

# The Guild of St Luke, St Cosmas and St Damian Hong Kong

## Response to Consultation Exercise on Human Reproductive Technology and Embryo Research

The Guild of St Luke, St Cosmas and St Damian Hong Kong is an association of Catholic doctors formed in 1953, aimed at facilitating the intercourse between Catholic members of the medical profession of Hong Kong with a view to the study and discussion of bioethical issues, and of upholding the principles of Catholic morality.

The Guild recognises the sanctity of the human life from conception right through to its natural end. Most of what is proposed disregards this sanctity and we unreservedly oppose it. Whilst the previous sentence undoubtedly summarizes our position, we would nevertheless respond in detail to certain of the issues raised in this consultation and express our deep concerns about the violation to the dignity of all human beings brought about by the proposals.

### **Reproductive Technology**

#### The problem of infertility

In seeking to alleviate infertility by applying medical advances to assist human conception, whether within or outside the woman's body and by helping the resultant pregnancy to end in the birth of a healthy baby, reproductive technology "would seem to be at the service of life and ... are frequently used with this intention," but often the techniques employed "actually open the door to new threats against life." (1)

Without in any way diminishing the suffering caused to those who are infertile, one may ask whether reproductive technology is the only answer. Indeed, in medical parlance, this is more symptom relief than trying to cure the problem at its root. Pelvic inflammatory disease and sexually transmitted diseases (STDs) are two of the cause of infertility and the root of cause that is the permissive sexual culture. As STDs have wider implications than the narrow case of human assisted reproduction, we would wonder whether the promotion of human reproductive technology is the most appropriate method of battling infertility.

It should be noted that a cause of sub-fertility leading to problems in conceiving a child is the general delay in child-bearing in the local population. The pressures of everyday life in

Hong Kong are well appreciated, but biological realities cannot be ignored, as the “most secure age for childbearing remains 20-35” as published in a British Medical Journal editorial last year. (2) This is not necessarily a welcome message, as the rapid responses (email letters to the editor) have shown, but the authors maintain that doctors should still remind people that “it is harder for older women to become and stay pregnant, and outcomes for the mother and child are poorer.” (2)

The answer to the suffering caused by infertility is not necessarily a child born of oneself. “It must not be forgotten however that, even when procreation is not possible, conjugal life does not for this reason lose its value. Physical sterility in fact can be for spouses the occasion for other important services to the life of the human person, for example, adoption, various forms of educational work, and assistance to other families and to poor or handicapped children.”(3)

### The rights and dignity of the child

Reproductive technology has implications on the dignity and the worth of the child so conceived, not only on the dignity of the child in question but of all children in general. It turns the child from a precious gift to an object of desire.

The Catholic Church has always valued children as precious gifts of marriage as well as the purpose and blessings of marriage. Pope Leo XIII taught that “a high and noble purpose of marriage is ‘bringing forth of children for the Church’” and that children are “‘fellow citizens with the saints, and the domestics of God’ ...born and brought up for the worship and religion of the true God and our Saviour Jesus Christ.” (4) More recently, Pope Leo XII taught that “amongst the blessings of marriage, the child holds the first place”(5), and Pope Paul VI said that children are “the supreme gift of marriage and contribute in the highest degree to their parents’ welfare” (6). Pope John Paul II wrote in 1981 that “the very institution of marriage and conjugal love are ordained to the procreation and education of children, in whom they find their crowning.” (3)

But it must be remembered that there is no right to having a child. “A true and proper right to a child would be contrary to the child’s dignity and nature. The child is not an object to which one has a right, nor can he be considered as an object of ownership: rather, a child is a gift, the supreme gift and the most gratuitous gift of marriage, and is a living testimony of the mutual giving of his parents. For this reason, the child has the right, as already mentioned, to be the fruit of the specific act of the conjugal love of his parents; and he also has the right to be respected as a person from the moment of his conception.” (7)

The application of reproductive technology to conceive a child by extraordinary means

places the desire of the couple to have a child of their own above any other considerations. This resultant child must therefore be an object of desire. Like other objects of desire, the specimen must be at least in fair to good condition; otherwise the desire for it wanes. This leads to the unacceptable practise of pre-implantation genetic diagnosis (PGD) as well as other prenatal diagnosis.

