

## The Latent Evils in a Wished-For Good

Two years ago, 17 year-old Anissa Ayala was diagnosed with a disease known as chronic myelogenous leukemia (a cancer of white blood cells). Normally the disease is fatal, but with a bone marrow transplant from a compatible donor Anissa and the 9,000 other Americans who suffer from this condition have a 70-80% chance of survival.

The Ayalas were frustrated by two years of futile searching for a proper donor for their daughter: Anissa's parents and her 19 year-old brother proved to be incompatible donors, and a search by the National Donor Program, with its 1 in 20,000 chance of locating a match from unrelated donors, was unsuccessful. Finally, after every attempt at finding a donor failed, Anissa's father decided to have his vasectomy surgically reversed in order that he and his wife could attempt to conceive a child whose bone marrow would have a one-in-four chance of matching that of Anissa.

Not only did Anissa's mother become pregnant, but amniocentesis revealed that the baby girl (born in April, 1990) has compatible bone marrow. The transplant procedure will take place either when the infant reaches six months of age or the need for it will be obviated if, at the time of the child's birth, the doctors were able to obtain stem cells (bone marrow cells that help produce various blood cells) from the umbilical cord.

Although the Ayalas insist that they will love their baby for its own sake, they also candidly admit that they would never have attempted the conception of another child if it were not for the hope that the baby would be a compatible donor for Anissa.

The purpose of this article is not to pass judgment on the *subjective* morality of the Ayala's decision but to consider the *objective* morality of the kind of action which they felt compelled to make by force of circumstances: conceiving a child primarily for the purpose of saving another sibling's life. Part one of this brief evaluation limns the ethical concerns surrounding such an action; part two more fully explores the gravity of one of the concerns, namely, the resultant objectification of the human person, i.e., considering the person as an object to be used, as a means for another person's good.

### Part One: Raising Ethical Concerns

Some of the morally troublesome aspects of an act by which a human person is conceived primarily in the hope that it will be a compatible bone marrow donor for an ailing sibling are the following:

1. The principle of patient autonomy is seriously compromised. Because the newborn cannot consent to the transplant procedure, the decision falls to the parents. The parents, however, are faced with an obvious conflict of interest: With whose best interests are they primarily concerned? Their love for their already existing sibling and their desperation to find a "cure" for her tempts them to do almost anything rather than allow her to die. How the decision to conceive and use the baby primarily as a donor affects the well-being of the baby appears to take second place. In the midst of this emotionally-charged situation, the question which should be of primary concern for any proxy decision-maker, namely, what decision regarding bone marrow transplant is in the best interests of the baby, is obfuscated.

2. Extrapolating from the moral response to the action undertaken in the Ayala case, one could reasonably predict future societal opinions about similar scenarios. If no serious moral challenges are raised against the type of action involved in the Ayala case, is it totally unreasonable to wonder what will arouse public disap-

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proval of either conceiving infants solely for their organs or for subsequent abortion so that their tissues may be used for the treatment of debilitating diseases like Parkinson's?

3. Several contingent features of the case—the 75% chance that the newborn will not be a compatible donor, the 20-30% chance that the transplant itself will not cure the leukemia, the possibility that the sibling with leukemia may need an emergency bone marrow transplant before the newborn reaches the required age for such a procedure—lead one to doubt the moral justifiability of the act even when judged from a utilitarian or consequentialist perspective.

4. Another eventuality should be noted: What if the baby who has been conceived to save her ailing sibling fails to fulfill that purpose, for reasons outside of the infant's control? An adequate ethical analysis of the action under scrutiny should weigh how knowledge of that fact might affect the attitude of the parents toward the child who had "failed" to save her older sister.

5. When an individual is treated (in this case, conceived) not primarily as an end in itself but as a means or an object to be used as a tool for someone else's end, the very dignity of the human person—the essential nature of personhood—is thereby violated.

#### The Nature of the Human Person

Since the last-mentioned concern—the objectivization of the human person—represents, by far, the most serious moral objection to the action under analysis, it deserves further investigation. The question we must ask is: *Why* does treating one human being primarily as the means to another person's end (even though the end is a morally good one) violate the essential nature of human personhood? A compelling response emerges after one reflects on the

nature of the human person.

Kant's practical imperative—"Act so as to treat man, in your own person as well as in that of anyone else, always as an end, never merely as a means"—is approvingly cited by many for good reasons. One instinctively recognizes that a fundamental presupposition of this maxim is respect for the dignity of man, for the spiritual, transcendent character of human personhood that demands that each person is to be loved for himself. But why?

The non-material activities of the human person, namely, thinking and willing, account for a person's inner life where he sets his own goals and aims and is his own self-maker, particularly in a moral sense. As *Gaudium et Spes* points out, it is man's gift of self-determining free choice which is "an exceptional sign of the image of God within man" (#17).

In short, then, it is by virtue of our God-intended intelligent and free nature that the truth of Kant's imperative—the human person is an end, not a means—comes to light. The nature of the gift of intellect and free self-determining choice by which each person is moved and drawn from within prohibits one person from using another as a means to someone else's end.

#### Conclusion

Even though the act under consideration—conceiving a baby in hopes that it would be a compatible bone marrow donor for an ailing sibling—has a good end, the intelligent and free inner nature of the human person, made in the image of God, requires that each person respects the other as someone who must be allowed to exercise this right of self-determination. No one else has the right to objectivize another, to use another as a blind tool for one's ends.

Sister Renée Mirkes, O.S.F., M.A.  
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