justification that the parent can create. In this perspective, people can come up with all kinds of reasons to justify pregnancy termination. For most societies, this compromises its dignity and human value for each embryonic being (Doty, 2005).

Sex selection in human embryos has received criticism from most communities because it is not aligned to their moral standing. The contemporary civilized society rejected the morality of this practice after it penetrated many communities and was taken up by women in cultures that have preference for certain genders. Many gender-biased societies in the world tend to prefer the male child to the female one. Therefore, the female gender has been negatively affected by this procedure since women from such cultures terminate pregnancies simply because of the gender of the child (President's Council On Bioethics, 2016). These actions have disrupted the family and social networks, perpetuated discrimination against women and have even contributed towards an increase of violence against women. It is the moral perspective of sexual selection that has influenced the laws that touch on this issue. Groups that have come up to oppose this stand on sexual selection have been citing autonomy. These groups argue that it is the rights of the parents to make their own decisions regarding how they want to run their families. Critics of sexual selection for social reasons have countered this argument by stating that the autonomy of the mother or the parents of the child should not override the forces of nature and the interest and wellbeing of the society (De Wert & Dondorp, 2010).

The Use of Consequences of Action in Defining what is Morally Acceptable

According to (Zhou et al., 2012) most parents who practice sex selection for social reasons tend to prefer the male gender. In many Asian countries, parents consider that sons have the ability to earn higher wages since most agrarian economies are often associated with masculinity dominance. The parents also believe that the sons will be able to continue the family lineage and be available to take care of the old parents. In other parts like India, parents avoid getting female children because of the expense of dowry while the traditional patriarchal family systems Confucian values influence this choice in most parts of South Korea and China. On the other

hand, some couples prefer having girl children because they believe that they are less costly to maintain. Most of such couples hold on the traditional notion that children are a burden and the girl child should eventually get married to free them from this burden. Both these notions tend to discriminate women. The results of such decisions are much more than what the parents anticipate. In many societies, young female children are treated badly because of the notion that they are not permanently part of the families and societies or are likely to become burdens when the time for getting married comes (Zhou et al., 2012). The other major effect is imbalance in sex ratios. Since the discovery and subsequent accessibility of prenatal sex determination, the male-female sex ratio has been rising steadily in some parts of the world. This means that when these children attain the marrying age, it will be hard for them to find partners. It is important to note that communities that hold onto such notions are more likely to regard marriage as universal and will expect that all people should get marriage partners from the opposite gender within a certain age bracket and settle down to start a family. Therefore, many men will be left with no marriage prospects (Zhou et al., 2012). The consequences of actions should dictate what should be considered as morally acceptable at all times. In many cases, human beings make decisions while oblivious of the consequences that these decisions will have on the rest of the society. However, the repercussions of these decisions are usually faced by most the members of that society while the decision makers remain least affected. People should be made to avoid any actions that are likely to have negative consequences.

Patient Autonomy and Beneficence

Often, medics find themselves at crossroads when patients arrive at decisions that compromise beneficence. Both beneficence and autonomy of the patient are important factors that are supposed to be upheld. However, it is important to note that medics go to colleges and are

assessed before they are accredited to ensure that the population has access to the best services. Patients visit these doctors in order to benefit from these services. The medics understand what is best for the patient (de Melo-Martín, 2013). Most of these individuals have vast knowledge and experience which they use in making decisions. In addition, it is the medics who perform the procedures on the patients and they can be held accountable if they compromise the patient's wellbeing by agreeing to perform what is not legal either in law or in their practice guidelines (Pellegrino & Thomasma, 1987). Considering this, beneficence should always override autonomy of the patient when two principles come into conflict. In relation to sex selection in human embryos, beneficence is paramount since some of the procedures involved might have an effect on the patients themselves. For instance, a couple might decide to procure an abortion because the child conceived is not of the desired gender. In case a fatality occurs in the course of the procedure, inquiries will look at the factors that necessitated this action. Since sex selection for social reasons is illegal in most countries, the medic will be held accountable for performing a prohibited medical procedure on a patient. Alternatively, many people believe in medical professions and the medics can utilize this faith to convince the client into an option that they consider safe and that which promotes beneficence.

Moral and Ethical Rules

Moral and ethical values usually vary between social groups. These aspects are also subject to change over time. It is important to note that the segmentation of the society according to ethical and moral values is very wide. Some values are limited to families, extended families, clans, other social institutions or even cover large areas like countries. Individuals may belong to two or more social units that have conflicting moral and ethical rules. There are many cases where individuals find themselves at dilemma because of these conflicts. Therefore, these rules should

not be treated as binding. These rules are mere guidelines and it is upon the individual to decide which ones to apply when faced with a dilemma. However, there are many situations where ethical and moral rules are incorporated into laws that are enforced by authorities. This means that the components of these value systems become binding to the members of the affected society. The process of converting moral and ethical rules into laws should be rigorous and consider the multiplicity of these elements.

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