The Guild reiterates its respect for all human life from conception right through to its natural end. Notwithstanding a society which accepts "life only under certain conditions and rejects it when it is affected by any limitation, handicap or illness" (1) – an attitude we condemn, we confirm that "the value of a man's life cannot be made subordinate to any judgement of its quality expressed by other men" (8) and that "the intrinsic value and personal dignity of every human being do not change, no matter what the concrete circumstances of his or her life. A man, even if seriously ... disabled ... is and always will be a man, ... [and] retain[s] [his] human dignity in all its fullness." (9)

PGD and prenatal diagnosis is a direct attack on the right of a child (including that of an embryo) to life. Instead of an unconditional right to life (10), this right is now dependant on the freedom of that individual from any limitation, handicap or illness. PGD with HLA tissue typing is worse: in addition to freedom of that individual from any limitation, handicap or illness, it faces the additional hurdle of its tissue type compatibility with its diseased older sibling. The continuance of the life of the embryo is now dependant upon its being able to donate bone marrow or cord blood to its older sibling, making its *raison d'être* being a transplant donor. The Guild is particularly abhorred by such an assault on human rights and urges the Council to ban all such practices as well as any procedures related to the creation, or birth of saviour siblings. Saviour siblings demean all children reducing them to the virtual status of slaves.

We welcome the fact that the code has asserted that "the welfare of the child is of paramount importance" (11), and that it has argued that the position is less problematic "if the child was wanted for his/her own worth," and but that "the child's dignity might be violated" "if PGD was solely applied for the purpose of creating a child donor of stem cells for an existing sibling" (12). However, we also note that the Council will review such applications on a case by case basis with a view to approval certain cases. We repeat our urge to the Council to ban all procedures relating to saviour siblings.

Another problem with reproductive technology is that it "reduces human life to the level of simple "biological material" to be freely disposed of."(1) The rate of post-fertilization failure remains high and exposes these embryos to the risk of death. More embryos than needed are thus created in compensation and these spare embryos are stored for future use. The storage of embryos is a hazardous procedure, with a risk that these embryos

perish in the process. Spare embryos surviving defrosting can then be used for therapy (but up to a limit of three live birth events) and then they will be destroyed or used for research. These all remain unacceptable in and of themselves even without considering the devaluation of all human life such procedures bring about.

We note the recent statement by Cardinal Trujillo, President of the Vatican's Pontifical Council for the Family, who told *Famiglia Cristiana* magazine: "Destroying an embryo is the equivalent of abortion." and concur that human artificial reproduction is unacceptable. (13)

### **Embryo Research**

There are a number of fundamental problems to embryo research which the Guild feels are unacceptable. Of these the most unacceptable is the sacrifice of a human life. We reiterate our regard for the sanctity of the human life from conception. Any embryo not implanted into a mother's womb would be destroyed before the appearance of the primitive streak, which is deemed to occur at 14 days post conception. This wanton destruction of human life is deplored.

Outside of the context of IVF, medical research involving human subjects would require informed consent by the subject him- or her-self or by a person *in loco parentis*. Many aspects of embryo research seem to be at variance with this and may actually contravene the Helsinki Declaration. In particular, the precedence of the well-being of the human subject over the interests of science and society (14) seems to be reversed. Likewise the special attention that is required "for those who cannot give or refuse consent for themselves, ... for those who will not benefit personally from the research" (15) also seemed to have been ignored. As they would be destroyed after the experiment, embryo research also seem to contravene article 10 which stated "It is the duty of the physician in medical research to protect the life ... of the human subject." The Code of Practice also stipulated that once given the consent for embryos to be used in research cannot be revoked (16) and this again is at variance with the right to withdraw consent to participate at any time without reprisal. (17) It might be convenient for embryo researchers to believe that embryos are not human subjects, but the Helsinki Declaration clearly stated that "Medical research involving human subjects includes research on identifiable human material..." and so clearly applies to human embryos. (18)

Whilst the Guild notes the restrictions set on the scope of research, the serious breaches of the Helsinki Declaration leads us to conclude that embryo research is unethical and exploits the human subject concerned. This leads us to reject embryo research as utterly unacceptable.

