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The Orientation of Freedom toward Bodily Integrity: Defending the Oocyte from Extracorporeal Manipulation

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ABSTRACT: Modern science views the oocyte as manipulable matter at the service of human purposes. This reductive concept of nature reveals an improper notion of freedom. When freedom is conceived fundamentally as choice, nature is stripped of any inherent value and subordinated to the dictates of man. Thomas Aquinas reveals a fuller account of freedom that is responsive to the goodness already present in nature, thereby restoring a sense of interiority to nature. There is an intrinsic value to the oocyte in its natural end that is entirely distinct from any purposes we may intend. Drawing on John Paul II's nuptial meaning of the body and the understanding of natural inclinations in Aquinas, I hope to develop the value of the oocyte within the context of the goodness of sexual union. Since the natural end of the oocyte is to form new life, attempts to divert it from this path not only frustrate the *telos* of the oocyte but ultimately violate the woman, the marital act, marriage, and love, thus serving as an affront to God and the "procedures" that he has set up for the continuation of humanity.

IN *DIGNITAS PERSONAE*, THE CONGREGATION for the Doctrine of the Faith advises caution over the technologies of Altered Nuclear

Transfer (ANT) and Oocyte Assisted Reprogramming (OAR)¹ because of “questions of both a scientific and an ethical nature regarding above all the ontological status of the ‘product’ obtained in this way.” The document continues: “Until these doubts have been clarified, the statement of the encyclical *Evangelium vitae* needs to be kept in mind: ‘what is at stake is so important that, from the standpoint of moral obligation, the mere probability that a human person is involved would suffice to justify an absolutely clear prohibition of any intervention aimed at killing a human embryo.’”²

Although the recent discovery of induced pluripotent stem cells³ has most likely rendered ANT and OAR superfluous, this intense debate has opened up a new area of inquiry that warrants further exploration. Abstracting from the more critical issue of whether or not these technologies may unintentionally create “defective” embryos, we must consider on a more basic level whether it is acceptable to manipulate oocytes in this process. The premise of ANT and OAR rests on the necessity of derailing the normal reprogramming ability of the oocyte to create life towards a different end, that of creating stem cells. Is this a morally neutral act or does this constitute a violation of the very nature and *telos* of the oocyte? How is man’s freedom to be understood in relation to nature, especially *human bodily nature*? Does his freedom shape and determine nature or does nature *enable freedom* by directing man toward the ethical good?

¹ANT and OAR attempt to obtain embryonic stem cells without creating an embryo through the fusion of an enucleated oocyte and an altered somatic cell nucleus. For more information on this debate, see <http://www.communio-icr.com/ant.htm>.

² The Congregation for the Doctrine of the Faith, *Dignitas Personae*, http://www.usccb.org/comm/Dignitaspersonae/Dignitas_Personae.pdf, §18.

³ Induced Pluripotent Stem Cells (IPS) can be obtained directly from a somatic cell without the need for an oocyte. The “oocyte” is a female germ cell (reproductive cell) produced in the ovary and in the process of developing into an ovum, or egg.

In order to make an informed moral decision about how to proceed with any technological intervention, it is imperative that we understand the nature of the entity that we intend to alter. Nature, a term derived from *nascor* (*to be born*), implies a certain sense of givenness and structure. Aristotle spoke of the nature of the cosmos, plants, animals, and humans in terms of their internal principle of movement towards a final goal. This movement reveals an interiority and integrity within natural things apart from man's intervention that, rather than diminishing human freedom, actually enables freedom to flourish. But asserting this requires a proper understanding of both freedom *and* nature. Freedom is a part of nature in its already given structure towards the good. Without slipping into a biological determinism whereby nature is set over and above freedom, we should understand nature as helping to provide the shape and foundation for freedom to be fully actualized.

