

ETHICS & MEDICINE

A Christian Perspective

SYMPOSIUM ON THE WARNOCK REPORT

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Circulation: Miss Janella Glover

Subscriptions to Rutherford House, 17 Claremont Park, Edinburgh, EH6 7PJ
£4 (students £2.50). Free Subscriptions to Medical Students supplying their home address and expected date of graduation. (Cheques should be made payable to Rutherford House).

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The Project is currently engaged in publishing and in organising conferences, and hopes to be able to expand these and other areas as support allows.

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One of us?

This second issue of *Ethics & Medicine* is concerned exclusively with the Warnock Report. It carries three articles, two of which originated as conference papers, and they explore general as well as specific questions arising in the Warnock debate.

Lady Warnock was recently heard in a public lecture to deliver herself of the judgement that the question of the treatment of the human embryo was by far the most significant moral issue arising in this debate. She went on to suggest that, while as a moral issue it could be treated distinctly from the general practice of *in-vitro* fertilisation, as a practical issue it could not, since the IVF programme has been dependent upon research upon embryos. With these moral and practical judgements it would be hard to disagree, although the integral connection between embryo research and IVF is offered by those who support them both as an argument against the ending of the former, in the hope that the undoubted popularity of the latter might overcome the equally undoubted public distaste which the prospect of human vivisection has aroused.

Since Warnock's appearance in the summer of 1984 a good deal of political water has flowed under the bridge. The prospect of imminent government legislation to implement Warnock's proposals would seem to have faded, and the expectation of a bill in the next session has been replaced by an assurance of one during this parliament. Whether or not Mr Powell's well-supported private member's bill succeeds against the anticipated attempts to block its progress, it has served notice on the government that their own proposals must be formulated with one eye on Mr Powell's supporters.

There can be no doubting that the way in which we resolve these issues will be decisive for the character of our society in the years to come.

Is there a Christian judgement on Warnock? The Church of England's General Synod succeeded in disowning its own Board's welcome to the report, and the Church of Scotland has added its voice to the deep unease which many have expressed. Yet opinions remain divided, as the fact that the Synod needed to dissociate itself from its own representatives shows. The Catholic church has remained true to its firm conviction that human life demands our respect from its first moments. Others who claim to speak with a Christian voice have come to different conclusions.

There can be no doubting that the way in which we resolve these issues will be decisive for the character of our society in the years to come. For if it is finally decided that there are sufficient arguments to justify our using our own kind for experimental purposes then other conclusions will follow alongside that which would permit this use for the embryo of 14 days. A great weight will depend upon the grounds which are advanced for that particular point in human development. One of the disturbing features of present debate is that, while for some who favour a 14-day limit there is something intrinsic in the embryo at this stage which suggests the drawing of a line, for others (and they include many who are actually involved in the field) there is nothing. It is a bench-mark which, for the present, we can accept. Their own criteria (such as the development of sentience in the embryo) are of another kind altogether, and it would not be difficult to imagine the kind of arguments which, five or ten years hence, we might hear in support of a proposal to

move that mark another few inches along the bench. And, of course, if sentience is ultimately to be the criterion, it is something which is readily capable of subjection to anaesthesia.

A move in the direction of the experimental employment of fetuses (products of abortion or of an advanced *in-vitro* technology) up to the stage of viability (whatever that will have come to mean by then, since *in-vitro* technique and neo-natal care will have met mid-way) can hardly be said to be inconceivable.

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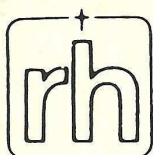
At all events, the use of human beings as experimental subjects is something which has already arrived. And as Christians we need look no further than the incarnation of Jesus Christ to be satisfied that our definition of what is distinctively 'human' in the human being must be broad enough to encompass the product of conception from its earliest days. For that is the point at which the incarnation of Jesus Christ took place. It is at the moment of conception that the action of the Spirit of God is indicated to have worked the miracle, and it would be more than difficult to hazard another point in the development of the one who was conceived by the Virgin at which he could be said to have become who he was — God and man, Jesus Christ. It is interesting that the Biblical account of the event, captured in the terse phrasing of the creed ('who was conceived by the Holy Ghost'), matches entirely the modern evidence of embryology and genetics, and is plainly irreconcilable with ancient notions of vegetative and animal stages in the development of embryo and fetus. Whoever Jesus Christ was seen to be at his birth in Bethlehem he already was from the moment of his conception.

Christians have always made much of the fact that what Jesus Christ took to himself was *our* humanity, the humanity which we share — not some special humanity designed for him alone. That is to say, whatever we find in the essential humanity of Jesus Christ, sin alone apart, is ours as much it is his. The pattern for his humanity is the pattern also of ours. So if he began his human life in the miraculous fertilisation of Mary's ovum, it is at this point that we begin ours. Is it not?

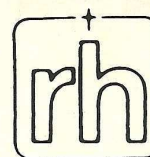
That is to say, whatever we find in the essential humanity of Jesus Christ, sin alone apart, is ours as much as it is his. The pattern of his humanity is the pattern also of ours.

So the embryo is not mere 'human material' (a spine-chilling coinage), neither is it some kind of third thing, neither human (as we are) nor inhuman (like rodents whose vivisection we approve and license). It partakes of the humanity of which God himself partook in Mary's womb. It is one of us.

NIGEL M. DE S. CAMERON



Rutherford House Medical Ethics Project



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Problems Raised By Artificial Human Reproduction

Professor IAN DONALD

Professor Emeritus of Obstetrics in the University of Glasgow

The Warnock Report is well worth reading and one is easily beguiled by its good English. The coverage is wide and clear and many of the 63 recommendations are not contentious. The description in lay terms of a very wide variety of techniques and their possible consequences can be easily read and understood by anyone. This said, one should not be deceived by its mellifluousness and failure to crack down on a whole range of evils with the possible exception of commercial surrogacy.

It is a totally secular, irreligious type of report which would satisfy any atheist and because of the sweeping possibilities of what has been called the "reproduction revolution", Christians, in fact any who believe in the existence of God, Muslim as well as Jew, cannot fail to recognise its passive acceptance of much that is evil or potentially so.

The prophet Jeremiah described it very accurately when referring to the reaction of the Lord. "for my people have committed two evils, they have forsaken me, the fountain of living waters and hewed them out cisterns, broken cisterns that can hold no water". (2:13)

Having rejected, or rather not even considered, God's wonderful creation, the members of the committee unashamedly ignored matters spiritual, whatever their private convictions. In fact the Fountain of Living Waters is shut out from their utilitarian outlook.

Now let us look at the leaking cracks in the cisterns.

The tragedy of childlessness is more akin to bereavement than to an illness, nevertheless when it is something which medical science can correct, then it should be corrected. The birth of Louise Brown seven years ago was a justified triumph. Yet childlessness, though a reason for *in-vitro* fertilisation, is not an excuse for much that is now being done or contemplated.

Here there are two enormous cracks in the cistern. The first employs the intrusion of a third party into the marital relationship to which all Christians are committed to accepting. This may come under four main headings: (a) Donated sperm, (b) Donated ova or eggs, (c) Surrogacy and (d) Embryo transfer, nowadays by early lavage within a very few days of conception.

The other huge crack opens up on the question of human experimentation.

The tragedy of childlessness is more akin to bereavement than to an illness, nevertheless when it is something which medical science can correct, then it should be corrected.

Let us take experimentation first. The Warnock Report accepts the use up to 14 days embryonic life under supposed licensed control, so that the human embryo can be frozen, stored, discarded, donated, dissected and generally made use of subject to a "statutory licensing authority". This itself is an absurdity. Its constitution (even to including a layman), its powers of assessment and enforcement would be ineffectual. It would be easily hoodwinked or bamboozled and a whole army of bureaucrats of varying degrees of ignorance would be necessary or the number of units would have to be reduced to a very select few. So human life is to be put to the service of science. Outside Hitler's Germany this

has never been accepted by medicine. Talk of research being necessary to improve the rather dismal success rate of *in-vitro* fertilisation is not very convincing. The fertilisation is fairly easy. It is the implantation and maintenance in utero that is the real problem. Experimentation does not include observation to ensure that the embryo is developing sufficiently well to be implanted into the recipient mother-to-be, nor do attempts to improve the implantation chances count as research because in such instances the interests of the embryo itself are being served.

What is detestable about experimenting on humans, born or unborn, handicapped, sick or dying is where the interests of scientific advance are the object of the exercise. The excuse that abnormalities of development might be better understood and, hopefully, corrected wears a bit thin and as for getting a better understanding of cancer — this sort of talk to a frightened public verges on the dishonest. Furthermore, the deliberate cultivation of embryos to provide spare parts for a recipient, if necessary by cloning from his own nuclei in order to minimise the chances of rejection, e.g. kidney, liver, pancreas transplants is the ultimate in scientific depravity.

What is detestable about experimenting on humans, born or unborn, handicapped, sick or dying is where the interests of scientific advance are the object of the exercise.

