

**MED 205, REPRODUCTIVE ETHICS**  
**INSTRUCTOR: DR. BONNIE STEINBOCK**

MED 205 is an elective course in the online distance-learning M.S. in Bioethics, offered jointly by Albany Medical College and the Graduate University of Union College ([www.bioethics.union.edu](http://www.bioethics.union.edu)). The course examines the philosophical, ethical, and legal problems arising from assisted reproductive technologies. We begin with the notion of procreative liberty. Procreative liberty is often conceived as the right to make one's own reproductive decisions, whether to have or to avoid having offspring. Although some topics in the course are pertinent to the abortion debate (notably, the moral status of the embryo), we will not be discussing abortion, as this topic merits a course on its own. Instead, this course focuses on the right to reproduce: its nature, scope, and limits. We will also discuss a topic tangentially related to reproduction, namely, embryo, and specifically stem cell, research.

I will assume that you have some experience in discussing ethical questions, and in supporting your pre-theoretical opinions. Therefore, we will not spend time in this course discussing the possibility of ethical debate, or the plausibility of ethical relativism. Theoretical questions, such as the nature and existence of moral rights, may come up in discussion, but are not the focus of the course.

Instead, the focus is to understand the legal, ethical, and policy issues created by reproductive technology, including how much control the state should have over reproductive decisions, whether individuals should be able to sell their reproductive parts or functions, the need to redefine the family in light of the reprotch revolution, the moral status of the embryo, genetic interventions in reproduction, and cloning and stem cell research. Different points of view are given in the assigned readings and in the lectures.

The aim is to provide students with a better understanding of the rapidly changing and ethically challenging area of reproductive ethics.

**Text:** Bonnie Steinbock, ed., *Legal and Ethical Issues in Human Reproduction* (referred to below as HR)

A packet of supplemental readings is also provided. Lectures are posted online.

**Grading Policies:**

Because this is a short course, there will be no assigned term paper. Instead, the grade is based on:

1. Discussion Board Participation—40%

You will be actively involved discussion questions or topics each week. I will give you some questions and topics but you will be responsible for coming up with some too. You are expected to be an active participant in these weekly discussions.

## 2. 6 Short Papers—60%

A writing assignment is due at the end of each week. Topics are provided (if more than one is given, choose one and only one on which to write). Each paper is 2-3 typed, double-spaced pages, or 500-750 words. The short essays reflect your understanding of the assigned reading and the topics under discussion.

### Course Outline

#### Week One: Procreative Liberty and Assisted Reproduction

##### Lecture

Introduction

##### Assigned readings:

Steinbock, Introduction (HR, pp. xi-xxv).

Robertson, “Embryos, Families, and Procreative Liberty: The Legal Structure of the New Reproduction” [hereafter referred to as “The New Reproduction”], Parts I and II (HR, pp. 6-31).

Murray, “What Are Families For? Getting to an Ethics of Reproductive Technology” (in packet).

#### Discussion Question

The right *not to reproduce*, to avoid reproduction by contraception and abortion, is well established in US law and acceptable morally to the majority. Is there a right *to reproduce*? Why or why not?

#### Writing Assignment

Explain the term "procreative liberty." Why does Robertson think there is a moral right to procreative liberty? Why does Murray think the procreative rights framework is defective?

#### Week Two: Assisted Reproduction and the Family

##### Lecture

Collaborative/Contractual Reproduction (This lecture pertains also to Week Three.)

##### Assigned readings:

Robertson, “The New Reproduction,” Part V, Collaborative Reproduction and Protection of Family Relations (HR,, 65-87).

Hill, “What Does It Mean To Be a ‘Parent’? The Claims of Biology as the Basis for Parental Rights” (HR, 147-214).

Charo, “And Baby Makes Three – Or Four, Or Five, Or Six: Redefining the Family After the Reprotech Revolution” (HR, 215-237).

## **Discussion Questions**

Dan Callahan thinks there is something wrong with gamete donation even when it's a genuine donation (i.e., not for money). Why does he think this and is he right?

If it is morally permissible (or even praiseworthy) to donate gametes to infertile couples, why is it wrong (if it is wrong) to provide gametes for money?

## **Writing Assignment**

Discuss the reasons for and against privileging genetic parents as regards rearing rights and responsibilities.

## **Week Three: Contractual Reproduction: Gamete Donation and Surrogacy Arrangements**

### **Assigned readings**

Callahan, "Bioethics and Fatherhood" (HR, 241-252).

Robertson, "Legal Issues in Human Egg Donation and Gestational Surrogacy" (HR, 253-261).