These underlying presuppositions will guide my argument that the oocyte has an internality directed at procreation that *ought not* (and perhaps *cannot*) be frustrated by attempts to divert its teleology. In order to build this argument, I will rely on the work of Karol Wojtyła (Pope John Paul II) in his metaphysics of ethical action in *Person and Community*, his development of the pre-ethical role of nature in *Love and Responsibility*, his notion of the nuptial meaning of the body in his *Theology of the Body*, and his account of freedom and nature in *Veritatis splendor*. Since Wojtyła develops his analysis within an Aristotelian-Thomistic tradition, I will also consider St. Thomas Aquinas's account of human flourishing that describes the inclinations as emanating from the potentiality of man's nature and culminating in his fulfillment.

In attempting to express the depth and interiority of nature, Karol Wojtyła appeals to the conception of the good articulated by Aristotle and Aquinas:

The good is an end: that at which a thing aims. In order to explain why the thing aims at the good as an end, we must turn our attention to the being that does the aiming and consider its nature. We find that the good is always that which in some way corresponds to this nature, that which is needed to perfect

this nature in some respect.⁴

Each natural entity tends towards the end or *telos* that is perfective of its being. As Aquinas notes, “to be is to desire perfection.”⁵ This interior movement towards the good reveals the *form* and *finality* of an entity, which tells us what this thing *is*. An acorn develops into the mature oak tree that is perfective of its being. The acorn possesses both the form and the finality of the oak tree. In clarifying the nature of an end, Msgr. Robert Sokolowski emphasizes the distinction between *natural ends* and *human purposes*. He explains that an *end* “belongs to a thing in itself” as distinct from a *purpose* that implies human intention. Regardless of what a human hopes to achieve with a thing, there exists in it a natural end, which is its perfection “in and for itself.”⁶ This natural end should serve as a guide to help man understand how he may intervene as a steward of nature. Granted that man may make use of nature to serve his needs, still he must subordinate his own purposes to the proper ends already present in nature. As Kenneth Schmitz suggests,

the task given to man by God is a conditional superintendence and use of nature in accordance with the original intention of God. Moreover, in the making of the heavens and the earth, God has already declared the prehuman creation to be good without anticipatory reference to man; ... all living things possess an inherent dignity and value of their own and...their value cannot be overridden by arbitrary human design.⁷

There is a natural end to an entity that is not in itself “moral” (for human

⁴ Karol Wojtyła, *Person and Community: Selected Essays*, translated by Theresa Sandok (New York NY: Peter Lang, 1994), p. 47.

⁵ Thomas Aquinas, *Summa theologiae* I, q.5, a.1.

⁶ Robert Sokolowski, “What is Natural Law? Human Purposes and Natural Ends,” *The Thomist* 68 (2004): 510 (referring to Frances Slade’s distinction).

⁷ Kenneth L. Schmitz, *At the Center of the Human Drama* (Washington D.C.: The Catholic Univ. of America Press, 1993), p. 96.

agency has not yet entered into the picture) but that does indeed have a *pre-ethical* value that must inform our human intentions. This value is determined by *what* a thing *is*. Its nature and end are revealed to man through his reason as a participation in divine reason. This value enlightens us as to how we may treat a thing—the *is* here does imply an *ought* in the sense that our human purposes must be in line with the natural ends of that sort of thing. Human purposes, which involve human agency, do have a moral value.

As Pope John Paul II affirms in *Veritatis splendor*, human freedom is not able to “create” values and is not prior to truth since values already exist (VS §35). In explaining a proper relationship between reason and nature, he affirms a related point: “*the autonomy of reason cannot mean that reason itself creates values and moral norms*” (VS §40). Echoing an earlier sentiment in *Gaudium et spes*, he notes: “created things have their own laws and values which are to be gradually discovered, utilized and ordered by man.” Again, human purposes must be in line with the natural ends. There is danger in thinking that “man can use them without reference to their Creator” (VS §38).