Spare embryos are obvious targets for research and exploitation and now that the nucleus, and hence the genetic material can be substituted, modified, altered and replicated in an infinite number of clones as is already possible in veterinary science, puts the whole question of God's image and purpose in creation into the dustbin. The vets may indeed be interested in breeding cattle with more meat on their bones or giving higher milk yields but the Warnock belief that a statutory licensing authority could, or would control this in the human species is naive to the point of simple-mindedness. Scientists are not all saints. Just ask a survivor of Hiroshima or Nagasaki about that!

Breeding, including clone breeding to specification is indeed a threat to human life, not because of numbers but because of the cheapening and accepted expendability of human life which will be engendered in mankind's regard for his own species. It is a sort of scientific cannibalism which is envisaged, all for "the greatest good of the greatest number"

Very close at hand is sex selection, which because of its obvious preference for males, especially in countries where the number of children is more or less rationed could easily upset the social order yet, while acknowledging this the Report seems satisfied even to approve a DIY kit provided that it could be shown to be safe and reliable. Yet further off, too far in fact to be considered by the committee is ectogenesis. In fact this could come about by the turn of the century by narrowing the gap between the longest period over which the embryo could be kept alive outside the uterus (the 14-day limit already long forgotten) and the earliest stage at which modern paediatric technology could keep an ultrapremature fetus alive. Meanwhile although the report is opposed, rather tamely, to using a surrogate related mammal to maintain this extrauterine life as a stop-gap measure it is likely to be used in the interests of "scientific advance". Such is already possible in the veterinary world where a zebra has been delivered from a horse or donkey.

Already a fetus has been cultured for seven weeks outside the uterus. The gap narrows.

It is not so much the fate of the individual human embryo that is disturbing as the sheer arrogance in the attempt to outdo the Almighty that must strike at the very hearts of Christian men and women.

The acceptance of the principle that human life is expendable for whatever reason is the beginning of a slippery slope from which there may be no recovery.

Already, in Australia, there are over 250 frozen embryos in liquid nitrogen at minus 196 degrees C, a sort of emporium with presumably catalogued genetic details awaiting claimants or customers. Their ultimate disposal is being watched by many of us with interest because they must be costing quite a lot to keep and maintain. They are obvious targets for research. Although the consumer demand for *in-vitro* fertilisation is likely to increase, thanks to the latest methods of ovum retrieval by vaginal puncture and aspiration through a needle under ultrasonic guidance, research interests will clamour for the deliberate production of spare embryos (as has already happened in this city).

It is not so much the fate of the individual human embryo that is disturbing as the sheer arrogance in the attempt to outdo the Almighty that must strike at the very hearts of Christian men and women.

Now I agree that it is difficult to get worked up about human life at the few cell stage when perfectly healthy babies (160,000 a year in England and Wales alone) are sacrificed annually often for the most trivial and non-medical reasons by the very people who weep their eyes out over the plight of the childless couple. There is money in a lot of this and the going-rate at the present seems to be around £2000 an attempt at IVF and the usual 85 per cent failures can thereafter talk to their own bank managers. It is easy to think of the crocodile in Alice in Wonderland. "How eagerly he seems to grin. How neatly spreads his claws and welcomes little fishes in with gently smiling jaws!"

Let us turn our minds now, however, to the first of the big cracks in the leaky cistern already mentioned. I refer to the inclusion of a third party into the matrimonial relationship. It constitutes a very real threat to Christian life and the concept of the family and the sacrament of marriage. This third party intrusion so readily incorporated in artificial reproduction comes in one or more of four different forms which have already crept up on society to the extent of tacit approval.

First, and in some ways the most pernicious, is artificial insemination with donated semen (AID) the specimens being obtained from medical students by masturbation in return for a little cash. Here is a new cottage industry. What a lot has happened since the Archbishop of Canterbury condemned the practice so roundly in 1948. It has crept into acceptability, almost respectability, by stealth and a serious disregard for any really comprehensive control, including infection and the transmission, often unwitting, of serious genetic defect. The donor is rightly protected by anonymity and possibly by admixture with an infertile husband's sperm but apart from a few crude details about him — dark or fair, blue-eyed, tall or short and, of course his ethnic group — there is little control or choice. I suppose apartheid operates here too. The child so conceived grows up under the shadow of a lie, compounded further on his birth certificate. These matters certainly troubled the Warnock Committee and their cruel remedy was to have the words "by donation"

against the "father's" name on the birth certificate and that the child, by the age of 18 should have been told that the man he has grown up to love and admire as his father did not in fact beget him. Control is enjoined but it should be on a national scale computerised with every relevant genetic detail included as well as a very full medical examination to assess his fitness to father the next generation. Stock breeding, as in veterinary practice, will be the inevitable result. Even the recommended limitation in the number of donations could be by-passed by such a character hawking his services around different hospitals.

Needless to say I very vigorously opposed any such service being set up in my own department while in office. Enough said about a practice which only a humanist would accept, whatever his views about the aesthetic aspects.

Secondly, comes donation of ova from a fertile woman to be fertilised *in vitro*. Here some sort of surgical assault is necessary to get at the ovum but plenty of opportunities arise in the course of other operations at the same time, e.g. sterilisation or hysterectomy. It is recommended that the "consent" of the woman be first obtained but it would be even easier just to help oneself. Large numbers of ova can be harvested by first overstimulating the pituitary gland with hormones producing superovulation on the battery hen principle. The method will never be as numerically important as AID but the same ethical principles will apply.

The third type of intrusion brings up the question of surrogacy, now so much in the recent news. Adultery is as old as history itself but the earliest case of using it to achieve surrogate parenthood that comes to my mind is that of Abraham who was incited by Sarah to impregnate her slave woman Hagar in order to raise up seed for him. You will know the end of that story and perhaps we are paying for it to this day!

As you know attempts are being made to set up an agency to employ women to go through pregnancy and childbirth, impregnated (perhaps) by the husband of an infertile couple anxious to acquire a baby at any price, currently about £24,000 of which the obliging mother only gets only about £6000, the agent who hired her womb pocketing the rest for one purpose or another. It is not against the law, since no law yet exists and already the practice is well established in the USA. In last month's case the baby was made a ward of court but was nevertheless got out of the country outside the jurisdiction of the English Courts. The organisation for this was brisk and highly efficient and the infertile couple appear to have got their "child", the agent her fee and the surrogate mother the pittance which she required for doing up her house. There is very dangerous precedent here and until something can be decided about it rich, infertile American couples could repeat the procedure and thereby improve our dollar earnings by what could amount to the export of living human babies. The final national insult will come when the Soviet Union also enters the field to bolster up our failing currency by bidding in roubles!

The idea that a baby is a "property", negotiable at that, is repugnant to most of the world which turned its back on slavery long ago before "civilisation" lost its sense and sensibility and came to equate wanting with having. The Warnock Committee were indeed unhappy about commercial surrogacy and would like it made an offence, for doctors as well as agents. But the difficulties of enforcement by the law are formidable and driven underground the earnings would not even be available to the Inland Revenue any more than those of prostitution.

Lastly, there is human embryo transfer. In the veterinary world the first successful transfer of rabbit embryos was

achieved as long ago as 1890 and the procedure had become commonplace by 1920 and made it possible to reduce freight costs to distant countries of very valuable farming stock whose progeny could be exported without hazarding the valuable stock animals. It soon extended to getting large numbers of genetically desirable lambs or calves born, following embryo transfer to common or garden and expendable surrogate mothers. If combined with super-ovulation as already mentioned of the original mothers the profit yield could be enormous.

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With the latest Swedish technique using the overfull urinary bladder to straighten out the human birth canal, which otherwise has a right-angled kink in it this operation can be carried out as an outpatient. All that is necessary is a woman who believes herself likely to be pregnant from insemination, hopefully by the husband of the infertile couple four days earlier. Simple flushing out of her womb and collection of the early unimplanted embryo enables a transfer to the recipient uterus there and then, and if the aspiring mother-to-be was at the wrong stage of the menstrual cycle freeze storage could be adopted until the timing which is critical is suitable. There are snags, of course. Firstly the impregnated woman may be found not to have an embryo after all and she will then have been flushed out to no purpose, or the embryo may not come away so easily, leaving her with an unwelcome pregnancy with abortion on demand as her main option. There are too the risks of complications such as infection. Therefore money, as recompense is bound to come into it and this has already happened in the USA.

In that country an attempt to set up a lucrative business centre, complete with patent application (not yet granted) is already afoot anticipating 30,000 to 50,000 applicants at a suggested \$10,000 per patient. This would promise a very brisk turn-over. So far the results are not very good, only 12 out of 29 reported attempts in one series gaining a proper foothold in pregnancy with considerably worse final results in terms of live births but the technique is still very new. One obvious attraction is that it might obviate the need for

in-vitro fertilisation since this would have already occurred in the donor uterus.

It is quite clear that in trying to meet the problem of childlessness for which IVF was originally designed in infertile marriages an enormous crop of ugly possibilities has been opened up.