Steinbock, "Payment to Egg Donors" (in packet).

Steinbock, "Surrogate Motherhood as Prenatal Adoption" (HR, 263-269).

Satz, "Markets in Women's Reproductive Labor" (HR, 271-295).

## **Discussion Question**

According to Robertson, it is unreasonable to use harm to the future child as a reason for restricting individuals' procreative liberty, unless the harm is so severe that the child would be better off never existing. This standard is virtually never met. Critics maintain that Robertson is concentrating only on the prospective parents' interest in reproducing, and not on the child's interests, rights, or needs.

Is this a fair criticism, in your view? How would Robertson respond?

## **Writing Assignment**

1. Should commercial surrogacy (contract pregnancy) be outlawed? Why or why not?
2. Is payment of egg donors morally wrong? Why or why not?

## **Week Four: Limits to Procreative Liberty**

### **Lecture**

Can Having Children Be Unfair to the Child?

### **Assigned readings:**

Robertson, "The New Reproduction," Part IV, Protection of Offspring (HR, 51-64).

Scott, "Sterilization of Mentally Retarded Persons: Reproductive Rights and Family Privacy" (HR, 379-438).

Peters, "Harming Future Persons: Obligations to the Children of Reproductive Technology" (HR, 439-464)

Morgan and Lee, "In the Name of the Father? *Ex parte Blood*: Dealing with Novelty and Anomaly" (HR, 465-481).

### **Discussion Questions**

1. Does the fact that human embryos are alive and human give them the status of human persons? Why or why not?
2. In "The Moral Status of Extracorporeal Embryos," I argue that we might give more weight to Mrs. Stowe's desire to reproduce with the embryos than to Mr. Davis's desire that his genetic children not come into existence once his marriage failed. Which interest do you think should take precedence?
3. I also argue that the situation changed once Mrs. Stowe decided to donate the embryos to another couple, saying that she no longer had a reproductive interest to balance against her ex-husband's interest in not reproducing. What would Robertson say, do you think? What do you think?

### **Writing Assignment**

1. Given the history of eugenics and abuses of sterilization, can the sterilization of mentally retarded adults without their consent be justified? Why or why not?
2. Discuss the morality of posthumous reproduction.

### **Week Five: Cloning and Genetic Interventions**

#### **Lectures**

Disability, Prenatal Testing, and Abortion  
Choosing Our Children's Genes

#### **Assigned readings**

President's Council on Bioethics, *Human Cloning and Human Dignity*: Executive Summary (in packet)

Robertson, "Two Models of Human Cloning" (HR, 347-376).

Lippman, "Prenatal Genetic Testing and Screening: Constructing Needs and Reinforcing Inequities" (HR, 299-334).

Botkin, "Ethical Issues and Practical Problems in Preimplantation Genetic Diagnosis" (HR, 335-346).

Steinbock, "Sex Selection: Not Obviously Wrong" (in packet).

## Discussion Questions

1. Abby Lippman writes, “Whatever else, prenatal diagnosis *is* a means of separating fetuses we wish to develop from those we wish to discontinue. Prenatal diagnosis does approach children as consumer objects subject to quality control.” (HR, p. 307) Do you agree? Why or why not?
2. What genetic tests should be offered to pregnant women/couples? Only tests for serious diseases? Or should parents be able to test for minor and late-onset conditions, gender, or desirable characteristics?

## Writing Assignment

1. What are some of the concerns of the disability community regarding prenatal testing? Are these concerns persuasive, in your view? Why or why not?
2. Are there good moral reasons against letting parents select for or against non-disease genetic traits?
3. What are the two models of cloning, according to Robertson? Are there reasons to ban one kind but not the other?

## Week Six: Embryo and Stem Cell Research

### Lectures

Moral Status, Moral Value, and Human Embryos  
Ethics and Policy of Stem Cell Research

### Assigned readings

Robertson, “The New Reproduction,” Part III: Status of Extracorporeal Embryos,  
(HR, 31-50).

Steinbock, “What Does ‘Respect for Embryos’ Mean in the Context of Stem Cell  
Research?” (in packet).

Ryan, “Creating Embryos for Research: On Weighing Symbolic Costs” (in packet)

## Discussion Questions

1. Dan Callahan argues that the notion of “profound respect” for embryos is just a way of making ourselves feel better as we prepare to kill them. Is this a fair criticism?
2. Is it morally better to use “discarded” or “spare” embryos than to create embryos specifically for stem cell research?

## Writing Assignments

1. If human embryos are not persons, does that make them property? If not, why not? If it does, is that a bad thing?

2. Should cloning-for-biomedical-research be banned?