This requires a further clarification of the relationship between nature and freedom. Servais Pinckaers, O.P., highlights two conflicting senses of freedom that may help illuminate this struggle to ascertain meaning in nature: a *freedom for excellence* versus a *freedom of indifference*. He explains the first sense of freedom as the traditional concept of freedom as understood by many Church Fathers and by Aquinas. In the fourteenth century, however, William of Ockham asserted a new sense of freedom constituted primarily as “indifference”—a choice prior to or independent of any reasoning about the merits of the object chosen. He suggested that freedom was first to be understood as the power of the will freely to choose between contraries. Man’s will was not to be understood as first attracted to the good but as something wholly indifferent to the choices that lay before him. Free choice was thus regarded as anterior to both reason and will. Ockham took this as suggesting that man could freely choose such a foundational inclination

as “to know or not to know.”⁸ The only thing limiting this boundless freedom was the law, which was now conceived as an external, irrational imposition. *Freedom of indifference* overturned the primary notion of a eudaimonistic virtues-based morality, thereby yielding to a morality constituted by obligation and juridical duty.

The fallout from this Ockhamistic account of freedom has led to an opposition between freedom and nature whereby freedom must increasingly conquer nature. Pope John Paul II explains how this misunderstanding of freedom has an impact on our concept of nature by “overlooking the created dimension of nature and in misunderstanding its integrity” when he states: “For some, ‘nature’ becomes reduced to raw material for human activity and for its power: thus nature needs to be profoundly transformed, and indeed overcome by freedom, inasmuch as it represents a limitation and denial of freedom” (VS §46). This view characterizes the technological approach in modernity whereby nature is stripped of any intrinsic value apart from human purposes.

In contrast, Aquinas considers freedom as a response to the good rooted in our human nature. This freedom is first responsive since man is not the origin of himself. Being “wholly ordered to finality,” freedom proceeds from reason and will “with their natural inclination to the highest truth and goodness.”⁹ Freedom is located inside the inclinations of man to seek happiness and the good realized in God. Because the good is prior to the will, man is naturally drawn to this good through his inclinations. The good affects him and moves him to choose it. This order in freedom enables man to choose in accordance with his nature by moving him towards his own perfection. Since the *telos* of man is human flourishing, realized in his ultimate *telos* of union with God, the inclinations lead man to this ultimate end. Aquinas states:

⁸ Servais Pinckaers, *The Sources of Christian Ethics* (Washington D.C.: The Catholic Univ. of America Press, 1995), p. 331.

⁹ *Ibid.*, p. 399.

Since, however, good has the nature of an end, and evil the nature of a contrary, hence it is that all those things to which man has a natural inclination, are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance.¹⁰

Drawing from Greek thought, Aquinas outlines three categories of natural inclinations: inclinations to the good and to self-preservation (for all living organisms), to sexual union and the rearing of offspring (for animals), and to the knowledge of truth and living in society (for human beings).¹¹ In man, these inclinations are guided by the inclination to the true and the good and can only be properly understood in that light. All of the inclinations serve as grounds for formulating the various precepts of the natural law that has been imprinted upon man by God.¹² Through them, all of creation participates to some degree in God's eternal wisdom.

Insofar as the inclinations lead us to an understanding of the natural law, the internal law written on the human heart referenced in Romans 2:15, they contain ethical significance. From a Thomistic perspective, it is thus possible to find the basis for ethics (what we ought to do) in reflection on the inclinations (what we are given by nature). In order to develop an adequate account of ethics, we must understand the inclinations in relation to each other. For the purposes of making the case for the moral significance of the oocyte, I will focus primarily on the inclination towards sexual union, while still showing how the other inclinations are necessary to order this urge properly. In this way, we can come to an understanding of man's nature and the goodness and integrity of the body.

Because the human person is a unity of body and soul, sexual union can never be considered only as a physical act. While this act necessarily involves a biological union, it belongs to human nature that it also is a

¹⁰ Aquinas, *Summa theologiae* I-II, q. 94, a. 2.

¹¹ Ibid.