AID came upon us unprepared to control it and is, from the Christian point of view, totally unacceptable whereas there is a legitimate case for IVF as a solution to overcoming infertility due to incurable tubal blockage in a wife.

Events are likely to overtake legislative action to try to contain the worst evils. It is suggested therefore as minimum measures we should press for the following:

Suspension of all research on living human embryos at all stages. This would effectively stop publication in scientific journals at home as well as abroad for fear of prosecution.

It is quite clear that in trying to meet the problem of childlessness for which IVF was originally designed in infertile marriages an enormous crop of ugly possibilities has been opened up.

There should be no NHS funding for research institutions which anyway are largely staffed, not by doctors but by science workers who are not subject to the disciplinary control of the General Medical Council.

The charitable status of institutions attempting to get under the legal fence should be withdrawn.

All AID donors should be screened properly as to genetic antecedents and relevant transmissible diseases, e.g. AIDS. Details should be maintained on a national register, although preserving their anonymity.

Animal experimentation should be scrupulously monitored insofar as it might be misapplied to the human species.

Surely Christians, Muslims and Jews, Catholics and Protestants could stand up and with one voice cry out "Enough is enough".

Yes, getting on for 3000 years ago Jeremiah got it right. "For my people have committed two evils: they have forsaken me, the fountain of living waters and hewn them out cisterns, broken cisterns that can hold no water."

The Warnock Report — A View From The Other End

GEORGE L. CHALMERS

Consultant in Geriatric Medicine, Glasgow

It may have occurred to some of you this afternoon, to wonder what a practising Clinician in the field of Geriatric Medicine could possibly have to say about the report of the Committee of Inquiry into Human Fertilisation and Embryology. To be honest, it has occurred to me to wonder about precisely the same thing over the past weeks since our chairman asked me to take part. I said to him then, what I say to you now, that the only valid contribution I feel able to make is that of a reasonably well-informed non-expert, with the advantage of a medical education which allows me, at least to know something of the context, and also usually, the meaning of the words.

I take the role today of the man in the street, or even, as a Christian, the man in the pew, looking at what is going on in this specific area of human activity and trying to relate to it from a practical Christian point of view. We have heard, already, from the experts. They have each enlightened us on the specific aspects of the Report pertaining to their own subject, and I should like to take a perspective view, a view, if you like, from the other end, to consider what a Christian approach to it might be in more general terms. There may be one or two places where my personal interests might appear, and I trust you will bear with me in these.

First, let me state the obvious. The Warnock Committee report is not a Christian report, nor does it purport to be. It is a report by a group of distinguished people from the fields of Education, Law, Obstetrics, General Medical Practice, Neurology, Psychiatry, Midwifery, Social Work, Theology and Biology, whose backgrounds, opinions, feelings and values are as diverse as one might expect to find in any similar heterogeneous group. It is, however, a very full and comprehensive report and there are few issues in the field with which it does not, at least, mention. This does not mean that its deficiencies, from a Christian point of view, are matters of positive difference, rather than the omission of important issues. It would be surprising, therefore, if we did not find areas, even major areas, of the report which stand at variance with the Christian view of the ethics and morality of the subject.

Indeed, I had the clear impression that even the use of the term ethical, and of its near neighbour, moral, where they appear in the report, was quite different from my own concept of them. I felt at times that the morality which I recognise as being a matter of right and wrong, was being replaced by a rather more nebulous concept regarding what is "acceptable", and "unacceptable", without too clear a notion of who it might be who was doing the accepting or otherwise. To the Christian, morality is quite clearly what is acceptable to God, and is related to the law and the values which we find in His revelation of Himself in the Scriptures and, ultimately, in Christ.

The essence of this problem is suggested, perhaps, in the first paragraph of the report. There is even at that stage a degree of confusion as to the use of the term "ethical". The Committee declare themselves reluctant to appear to dictate on matters of morals to the public at large. Yet, is not the public at large in need of guidance as to these very morals? I, in fact, had imagined that this was the principal reason for the setting up of this very body. The Committee, instead, "sought for a steady and general point of view". I am not sure that this is quite the same concept as an ethical or moral point of view in which the issues of what is *permissible*, rather than what is *acceptable*, are at stake.

We find, for example in para. 3, that some members had a clear perception of the family and its role within society and in their consideration of the various techniques, their focus was upon the primacy of the interests of the child, and on upholding family values. Others, however, "felt equally strongly about the rights of the individual within society". The implication is that these strong feelings on the part of different members of the committee, and, no doubt, on the part of those who gave evidence to it, required to be given equal weight, and that some sort of balance was necessary between them. Now, morality, to the Christian, clearly indicates that the only valid context of reproductive activity is within the family structure and that the individual does not have reproductive rights in any other context. This is not a matter of consensus, it is a matter of right and wrong. It is wrong for the *individual*, wrong for the *child*, and wrong for *society*, to extend the bounds of this particular activity.

The Committee declare themselves reluctant to appear to dictate on matters of morals to the public at large. Yet, is not the public at large in need of guidance as to these very morals?

It seems to me, as a layman in such matters that the committee might have saved themselves whatever time was spent considering the "rights" of single women, lesbians, single men and homosexuals, in the context of eligibility for treatment, had this simple principle of morality been applied. What "right to treatment" for infertility does someone have, who has not accepted a place in the normal structure of society for the procreation and up-bringing of children?

In 2.9 the report states: "Furthermore, the various techniques for assisted reproduction offer not only a remedy for infertility, but also offer the fertile single woman or lesbian couple the chance of parenthood without the involvement of a male partner." I suggest that the techniques do nothing of the sort, it is those who manipulate them who may do so, and they are morally and ethically wrong so to do. The structure of marriage and the family — which is presumably what is defined as a "loving, stable, heterosexual relationship" — is the right environment for the procreation of children. It has been since marriage was ordained, and I find no evidence that twentieth century Man has found a better one. He may, perhaps, have proven his capacity to destabilise it, and this too is a major moral problem, but the family remains the normal and natural structure of society, and is, I believe, likely to continue so.

At this point my own professional interests are very much involved, since the support of the elderly depends very greatly upon the integrity and stability of family life, and many of the problems I meet are related to difficulties in this area. I do not wish to be overcritical about the choice of phrase in particular sections, but it seems incredibly lacking in conviction to state, as the report does in section 2.11 — "We have considered these arguments, but, nevertheless, we believe that, as a general rule, it is better for children to be born into a two-parent family, with both father and mother, although we recognise that it is impossible to predict with any certainty how lasting such a relationship will be." Have we really reached the level of pessimism about marriage at which we have to consider whether it is the best situation for the birth and raising of children? Would it not be fair to

suggest that such an attitude of pessimism only helps to lower the expectations of stability in this most valuable, indeed precious of relationships?

It also seems strange that such a weak argument is proposed by a committee which equally argues that the treatment of infertility by some of the means under discussion will serve to cement and strengthen the family bond. I refer to section 4.14 in particular. "It is not possible to predict future consequences of the growth of AID, but we would point out that those engaging in AID are, in their own view, involved in a positive affirmation of the value of the family" and in 4.15: "The fact that the couple share the experience of pregnancy in the same way as any other couple does, may strengthen their relationship as joint parents." It is, of course, a matter of experience that the sharing of the experience of pregnancy may, on occasion weaken, as well as strengthen such a relationship, and this might apply with equal validity to any pregnancy. It was comforting to find an official body today, reaching the conclusion that the mere calculation of cost/benefit could not answer the question "Is it right?" and one must concur that in many areas, procedures and actions may be unacceptable whatever their long-term consequences are supposed to be.

Despite the wide diversity in feelings arising from religious, philosophical, or humanist beliefs, it became clear to the committee that *people want some principles or other* to govern the use and development of new techniques. That there is a need for *some barriers* which are not to be crossed and, *some limits fixed* beyond which people must not be allowed to go. The existence of morality is seen to depend upon it. Unfortunately, in the rest of the report, the committee seems remarkably reluctant to set such clear limits, and, when it does so, it is almost apologetic about it, setting them as wide as it feels it can. In their stated view, (and few would argue with it?), a society without limits, especially in these areas, would be a society without moral scruples, and this nobody wants. But, is it true that nobody wants it? What need of a fence if nobody wishes to trespass? There does seem still to be some pressure for an even more permissive society than we currently experience.

Do we not need a structure of law which defines what is wrong, rather than what is merely unacceptable, and which is able to say "No!" to those who would wish to step beyond these bounds, rather than to suggest that we think they might reconsider, as if the boundaries of morality were negotiable? I have spent rather a long time on the introductory section of the report, but I think it is important to have done so, for it helps, perhaps, to clarify some of the other aspects over which Christian people may have difficulties with its terms, conclusions and recommendations. A great deal of significance lies, I believe, in these premisses upon which the rest of the report was based.

Infertility

There is, to my mind, no possible Christian objection to the use of all reasonable measures to relieve infertility within the bounds of the integrity of the family unit. We should, if we consider the several accounts of infertility in the Scriptures, hold a compassionate and constructive view of the desire for children which is usual and normal in any true marital bond, especially perhaps in Christian marriage. Such compassion will, naturally, support the Committee's desire to improve the very unsatisfactory state of the facilities for the assessment and treatment of infertility, so that proper premisses, staffing and conditions are available for people seeking such help. It is reasonable for the infertile couple to seek assistance and for society to provide it properly.