## Embryonic stem cell research

The extraction of stem cells from embryos causes their death, and however promising the research maybe, the Guild emphasizes that nothing can justify the killing of innocent human beings – the embryos. Whilst the Code does ask researchers to “consider whether **adult stem cells could first be used** before resorting to embryonic stem cells” (emphasis in original) (19), it then justifies embryonic stem cell research by citing the greater potential of embryonic stem cells as well as the limited availability of adult stem cells. We will deal with the reasons for justification in turn.

We do not dispute that the greater potential of embryonic stem cells but wonder if the results might live up to the promise. However, adult stem cells are being used to treat diseases, and depending on the source, claims of upwards of 50-100 diseases could be treated by adult stem cells. Here in Hong Kong, we already have a centralized publicly-funded adult stem cell bank, namely the Centralized Cord Blood Bank of the Hospital Authority’s Red Cross Blood Transfusion Service. Currently there has not been a single success for embryonic stem cell therapy anywhere in the world.

The limited availability of adult stem cells might not be as much of a problem either. Stem cells have been extracted from a number of abundant sources in the body. Multipotent adult stem cells have been isolated from human hair follicles which express neural crest and neuron stem cell markers as well as the embryonic stem cell transcription factors, (20) suggesting to the researchers that “Human hair follicles may provide an accessible, autologous source of adult stem cells for therapeutic application”. Stem cells from another abundant source, fat, have successfully treated large skull defects in a young girl after traumatic head injury. (21) Thus, the justifications for embryonic stem cell research do not seem to withstand scrutiny.

The Guild reiterates its opposition to the destruction of human embryos for research. The Church has taught that the production, and use of human embryos to prepare stem cells, therapeutic cloning as well as the use of embryonic stem cells and differentiated cell lines prepared from them are not morally acceptable. (22) It was suggested that “adult stem cells represent a more reasonable and human method for making correct and sound progress in this new field of research and in the therapeutic applications which it promises.”(23)

We also draw attention to the recent statements from the Catholic Church. Cardinal Trujillo, President of the Vatican’s Pontifical Council for the Family, told *Famiglia Cristiana* magazine: “Destroying an embryo is the equivalent of abortion.” (13) The

Commission of the Bishops' Conferences of the European Community also stated "The use of human embryos for research purposes, i.e. their destruction or the research with stem cells derived from these embryos is not acceptable. Furthermore there is no necessity to undertake this research; according to experts, adult stem cells and stem cells from the umbilical cord, offer an alternative path with interesting and real perspectives for therapy." (24)

## **Conclusion**

To the extent that the proposed Code of Practice disregards the sanctity of the human life right from conception, the Guild of St Luke, St Cosmas and St Damian opposes human reproductive technology and embryo experimentation.

Apart from the question of whether it is appropriate to use extraordinary means to give an infertile couple a child of their own, human reproductive technology reduces the child from a life with its own intrinsic worth to an object of desire, an assault on the dignity of the child that we deplore. The problem of high post-conception failure and the disposal of spare embryos represent a wanton disregard for human life which we cannot accept. Pre-implantation genetic diagnosis places conditions on the right to life of human beings and contravenes the Universal Declaration of Human Rights. Medical interventions directed at the birth of saviour siblings treat certain children as mere transplant donors and we urge the Council to ban all such procedures.

Embryo research contravenes the Helsinki Declaration, to which it applies without reservation. Embryo stem cell research cannot be justified at all because it involves the destruction of human life for arguable scientific benefit, which remains tentative. On the other hand, adult stem cell research (including cord blood stem cell research) pose no ethical problems and therapies derived from these are already curing patients. We urge the Council to ban all embryonic stem cell research.

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Hong Kong

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