¹² Pinckaers, pp. 404-05.

spiritual act. Because the individual is a union of body and soul (*corpore et anima unus*), sexuality in human beings is taken up into a higher order than in other animals. The husband as an embodied spirit experiences an openness to his wife in the fullness of her body-spirit as “the two become one flesh.” Rather than relegating sexuality to a lower biological sphere, when coordinated with the spiritual inclinations towards the good, truth, and friendship, it becomes one of the most profoundly spiritual acts in which man can participate.

Pinckaers suggests that all of the natural inclinations can be fulfilled only in marriage. He explains how the inclination to self-preservation is realized through the mutual support of the spouses, the inclination to truth is satisfied through the knowledge of the other discovered in love, and the inclination to life in society is fulfilled by the intimate friendship between spouses and the rearing of children. Within the context of true love in marriage, the inclination to the good is fulfilled whereby spouses give themselves totally to the other in a lifelong commitment.¹³ In this way we can see how the inclinations can harmonize with each other, thereby leading man to his true fulfillment.

Sexuality propels man out in search of another as his complement. John Paul II refers to this *nuptial attribute* of the body as constituted in the sexual difference. The human body, which is marked with the sign of masculinity or femininity, “includes right from the beginning the nuptial attribute, that is, the capacity of expressing love, that love in which the person becomes a gift and by means of this gift fulfills the meaning of his being and existence.”¹⁴ Sexual difference is not merely a property, but rather constitutes the very essence and identity of a person and enables the possibility for a communion of persons. This sexual difference discloses the nature of the person as being *for* another. The male body reveals that a man is meant to give himself to a woman.

¹³ Ibid., p. 442.

¹⁴ John Paul II, *The Theology of the Body* (Boston MA: Pauline Books and Media, 1997), p. 63.

The female body shows that she is apt to receive this gift. In her receiving, she is not merely passive, but actively receives the love, which in turn allows her to give herself back to the man. Since the “body reveals the person,” a man is *primarily* constituted as giver and a woman as receiver.¹⁵ In this way, a man finds himself apt for fatherhood as an image of the Father who first gives, and a woman apt for motherhood in the reception of the child into her womb.

This openness to the other takes on a sacred dimension in its openness to the Divine. Through sexual union, husband and wife are able to co-create with God. “The sexual urge owes its objective importance to its connection with the divine work of creation...and this importance vanishes almost completely if our way of thinking is inspired only by the biological order of nature.”¹⁶ This sacred dimension is frequently dismissed in a contraceptive culture that degrades the sexual act as primarily about physical pleasure. If we understand procreation to be good, then the fulfillment of the sexual act is union and procreation, or as Janet Smith puts it, “babies and bonding.”¹⁷ As Wojtyła states the point, a child is “above all the work and gift of God, the Giver of all existence.” He continues, “justice towards the Creator demands particular respect for the procedure which he has established for the initiation of a new human life.”¹⁸ This “particular respect” necessarily includes a directive for couples to remain open to life.

Contraception is contrary to all of the natural inclinations. In rendering the conjugal act sterile, spouses cut themselves off from the goodness and truth of marriage, their own vocation to love through their aptness for motherhood and fatherhood, and the creative intervention of

¹⁵ This needs to be further qualified. There is a giving and receiving in both man and woman, but the primary mode of expression of this giving and receiving corresponds to the sexual difference.

¹⁶ *Love and Responsibility*, p. 57.

¹⁷ Janet Smith, *Humanae Vitae: A Generation Later* <<http://www.goodmorals.org/smith6.htm>> Last accessed October 6, 2009.

¹⁸ *Love and Responsibility*, p. 295 n20.

God. They frustrate the inclination to life in society and self-preservation, which extends into the preservation and continuation of humanity. At root, the inclination for sexual union becomes distorted as its two ends of mutual support and openness to life find themselves in conflict. When the goal of mutual support becomes detached from openness to life, love begins to spiral in upon itself. When spouses aim at maintaining the intimate connection achieved through sexual union at the expense of closing themselves off to the possibility of pregnancy, they inadvertently cut themselves off from the possibility for the continuation of this intimacy and love. Because contraception is built upon a radically dualistic anthropology whereby the body is seen as separate from the person, it treats a profoundly spiritual and bodily act as merely physical. In the end, persons become objects to be manipulated, rather than as subjects to be loved.