Where the blessing of children has not been granted, there is a long and honourable history of the involvement of Christian families in fostering and adoption, and in many cases a deep commitment to the care of disabled and underprivileged children has found expression in this way. With the increased prevalence of contraception and abortion the availability of children for the exercise of such caring has diminished, and in such a situation it is clear that we should not oppose the use of appropriate technology to achieve the fulfilment of such a legitimate desire. AIH and possibly IVF may well have a place in such treatment, and this may be a matter for the conscience of the couple concerned, after full and careful counselling and discussion, rather than for total exclusion.

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On the other hand, we have no licence to employ measures which do despite to the sanctity of life, to the sanctity of the marriage relationship, or to the structure of the family or of society itself. In discussing AID, Egg Transfer and embryo donation, it is by no means clear that the undoubted intrusion of a third party, or even a fourth party into the relationship of a couple will be as innocuous as their proponents would claim. It is not difficult to envisage the emotional rejection of such a child by one or other partner as "Your child, but not mine" at some point of stress in the relationship, and even if this were not expressed, the presence of the child may well serve as a living reminder of inadequacy, in either partner, in an area of major personal and emotional importance.

The Warnock report recognises these and other issues in setting out the argument, but is biased towards the use of these measures, possibly by the awareness that work is well advanced in these areas. It is interesting to note, in relation to surrogacy that, where it appears from Scripture to have been employed in patriarchal times, the initiatives came from Man, rather than from God, and the action was an expression of the impatience of the individual concerned or of his wife or wives, rather than one motivated by faith. In each case also, the result was complication and difficulty for the family concerned, rather than a cementing of the family bonds. I refer to the cases of Abraham, using Hagar, his wife's maid, as a surrogate, thus begetting Ishmael, and of Jacob, using, at his wives' insistence, Bilhah, Rachel's maid, and Zilpah, Leah's maid, in the same way. If we read in Genesis the account of the sons born to Jacob in this manner, we do not gain the impression of a family united!

These could hardly be cited as examples in which the practice is endorsed by God. Rather, they might be seen as awful examples of the family disruption which might be expected to ensue. In these cases, of course, intercourse rather than artificial insemination took place with the surrogate, but the principle is the same. The committee has, perhaps slightly reluctantly, recommended against surrogacy, but accepts the others as legitimate, despite the many difficulties which it clearly recognises, and hopes to relieve by alteration of legislation and by somewhat greater faith in the proposed licensing body than practical experience with similar bodies might support.

It is apparent that artificial insemination, and presumably, AID, is regarded as a routine measure in some centres. We are given figures running into four figures for IVF from one clinic (para. 5.12), and surrogacy, in certain parts of the

world, would appear to be a booming business already. This, undoubtedly, has made the task of the committee much more difficult. It is one thing to recommend that an area of activity should not be permitted to develop, but quite another to recommend that it stop, or even that further study is necessary as to the ethical implications, before it is allowed to continue. It is very difficult to oppose a *fait accompli* and to dismantle a system which has become established, and it may be that, ideally, this body should have met several years ago when the techniques themselves were embryonic.

We cannot turn the clock back to allow this, but I believe we ought not to allow what has been done to cloud the ethical issues, and we need to remind ourselves constantly that the mere fact that something can be done, or even has been done or is being done today, does not make it necessarily right, nor should it deter us from condemning it and seeking to stop it if it is wrong.

I believe that, as Christians, we may be guilty of obscuring the issues here ourselves. If a procedure has become established as a scientific fact, there is a tendency to accept that this is unchangeable, and therefore to rationalise it, rather than oppose it, perhaps because opposition is more difficult. We are capable of finding all sorts of reasons why it might be "acceptable" in certain circumstances, and we then tend to extend the circumstances in exactly the same way as those who make less claim to ethical scruples. On the other hand, if something has not yet happened, we feel free to take a stand against it, on the grounds of moral or ethical principles.

Research

It is not difficult to justify embryo research, if our view of man is simply that he is a "higher animal species", with no greater significance than any other. This, needless to say, is not the Christian view. A recognition of the unique elements of human personality, personhood and individual value are inherent in Christian commitment, as also is a concept of the Spiritual nature of Man, and, while it may be true that the proper study of mankind is Man, this cannot be extended to the application of invasive experimentation.

This view, and its dilemma, are well stated in the report at 11.14: "Those who are firmly opposed to research upon human embryos recognise that a ban on their use may reduce the volume, not only of pure research, but also research in potentially beneficial areas, such as the detection and prevention of inherited disorders or the alleviation of infertility, and that in some areas such a ban would halt research completely. However, they argue that the moral principle outweighs any such possible benefits." This statement does sound a little as if it is intended to make someone who holds this view feel bad about it, but it is a true dilemma, and it is right to state it, even if, in this instance, it may be a little overstated, as Professor Marshall and his co-dissenters point out in para. 6 of the expression of dissent. If a principle is truly moral or ethical it stands above the pragmatic and the expedient, and, while the cost must be realised, it must also be faced if a true morality is to be conserved.

Doubtless many valuable lessons might have been learned from the experimental work carried out on human subjects in certain establishments in Nazi Germany some 45-50 years ago, but the scientific community, rightly, rejected such work, whatever its scientific value, on moral and ethical grounds. Now, please do not misunderstand me. I am not equating current work with these other circumstances, I simply wish to underline the importance of setting ethical issues above expediency and pragmatism.

I was, frankly, relieved to read the terms of the minority report in the "expression of dissent B" of which Professor Marshall is a signatory. The case is clearly stated in the text, and has indeed been amplified this morning.

It seems to me that there are but two options when we consider when an embryo becomes a person. It is either at conception, or at birth. The period of time in between is a continuum of development, and it is eminently arguable that that continuum extends across the time of birth in such a way as to exclude any significant change in personhood being involved in the process of being born. To the Christian, the numerous references to pre-natal experience, awareness and significance in the Word of God should confirm the logic of such a view, and deliberate experimentation upon and subsequent destruction of something which is already more than a mere blob of cells runs contrary to a true concept of humanity. The 14 day rule becomes unethical if we recognise the humanity of the embryo from conception, and irrelevant if we do not. If, indeed, there is doubt about this issue, is it not reasonable that the embryo, as the one least able to voice an opinion, should have the benefit of the doubt?

The idea of a variation in the value of a person related entirely to age is also worrying. If you are too young to matter at a certain point in life, however early, does there not come a time when you might also be too old to matter? Perhaps it is not too far from the care of the elderly after all, in practical ethical terms.

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The concept of experimentation, or even of manipulation at this stage in life — the early embryonic — also causes me concern in respect of the potential for long term, unforeseen and unpredictable results. Several congenital abnormalities and familial diseases are not manifest until later life. Huntington's chorea springs readily to mind. If changes occur in the genetic material of the early developing cell, the margin of error is measurable in microns, and we have no way of knowing the effect of a tiny variation in the point at which DNA is split or re-combined, especially if that variation is extended over a period of a lifetime. We might well be setting the course for a human life with a defect in the compass which, while undetectable and apparently insignificant at the outset of the journey, may have much greater effects before its end. Some of us can recall that such an apparently innocuous environmental agent as oxygen administered inadvisedly, but with the best of intentions, to premature infants, resulted in many cases, in blindness due to retro-lental fibroplasia. As a geriatrician I am dealing with the later stages of life, and while the pre-natal problems of today will not affect me, I do have a real concern for my successors.

There are many people whose lives have been quite clearly adversely influenced by congenital or pre-natal influences. In some cases these influences have shortened the length of their lives, and in yet others it is the quality of life which has been diminished. I believe I am also dealing even in old age with a number of people in whom the length or quality of life may have been so influenced without our having any way of knowing. It is the very extent of our uncertainty which worries me in this respect. Perhaps research would enlighten us? But how long can we wait for the results of research, and how can we reverse any errors — Euthanasia?

The whole area of human embryo research is fraught with so many imponderables that it may rival the research which brought us the nuclear age in its potential to damage the human race. It might be better, as well as morally right, to shut the lid of this Pandora's box before its contents blight the generations to come. Even if it does disturb the even tenor of the research laboratory, delay the publication of someone's PhD thesis, or reduce the publication list in someone else's curriculum vitae, the need to protect what cannot be seen as other than human life is a fundamental principle, and cannot be replaced by a licensing body, no matter how strict and vigilant it may be.

The report makes much of the 14-day rule as a safeguard against research which trespasses upon the rights of the unborn once they have gone beyond the "clump of cells" stage. Frankly it seems to me that, even if it were ethically based, it is designed to be broken. The first step will be the request for exception "for sound scientific reasons" for a particular instance. This would reasonably be followed by the request for further exception "for sound statistical reasons to corroborate previous work", and in due course the case for extension to 18, 21, or more days is progressively made and the ethical principle is steadily eroded. Unmentioned in this report is the subtle pressure of the researcher's personal involvement which is capable of blinding even the most meticulous when the issue at stake is a PhD thesis, or a good research record in the curriculum vitae. Sometimes the researcher's conscience may require protection as well.