There are some, such as Charles Curran, who have argued that recent teachings by the Catholic Church on sexuality “reduce the human moral act just to its physical aspects.”¹⁹ This accusation of *biologism* or *physicalism* has been invoked in an attempt to counter the Church’s teaching against contraception. They argue that because man can control bodily functions such as fertility through his reason, contraception should be licit. They explain that it is acceptable for a couple to interfere with the sexual act “for the sake of the unitive purpose of marriage or for other values in marriage itself.” This can be for the “good of the marriage or the good of persons.”²⁰

In response to these critics who argue against the normativity of such “natural biological functions,” Wojtyła says:

¹⁹ Charles Curran, “Is Contraception Morally Permissible? ‘*Humanae Vitae*’ Revisited” (debate in Dallas, Texas on 23 October 1994). Audio recording at <<http://thedivinelamp.stblogs.com/2008/07/27/is-contraception-morally-permissible-humanae-vitae-at-40/>> Last accessed October 6, 2009.

²⁰ *Ibid.*

the accusation of “biologism” can only be made if we assume in advance that the sexual urge in man has only a biological sense, that it is a purely natural fact. This assumption, however, made in a purely dogmatic way, begins by depriving the sexual urge of its existential-axiological dimension, reducing it to its biological significance.... It is really this reductionism which deserves to be called “biologism,” since it allows the biological aspect (which of course is important) to obscure the phenomenon as a whole (*pars pro toto*) and absolutize it.²¹

The Church’s ban on contraception does not imply that a couple should strive to have as many children as possible. John Paul II is very clear in explaining the value in ordering the sexual urge and understanding the woman’s biological rhythms, so that in cases where it may be necessary for a couple to delay pregnancy, they may have recourse to periodic continence. “‘Nature’ in human beings is subordinated to ethics, and the correct biological rhythm in women, and the possibility of natural regulation of conception which this gives, are inseparably connected with the love which shows itself on the one hand in willing acceptance of parenthood, and on the other hand in the virtue of continence, the ability to deny and to sacrifice the ‘I.’”²² The sexual urge must be taken up into the spiritual realm in order to allow the fullness of love to flourish. This love becomes concrete through the virtue of chastity in marriage, continued openness to life, and respect for the woman in her totality.

In this way, we can account for the integrity of bodily nature and the sexual act without yielding to biological determinism. A couple can learn of the natural fertility cycles and order their sexuality rightly. Here we must take into account human freedom. Rather than asserting an Ockhamistic account of freedom that subordinates nature to freedom, we ought to invoke a Thomistic account that acknowledges freedom’s necessary ordering to the good evident in nature. As Wojtyła states this

²¹ *Love and Responsibility*, p. 295 n20.

²² *Love and Responsibility*, p. 281.

point, “the dynamisms of the body are not an independent and self-contained phenomenon, but are naturally oriented to serving the good of the integral human person.”²³ A new freedom arises through this integration of inclinations when a man realizes that he is not compelled to act merely on his physical urges, but discovers through these desires a calling to a greater love. It would not be licit for a couple to regulate their sexual lives for the purpose of remaining always closed to the possibility for new life. In ordering their inclination to sexual union within the inclination for the good and the true (culminating in God), they can discover the beauty of God’s plan for their sexuality and the great gift of the child.

It is obvious how vital it is to understand the inclinations in reference and ordered to one another. The spiritual inclinations to truth and goodness must take up the other inclinations of preservation of life and sexual union to order them to the proper end of man—his flourishing, which is union with God. From the sexual urge, we can see how God draws man to himself by revealing to him the giftedness of his nature as *from and for another*. In the body-soul unity of man we can see how this sexual union can be elevated into a higher order through a lifelong commitment in marriage. The twofold task of marriage to build communion between the spouses and to remain open to life further opens man to the Divine. In the “procedure” that God has developed for the continuation of the species, there is special respect for the conjugal union to be open to the creative action of God. Recognizing this act as both physical and profoundly spiritual, and the place where man has the inestimable privilege to co-create with God, we can realize the value of the body.