The whole area of human embryo research is fraught with so many imponderables that it may rival the research which brought us the nuclear age in its potential to damage the human race.

This element is hinted at in the expression of dissent at para. 8, where the "strong temptation for doctors to harvest more embryos than are strictly required for the immediate therapeutic purpose in order to provide 'spare' embryos" is mentioned. The generation of embryos for research is rejected as unethical. Why would this be different? Both would be excluded by the cessation of embryo research, and nothing in the report or in any other reading around the subject convinces me that such research on human embryos is either necessary, justifiable or ethical. One cannot help feeling that once again the licensing body is being afforded excessive confidence as a means of control.

Future developments

Chapter 12, dealing with Future Developments presents, to my mind, what is possibly the strongest case for bringing research to a halt. *Trans-species fertilisation* is apparently a reality, allowing men to prove their fertility by begetting a two cell hamster! It would seem that the fertilising power of the human sperm can be tested by fertilising a hamster ovum with it and then destroying it at the two cell stage (12.2). *Drug testing* is apparently an inviting field for the use of human embryos, and, while the pragmatic logic may seem unassailable, such a procedure would be wide open to exploitation on both scientific and commercial levels. One hears much of the protests of the "animal rights" campaigners against the area of drug research on animals. Should we not see in this possibility — even if it is already a reality as it may well be — an even greater reason for protest

Ectogenesis — the production of a human child in an entirely artificial environment — has the ring of science fiction, but may well be already more than the pipe-dream of a dedicated researcher somewhere. The purpose of such a

project is suggested in para. 12.14 of the report — "This technique, it is argued, would make it possible to study in detail normal and abnormal human development at the embryonic and fetal stages." Such babies would not, of course, belong to any emotionally involved father or mother, and the researcher could do what he wishes! Is this the way we wish to see research develop? The 14-day rule would stop it, but for how long? The pressure to advance the permitted time with the technology would be considerable.

Gestation in other species. The report says NO! in clear terms, and deserves our fullest support.

Cloning, surely one of the ultimate arrogances of Man, the production of another being in his own image, is not only possible, but even probable if current research continues, and I was disappointed to note that the Committee had apparently no recommendations to make. They were, apparently, satisfied to note that it has been used successfully on other species, but, to the best of their knowledge, had not been carried out artificially on human embryos. If this be true, is not this the time to legislate to prevent it, rather than wait until it has?

Embryonic biopsy

Nucleus substitution — embryos for spare parts!

Prevention of genetic defects — genetic engineering.

The catalogue of arrogant interference seems endless. I have even heard the suggestion that scientists might be involved in "engineering out effects of the fall!" but I suspect that they may be involved in nothing more dramatic than proving its reality. The opinion is apparently prevalent that "There is no going back in research", and we find the attitude towards these issues expressed in the report as "pride in the new technology", allied with pleasure at the means to relieve the unhappiness of infertility. Pride is a dangerous entity in human kind, and it is such pride which generates most the "Unease at possibilities for manipulating the early stages of human development" which is mentioned at the same point in the report.

The Committee constructed this report taking into account the wide range of views in a pluralistic society and considering also the nature and value of clinical and scientific research, but declined to consider the possible impact of these issues upon the future of our society, on the grounds that it could not readily foresee what that impact might be. This seems reasonable, except that it is, none the less, quite prepared to support the continuance of research which has major potential to alter the shape of that future, by altering the values and structures upon which it stands.

Two applications of the research were perceived:

1. The benefit of the individual and
2. The benefit of society as a whole by the pursuit of knowledge.

The Christian stands upon a totally different value structure, yet one which is capable of benefiting society to an even greater extent than technology has or ever will, and which bases its attitude to the individual on the principle of love. "Inasmuch as ye did it unto the least of these. . . ." To quote Professor Torrance, "The principle of loving objectively, for the other's sake, not for our own."

The content of the Warnock report casts my mind towards the account of the project of the tower of Babel, in which man's technology was overweening in its pride and no doubt was seen as being of the greatest potential benefit to mankind. It failed because it was contrary to the law and the purposes of God. Its whole ethos was contrary to the eternal law of love. That is, to the Christian, the ultimate touchstone of ethics and morality, and is applicable in this field as in all others.

The Case Against Embryo Research

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

One option is to keep them by a process of refrigeration. Such embryos might then be implanted at a later date when a couple desire another pregnancy. The Warnock Report makes provision for this, with time-limits about how long the embryos can be stored and regulations about who has the right to decide what should be done with them, viz., basically the couple but if they both die the rather sinisterly named "storage authority".¹

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

Such arguments sound plausible. But they should be resisted with every fibre of intellectual acumen, moral energy and political wherewithal at our disposal. Messrs Steptoe and Edwards, the pioneers of IVF, understandably ask why. If we allow abortion of a fetus up to the age of 28 weeks on so-called compassionate grounds, why not allow research on embryos of two or three weeks old on the grounds of calculated future benefit to humanity? But it is worth looking closely at this comparison. Abortion could conceivably be justified — though I would certainly not justify it myself — on the grounds that a fetus is destined to be born into so awful a situation (e.g. suffering from an acute handicap, or the victim of very unpropitious family circumstances) that it would be better for that fetus not to live. Admittedly, it is not usually the welfare of the fetus which is the concern of those procuring the abortion, but the welfare of the mother and possibly her family, but the former argument *could* be used. No such argument can be used with the spare embryo. It is being used — and that means sacrificed — simply as a means to an end.

The Anglican Board of Social Responsibility, in what I, as an Anglican, feel bound to describe as a moment of craven folly, has agreed to the Warnock Report's recommendations on embryo research

The Anglican Board of Social Responsibility, in what I, as an Anglican, feel bound to describe as a moment of craven folly, has agreed to the Warnock Report's recommendations on embryo research on the grounds that "it is consistent with Anglican tradition that a fertilised ovum should be

treated with respect, but that its life is not so sacrosanct that it should be accorded the same status as a human being".² This is a piece of tradition which the Church of England would be better off without, and which ought to be abandoned (as the BSR Response comes close to admitting) in the light of our more advanced knowledge of embryology. Of this more in a moment. But the BSR Committee would have been better advised to consider another, more relevant and more weighty aspect of moral tradition. This concerns the relationship between means and ends.

There is a remarkable unanimity among ethicists of many different hues, Catholic, Protestant, and (until very recent times) secular thinkers, that human beings should always be treated as ends in themselves. Whether desirable ends may be achieved by the dubious use of other sorts of means has been a more open question. For instance, most ethicists would agree that stealing — which one might term a dubious use of property — might be justified in extreme circumstances to prevent starvation. But human beings are *not* to be treated in this way. No one has been clearer that the status and dignity of human beings is such that they should always be treated as ends in their own right than that great philosopher of the Enlightenment, Immanuel Kant³. For him, the peculiar glory of man consisted in the fact that he was a rational being. As Christians, we can surely ground man's special status and dignity more securely: in the fact that he is created, known, loved, and redeemed by God. It is a matter of perplexity and distress to me that many present-day Christians appear to be collaborating with Kant's secular successors in abandoning a moral tradition which has until recently been a common heritage.

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The obvious rejoinder is that I have begged the crucial question in assuming that an embryo up to the age of 14 days is a human being. Indeed I do assume that, and will shortly explain why. But I will first serve advance warning that even if one takes a different position, even if one believes that personhood is only acquired or attained at a later stage in pregnancy, this by no means provides a *carte blanche* for the performance of experiments on early embryos.

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

The question which surely puzzles and disturbs and divides people, including Christian people, is whether life at this very early stage justifies use of the category of *person*. Or sometimes what appears to be substantially the same

question is asked in other, more theological terms. Does the embryo have a soul at this early stage? Is this life which warrants the description "man made in the image of God"?

Inquirers look for indications as to when personhood begins in evidence of a key moment of *discontinuity* in the embryonic process. The tradition to which the BSR Committee appeals discerned the key moment as assumption of the human form by the fetus, a stage thought to coincide with animation of the human soul. But this no longer commands widespread assent for two reasons. Firstly, advances in embryology have revealed that the assumption of human "form" is a gradual process which is set in motion from the moment of fertilisation. Secondly, research into biblical usage has suggested the inappropriateness of understanding soul in terms of a substance or entity. Soul (*nephesh* in the Old Testament; *psyche* in the New) actually means *life*, though increasingly in the New Testament life with man's eternal destiny in view.⁴ It should not be thought of as something divorced from man's bodily existence. Rather it is what gives life and vigour to the body.

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An increasingly popular alternative is to locate the key moment of discontinuity in the point where the embryonic brain has acquired self-consciousness and the embryo is therefore sentient. Donald MacKay, for instance, believes that the concept of personhood presupposes a capacity for organising, cognitive activity. By this definition, a zygote or embryo in its early stages has not yet assumed personhood; it does not do so till about seven weeks into pregnancy. Although the Warnock Committee never actually comes clean as to when it thinks the embryo "becomes" a human person (preferring, by a curious leap in the essential argument, to go "straight to the question of *how it is right to treat the human embryo*"⁶), it appears to incline to a similar viewpoint. In choosing to set a 14-day deadline to embryo research, the Committee was influenced by the fact that from 22 or 23 days after fertilisation the first beginnings of the central nervous system can be identified; they then subtracted a few days to err on the side of safety!

This view emphasising the significance of embryonic brain development requires to be taken seriously. If we momentarily shift the discussion from that about personhood to what it means to say that man was made in the image of God, MacKay (and Warnock — if it is of any concern to her!) might be tempted to call on Christian tradition for support. There is an important Christian tradition, classically expressed by Aquinas, which locates the image of God in man's capacity for rational and moral activity.⁷ Without a brain, man would not have this capacity. Might we not say, then, that God does not stamp his peculiar image on man until the point when the embryonic brain has shown the first vestiges of activity?

However, though that tradition exists, the fact is that Christian theologians have not rested content with it. Whenever a particular capacity or characteristic of man has been identified as the distinctive aspect of man which reflects the nature of God, they have rejected that account as reductionist. It has not seemed an adequate or sufficient account. Other characteristics which have been suggested and found wanting are lordship over creation, duality of sexuality and creativity — important though all these are as part of a more all-embracing account. What more and more theologians have been coming to recognise in recent decades is that the biblical word *image* needs to be taken seriously.

Human beings reflect God; and a reflection takes in the entirety of one's being. In other words, man is the nearest God could come to creating a replica of himself within the limitations he had set himself, those of an earthly, physical being. Consider Derek Kidner's comments in his exegesis of Genesis 1:26:

When we try to define the image of God it is not enough to react against a crude literalism by isolating man's mind and spirit from his body. The Bible makes man a unity: acting, thinking and feeling with his whole being. This living creature, then, and not some distillation from him, is an expression or transcription of the eternal, incorporeal creator in terms of temporal, bodily, creaturely existence — as one might attempt a transcription of, say, an epic into a sculpture, or a symphony into a sonnet.⁸

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

The fact is that fertilisation is the obvious key moment of discontinuity. In the fusion of sperm and egg, the zygote is equipped with a unique genetic package, a package that includes details like identity of sex, colour of eyes and colour of hair which are, after all, fairly fundamental to our own self-image and our image of others. As Oliver O'Donovan has shown, a concept of personhood which derives support from Greek and Latin usage that underlay early Christian thinking sees it in terms of individual identity, a continuity which survives changes in appearance.⁹ On this definition of person, a zygote that you and I once were is as much a person as what you or I are now; there is individual identity and continuity which has survived some very obvious changes in appearance. Certainly biblical characters such as Job and the writer of Psalm 139 show no hesitation in tracing their own personal identity all the way back to the beginnings of life in the womb.¹⁰

Human beings reflect God; and a reflection takes in the entirety of one's being. In other words, man is the nearest God could come to creating a replica of himself within the limitations he had set himself, those of an earthly, physical being.

But even if one takes a different position, even if one believes that acquisition of personhood, ensoulment or endowment with the divine image only occurs at a later stage in pregnancy, this should not lead one to think that the early embryo has no claims to protection up to that point. To think that it does is to be guilty of a gross *non sequitur*. For is not the embryo worthy of the greatest respect in view of that capacity which is so much prized into which he or she is growing every moment? If respect is owed to certain beings at a certain stage, it is surely owed to whatever by its very nature develops into that stage. The great error of those who justify easy abortion and of those who are now trying to justify embryo research is that they treat as static a creature which is in the process of development.

We do not do this with human life outside the womb. We say to a 15-year-old girl: you are not yet old enough to exercise

political maturity, so you're not allowed to vote. What we do not do (and I believe would not even if plausible grounds emerged for doing so) is to go on to say: and you're never going to be allowed to do so! We do not disenfranchise her for life on the pretext that she's only 15 now. Similarly, we might say to a six-year-old boy: you are not yet old enough to exercise sexual maturity, so you're not to be involved in a sexual relationship. What we do not do (and I believe would not even if plausible grounds emerged for doing so) is to go on to say: and you're never going to be allowed to do so! We do not feel free to castrate him on the grounds that he's only six now. In that case, what right have we to say to a 14-day-old embryo: you haven't yet got a brain, you are not yet a self-conscious person capable of exercising cognitive activity, and you're never going to be allowed to become one. That is what the advocates of embryo research are effectively saying, and it is sickening.¹¹

The great error of those who justify easy abortion and of those who are now trying to justify embryo research is that they treat as static a creature which is in the process of development.

The full wonder of redemption is that God considers of value even those human beings — and there must be times when we all consider ourselves among this number — who appear of little value in their own eyes or the eyes of others. Jesus affirmed the value and dignity of many in his society who were outcasts, whom the rest of his society considered worthless. I suggest that we think about 14-day-old embryos in this light. They may *appear* to have little intrinsic value, at that particular moment in time, but God's system of valuation — which rescued us — suggests that we think again.

The BSR Response is woefully thin in its section on "Scientific Research on Human Embryos". Firstly, it concurs with the Warnock Committee in regarding the possibility of cells splitting to form twins as a phenomenon which warrants treating the embryo up to 14 days as significantly less of a person than the embryo after 14 days. Why it should be less serious to kill an organism which has the potential to develop into two individuals rather than a mere one is, to say the very least, obscure. Secondly, after appearing to go along with the reasoning of the Warnock Committee, it says bluntly: "Even if the argument so far has carried weight, it is not yet clear that the use of human embryos for research can be morally justified".¹² It harks a warning note about the lengths to which research may go and the need of a strong licensing authority to regulate it. And then without further ado — and with no attempt to show that the use of embryos for research is justified — we are told that the Board support by majority the Report's Recommendations on research. The question "why?" screams from the page and is not answered.

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

Rejection of embryo research does not necessarily mean curtailment of IVF. It does mean that from now on embryos

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

The full wonder of redemption is that God considers of value even those human beings — and there must be times when we all consider ourselves among this number — who appear of little value in their own eyes or the eyes of others. Jesus affirmed the value and dignity of many in his society who were outcasts, whom the rest of his society considered worthless.

NOTES

1. See the *Report of the Committee of Inquiry into Human Fertilisation and Embryology* (Warnock Report), HMSO, 1984, pp.53-57.
2. *Human Fertilisation and Embryology* (Response of the Board of Social Responsibility to the Warnock Report), p.16.
3. See Kant's *Foundations of the Metaphysic of Morals*, Bobbs-Merrill, 1959, p.47 "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only".
4. See e.g., Luke 12:20 "This night your soul is required of you".
5. See MacKay's article *The Beginnings of Personal Life* in the Christian Medical Fellowship journal *In the Service of Medicine*, April 1984, pp.9-13.
6. Warnock Report, p.60.
7. See St Thomas Aquinas, *Summa Theologica*, 1, 93, 4.
8. Derek Kidner, *Genesis*, IVP, 1967, p.51.
9. Oliver O'Donovan, *Begotten or Made?*, OUP, 1984, pp.50-54.
10. See Job 10:8-11; Psalm 139:13-16.
11. The advocates of research may argue that the embryos on which they wish to experiment are not likely to live long anyway. Keith Ward, in a critique of O'Donovan's book where he takes a more liberal line on embryo research, speaks of embryos "destined never to develop to the stage of brain formation" (*Theology*, Jan. 1985, p.42). But the point is that the Warnock recommendations do nothing to protect embryos which *could* develop normally, and indeed stipulate express steps to ensure that they won't.
12. BSR Response, p.17.

A Church's Response to Warnock

The Board of Social Responsibility of the Church of Scotland made a submission to the Warnock Committee while it was sitting. This statement is a response to the published Report, in line with the original position taken by the Board and approved by the General Assembly of the Church of Scotland in 1982.

This statement is included in the Board's report to the 1985 General Assembly. We are grateful for permission to give it this wider circulation.

The Board of Social Responsibility recognises that under the terms of its remit the Committee of Inquiry into Human Fertilisation and Embryology has been given responsibility for reporting on an issue of profound significance for modern society. The Board welcomes publication of the Committee's report as an important development in discussion of ethical questions presented by advances in science and medicine in the area of human fertilisation and embryology.

Believing firmly in the duty of all responsible groups to contribute to the moral context within which new techniques are developed and implemented, the Board welcomes the opportunity to respond to the Committee's findings. In doing so, however, the Board would stress at the outset its deep concern over the failure on the part of the Committee of Inquiry to consider moral questions relating to the status of human life, from which indeed ethical questions concerning the treatment of human tissue arise. It is invidious to elevate the interests of knowledge and technique over consideration of the subject matter, even in relation to as worthy a cause as the relief of infertility, without at least discussing the grounds on which such a choice may be made. This, the Board believes, the Committee has done. The public disquiet over the pace of developments in these areas which is said to have led to the establishment of the Committee is taken to be confined to the practical implications of scientific advance in relation to human fertilisation and embryology and their social and legal consequences. No consideration is given to the morality of acts in this area *viz.* its decision to isolate its discussion from questions arising in relation to legislation on abortion or contraception and underlying moral issues.

The Board finds that it is impossible to sympathise with the recommendations of the Warnock Committee without conceding issues of principle which the Church considers to be of fundamental importance to its understanding of human life within the created order and to the Gospel of Jesus Christ. The Board would offer as the basis of its comments the following points — from its acceptance of transcendent moral values, man made in the image of God, redeemed through Christ:

1. The Christian perspective starts from the position that human beings have been created by God and are loved by God. Made "in the image of God and after his likeness", man is unique and has been endowed with faculties which enable him to enter into a personal relationship with his creator, and undertake responsibility for the creation on behalf of and alongside his creator. However, it is not just to the creative activity of God we must look, but to the Incarnation and of his saving activity. God in Christ underlines not only the uniqueness of man, but the attitude of God, which is that His love does not depend on our achievements or abilities. The value of human life and the dignity of life, derive from how God regards and treats us, and not on any status which legal or moral codes and conventions may confer at particular ages and stages of development. Thus, human beings may never treat each other as means to ends, but only as ends, and as ends backed by ultimate sanction of God's being and love incarnate in Jesus Christ. No human being at any

stage in his or her development may be treated in a way that violates his/her distinctively human nature and status, or subjects him/her to being a means to an end, even where that end is the greater health and happiness of other beings.

2. From the moment of conception the human embryo is genetically complete. It is an "organised, unique, living unity with intrinsic capacity for development, human in character from its beginning" (Dr Teresa Iglesias). The moral status of the embryo and its moral claim on us do not diminish the further back we go in the stages of its development. From the moment of fertilisation it has the right to be protected and treated as a human being. There is "a serious ambiguity about an argument from the premise that the embryo is 'potentially human', for the potentiality concerned is not that of becoming something else but of becoming what it essentially is" (Prof. T. F. Torrance).

General Comment

Failure to address itself to the status of the embryo, the question at the heart of its inquiry, leads the Committee to describe a form of scientific endeavour which many scientists would not support. It isolates science from its subject matter. Human life is intrinsically meaningful: it is to be understood in terms of the will and purpose of God involving mutual obligation within society.

Thus the practice of scientific inquiry which assumes neutrality in its treatment of human life is a delusion. Equally, a report from a Committee of Inquiry concerning the practical implications of techniques in human fertilisation and embryology which fails to confront moral issues arising for science and society from this practice is practically irrelevant. The Committee missed the opportunity to inform medical practice and scientific inquiry from insights regarding the nature of their inquiry and its consequences in terms of ethical prescriptions. Much more seriously, the Committee has chosen to advocate for medical and scientific purposes, practices which are based on an understanding of the status of the embryo which is unexamined but which denies its essential humanity.

The Board finds that it is impossible to sympathise with the recommendations of the Warnock Committee without conceding issues of principle which the Church considers to be of fundamental importance to its understanding of human life within the created order and to the Gospel of Jesus Christ.

The elevation of the requirements of infertility treatment above concern for the welfare of human embryos is to adopt a utilitarian perspective from which the newly created life, which is the embryo, is to be seen as a means to an end. This is to deny the status of human life as an end in itself, each individual made in the image of God, an independent reality in a special relationship with Him through Jesus Christ. The utilitarian criteria employed throughout the Report too often result in the inherent rights and claims of the embryo at all stages in its existence, being discounted in favour of ends that are deemed to serve "the public good". The Board holds as fundamental the position indicated by the World Medical Association in its "Declaration of Helsinki" (1964 and 1975): "In research on man the interests of science and society should never take precedence over considerations related to the well-being of the subject."

Often the Report comes near to the position expounded by Dr Edwards, that what is acceptable to most must be taken as right "... in a society which sanctions the abortion of a fully-formed foetus, the discarding of such a minute, undifferentiated embryo should be acceptable to most people." The Committee's recommendations with regard to the creation, use and disposal of embryos is clearly a legacy of abortion legislation which has effectively eroded any real claim to life on the part of the embryo. Indeed it is fair to say that the Committee's recommendations embody a greater sensitivity for the experience of the embryo than has been shown hitherto; but because those recommendations are based on a view of the embryo which does not see it as intrinsically human, they inevitably diverge in ways which can only be supported by a utilitarian view, e.g., the production of spare embryos for the purpose of research. It is sad that in choosing to not engage in a discussion of moral values the Committee missed the opportunity to consider in the context of modern developments fundamental issues arising in this field as in the related one of abortion.

Related to the Committee's recommendations on the treatment of the embryo is its consideration of the context within which infertility treatment might be carried out. Profound as feelings associated with infertility unquestionably are, the experience of infertility should not be taken to advocate practices such as A.I.D., embryo transfer or egg donation which imply either the introduction of a third party into the marriage relationship or treat women as merely incubators or men as disinterested donors of sperm. In this report the introduction of licensing arrangements and legal adjustments is used to sanction activities and to build practices into our social structure which are possible through science but which show no concern for moral issues relating to marriage or family life. The Board would here reaffirm its belief in marriage as the relationship in which human sexuality may be fulfilled. Methods of overcoming childlessness should therefore be directed only to helping married couples (see detailed comments).

In its concern to build scientific possibilities into our social and legal framework, the Committee has given no thought to the experience of infertility as at least partially a social phenomenon. Nor does it consider alternative means to the relief of infertility, which would not involve the sacrifice of embryos as an experimental resource. It seems a pity that the Report does not consider more fully alternative ways of learning about and treating hereditary disease and congenital abnormalities etc., and did not look at research being carried out by people like Professor Jerome Lejeune. Work being done in this area clearly merits closer consideration under the terms of the Committee's remit.

The elevation of the requirements of infertility treatment above concern for the welfare of human embryos is to adopt a utilitarian perspective from which the newly created life, which is the embryo, is to be seen as a means to an end.

Detailed Comment

While re-emphasising its concern for the protection of human life at all stages of its development and for recognition of exclusivity in the marriage relationship, the Board would offer the following detailed comments on the Report:

1. Counselling

The Board welcomes the Committee's emphasis on counselling. It has been noted that recommendation 19, based on paragraphs 3.3 and 3.4 makes provision for counselling to be available for all infertile couples and third parties at any stage of treatment as an integral part of N.H.S. and private sector provision. The Board

would propose strengthening this recommendation to refer, as the relevant paragraphs do, to fully trained counsellors.

2. Marriage

Where the Committee states that all its recommendations refer to infertility treatment for couples living together in a stable heterosexual relationship, the Board would propose that methods of overcoming childlessness should be directed only to married couples.

3. Artificial Insemination

The Board would here distinguish between artificial insemination by husband (A.I.H.) and artificial insemination by donor (A.I.D.). The Board sees no objection to fertilisation of the ovum of a wife by the sperm of her husband through artificial means when it is difficult or impossible in the normal way. By contrast it sees in A.I.D. the unwarranted intrusion of a third party in the marriage relationship, which it cannot support.

4. Registration of A.I.D. Children

The Board recognises that A.I.D. is established as an aid to infertility. It recognises furthermore that developments in this field have presented serious legal anomalies. The Board would emphasise that recommendations offered in the report as a means to resolving the status in law of A.I.D. children leave unresolved the tensions which may face any family through the involvement of an "absent parent". It is to be questioned whether counselling and support such as are offered in cases of adoption will meet problems which arise subtly through A.I.D.

The present arrangements for registering a child born as the result of A.I.D. involve a legal fiction. The Report recommends that the law should be changed so as to permit the husband to be registered as the father (Recommendation 53). While this recommendation is welcomed so far as it goes, it is not entirely clear from the Report that a change in the law as such will remove the implicit deceit which is currently present in registration. There is some doubt about the desirability of adding the words "by donation" to the father's parental description. Rather than simply changing the law to accommodate A.I.D. the whole basis and procedures for registration of births and parentage should be examined.

5. A.I.D. Donors

The Board believes that the Committee has not recognised sufficiently the real responsibility of the donor in this transaction. The most stringent of safeguards should be applied for the protection of the child and the couple involved in the donation.

6. In Vitro Fertilisation

As a technique to relieve infertility within the husband/wife relationship, I.V.F. raises no moral questions. However, when superovulation is used to produce more embryos that will be transferred to the mother's uterus, questions arise concerning the deliberate creation of new life without hope of its potential being realised. As the report has indicated the opinion of the medical profession on the whole is that in the present state of knowledge, superovulation is very desirable (5.7). The Board would urge that discussion of the ethics of producing spare embryos in I.V.F. should be included in any discussion of the ethics of experimentation on embryos.

Any discussion of I.V.F. and its consequences should consider how developments in this area relate to other means of overcoming childlessness which is the result of tubal blockage. In addition consideration should be given to the degree of priority which might be accorded

to the couple's interests within the context of I.V.F.

7. *Egg donation and Embryo donation*

It is the Board's view that egg donation and embryo donation raise similar moral problems in relation to marriage as A.I.D. It can, therefore, not support their development as valid techniques to aid infertility.

8. *Licensing Authority*

The Board would urge that before any such licensing authority was established further consideration should be given both to the status of the human embryo and to the context of infertility in relation to which it would seek to operate. The Board is not satisfied that sufficient discussion has taken place thus far to prepare the way for licensing arrangements.

The recommendations concerning the function of a statutory licensing authority to regulate research and infertility services are generally to be welcomed. The Recommendation concerning lay representations should be strengthened to provide for a lay majority on the licensing authority including representation from the Christian Church. As it stands the recommendation suggests that lay representation should be "substantial" but that is not sufficiently clear.

9. *Embryo Experimentation*

From its belief in the inviolability of the human foetus, the Board rejects the production of spare embryos, or research on embryos (within any time period), in addition to those practices ruled out by the Committee (Chapters 10-13). No embryos should be brought into existence purely for research nor should research be carried out on embryos which happen to come into existence in the course of other experiments. The Board would here call for a halt on all experimentation on human embryos, and would accordingly lend its support to Expression of Dissent B.

The Board would here endorse the call with which it has been glad to associate itself, for an immediate moratorium on all experimental works which are not a part of treatment designed to improve the life prognosis of and benefit to each and every individual human embryo so exposed.

10. *Storage of Embryos*

The Board notes the recommendations for the storage of human embryos. It would propose that couples should be consulted from the beginning about the storage and

disposal of embryos. Storage of embryos should be undertaken only to facilitate conception. Embryos should be destroyed after couples indicate that they have no wish for additional children. Embryos should be destroyed where the marriage relationship ends for any reason or where there is no agreement between the couple over their use (see Recommendation 33).

11. *Disposal of Embryos*

The use of words "dispose" (e.g. in Recommendations 31, 32 and 33) is ambiguous. They should be replaced by the words "destruction" and "destroy", to avoid any possibility that anyone should think that embryos could be disposed of by means of sale.

12. *Surrogacy*

The Board would re-assert the view of the Report of the British Council of Churches — Free Church Federal Council Working Party, on which it was represented and with which it has associated, that surrogacy is "demeaning to both mother and child" and that it should be made illegal ("Choices in Childlessness" 1982).

The Board welcomes the recommendations of the report in regard to surrogacy. However, it would point out that surrogacy in fact differs only in detail, and not at all in principle from other techniques involving a third party in the marriage relationship of husband and wife.

13. *The Church*

The Board would take this opportunity to commit itself afresh to promoting within the Church of Scotland the "Reminders and Recommendations" which form Chapter 7 of the "Choices in Childlessness Report". It would add to these for discussion within the Church the following issues raised by the Committee of Inquiry in its Report:

- (a) Pastoral concern for childless couples;
- (b) The priority that should be accorded, within medical provision, to the childless and to infertility research and treatment;
- (c) Embryo research and questions about the status and rights of the embryo;
- (d) The influence of technology on the shaping of attitudes.

(In submitting its statement, the Board has been glad to associate itself on certain matters of detail with discussions of the British Council of Churches and Free Church Federal Council).

Reviews

Brave New People

D. Gareth Jones
IVP, 1984, £3.95

This extremely useful book by the Professor of Anatomy at Otago University in New Zealand, consists of eight chapters on ethical issues at the commencement of life, and is probably one of the most useful little volumes I have read on these subjects.

The first of these on, "Future Prospects and present concerns" reminds us of the tensions posed by the new technology suggesting that we are at present living through a revolution of a kind not previously experienced by humanity. For the first time the possibility presents, of influencing, what other human beings will become, even before they are born.

Into this disturbing scenario, he brings the implications of our creaturehood before God, created in His image, and reminds us of the fall, the redemption which is available in Christ, and the involvement of God in the whole of human life, including the biomedical and technological.

Dealing with "Biomedicine and Technology" the changes in the philosophy and values of Science, and the relationship between Science and technology are discussed. The ethics of the distribution of health care, the changing expectations of society, and the medicalisation of life is seen as a serious danger to human freedom, making us captive to the technology which is so much vaunted as a source of freedom. The limitations and hazards of the technology and the dangers of overdependence on expertise are spelled out.

"Improving the quality of Life" highlights the extent to which the concept of control and even manipulation is at the heart of much medical thinking. Such control cannot escape decisions, in the hands of man, about the quality of life. Specific genetic conditions are discussed and the impact of even diagnostic technology upon the decisions which must be made is noted.

"New techniques and the beginning of Life" would be a useful chapter, if only for the light which it sheds upon the technology, and helps the late-comer to find his or her way around the new acronyms which have become so prevalent. Gone are the days when I.V.F. was a University Evangelical Christian Movement, and even E.T. represents a life form which is no longer of quite such alien origins. A.I.H., A.I.D., Cloning and D.N.A. technology are all described relatively simply and this helps us to come to terms with their implications.

Professor Jones's book has been criticised for taking too soft a line with the neutrality of technology, and in the chapters dealing with "New beginnings for human life", and "Tampering with heredity" this charge might be made to stick. My own impression was that here he was trying to be objective in a field in which a great deal of subjectivity tends to creep in. Whether, as Christians, we ought to be so objective, is perhaps open to question.

Nowhere in this book does the dilemma facing the doctor in this largely secular society, become clearer than in the chapter on "The ethics of therapeutic abortion". The theologian and even the lay Christian has no difficulty in taking a clear stand against abortion in any shape or form. The doctor, and especially the doctor involved in obstetrics and gynaecology, is the one who has to face the problem in the human being across the consultation desk or on the examination couch. The author handles the subject sensitively, presenting the issues, without pre-judging the conclusions which we may reach as individuals, or as a society. If Christian values were prevalent in society, the problem would not have arisen in its current form; the doctor cannot really carry the total responsibility for the failure of society to accept or retain these basic values.

The final section on "Human technology and human values", points us towards an uncertain future in which contemporary Man appears to be grasping towards control, not only of his own destiny, but that of his successors in the human race. As a check and balance, it reminds us of Almighty God's involvement with our technology as well as with other aspects of our lives.

The statement that "Technology neither leads towards nor away from God" is, however, very open to question, since technology has

been a considerable source of pride, of overweening ambition, and of unjustified self-confidence in the human manipulators of its power. Perhaps these are the questions which we must consider. "Where is it leading us and where are we going?" and "Do we really want to go that way?"

The view of Science and technology which is suggested is that it is well intentioned but in need of guidance.

Recent experience, however, suggests that there may be fundamental areas of Scientific thinking which are inherently destructive to a Christian view of God and of His work in creation, His purposes for Man, and His work of redemption.

This book makes no claim to having all the answers and its author recognises that it will generate difference of opinion and position. He asks, however, that his argument be taken seriously and challenges the reader to think about the issues and to debate them.

Whether we agree with him or not, he deserves credit for informing us well of the issues, and for challenging us to consider them.

The story is told of a learned Judge, who, having listened to an informant for some time, commented: "I have listened to you for the past 30 minutes and I am none the wiser." To which the other retorted: "Perhaps not, your honour, but you are, at least, much better informed!"

Professor Jones is to be congratulated on ensuring that, if we have read this book, we shall be better informed.

*George Chalmers
Glasgow*

Test-tube Babies

T. F. Torrance

Scottish Academic Press, Edinburgh, 50p.

In this booklet the Very Rev. Professor Torrance explores the relationship between morality, scientific advance and the Law as stimulated by the Warnock Report. He defines the nature of the human embryo as a genetically complete and distinctively human being from the moment of conception, and defends the viewpoint that there is no time in the development of the embryo at which it can justifiably be experimented upon. The author's personal interest in the relationship between scientific and theological thought are introduced, but not elaborated upon, and his conclusion has four points to which Christians must, surely, assent.

This is a clearly written response by a distinguished academic theologian to the Warnock Report, and deserves to be widely read.

*Ian Brown
Glasgow*

Open your Mouth for the Dumb

Peter Barnes

The Banner of Truth Trust, Edinburgh, 60p.

This booklet, written by an Australian Presbyterian minister, deals with the "Silent Holocaust" of abortion. The humanity of the foetus from the moment of conception is defended, and a short history of abortion practice is given. A brief analysis of Old and New Testament statements on ethics is given with the conclusion that the Bible supports an absolute ethical position. The third chapter deals with abortion in the light of God's word and is a consideration of Exodus 21:22-25, in particular in relation to whether the text refers to miscarriage or premature birth. Further Scripture is studied and the conclusion reached that the Bible does teach clearly on abortion, a statement which many would doubt to save their consciences. The final chapter involves issues such as rape and handicap in the light of the teaching that the unborn baby is made in God's image.

This booklet attempts to deal with the abortion issue biblically — in this it succeeds and can be recommended for anyone wishing to get to grips with the topic through some Bible Study.

*Ian Brown
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