In the goodness of the conjugal union, we can see the value of all that contributes to the possibility of new life. The sexual organs and gametes (sperm and egg) participate in a special way in the goal of procreation. The sperm and egg unite in a manner analogous to the union

²³ *Love and Responsibility*, p. 303 n48.

of the spouses. The sperm seeks the egg and strives to unite with it. The egg receives the sperm into itself. As soon as a single sperm enters the egg, a wall immediately forms around the exterior of the egg so that no other sperm may enter.²⁴ Upon union, a new life is formed.

This process reveals the unique *telos* of the gametes. While all other somatic (bodily) cells are diploid (containing 46 chromosomes), only the gametes are haploid (containing 23 chromosomes). The chromosomal structure of the gametes already point to the need *for another*. Oocyte and sperm can only be properly understood in reference to each other. While somatic cells have the capacity continuously to renew themselves, gametes lack the ability to self-renew. Gametes have a very specialized trajectory—each sperm and egg grow individually and either lie dormant, fertilize, or die. The egg that is not fertilized dies within twelve to twenty-four hours after its release from the ovary. While sperm may survive for three to five days in a woman’s fertile mucus, they too will soon die if they fail to penetrate an egg. Hence, we can recognize fertilization as the “goal” or *telos* of the gametes. It is only when an egg is fertilized that it becomes a mature gamete. Somatic cells do not hold the same teleology as sex cells. While a liver cell is for the liver, and heart cells for the heart, the reproductive cell, or gamete, always strives for union with another whereby it is radically transformed into something far beyond its individual nature. In fertilization, the gametes do not die but rather fuse, resulting in a process of *vital decomposition*. While some of their biological properties are broken down, they are mysteriously transformed and transferred to the zygote.²⁵

In this analysis of the nature and *telos* of the oocyte, it is critical to avoid falling into the reductionism characteristic of modern science. The temporary abstraction of the oocyte presented here is only at the service of achieving a greater synthesis within the teleological whole of its

²⁴ Even on a biological level, we can see arguments for the beauty and goodness of monogamy.

²⁵ I am grateful to Dr. Joseph Mauceri for this insightful analysis.

relation to the sperm, and more broadly to the continuation of human life between woman and man through marriage. The biological joining together of the gametes points to the original communion of persons in the spousal union.

Gametes cannot be understood only in their individual physical structures, but must be considered in their participation in the coming-to-be of new life. Analogous to the “two becoming one flesh” is the mysterious recombination of the genetic material of sperm and egg whereby a new individual with a unique genetic make-up is created. In this biological process is hidden a great mystery whereby God breathes life into a new being through his own creative intervention. This confers a special status upon the gametes in their distinctive contribution to new human life created directly by God, thereby imbuing them with a higher significance than certain other bodily “parts” which might be considered expendable, such as fingernails or hair. This should help guard us against treating both oocytes and sperm as merely inert matter to be manipulated at will.

This leads us back to the question of the relationship between freedom and nature, but now in terms of *bodily* nature. John Paul II warns of the distortion caused by an Ockhamistic account of freedom: “A freedom which claims to be absolute ends up treating the human body as a raw datum, devoid of any meaning and moral values until freedom has shaped it in accordance with its design” (VS §48). Technologies such as ANT and OAR treat the oocyte as simply matter that can be utilized to serve ends other than procreation, reducing the ethical question to concerns over obtaining oocytes.

As noted previously, there is great danger in dismissing the interiority of nature. Oocytes have an integrity that our freedom and reason must engage. We can recognize the value of the oocyte in its connection with the higher realm of procreation. The good of the oocyte aims at forming new life. It is therefore a frustration of the *telos* of the oocyte to divert it from its normal teleology. Although it may be acceptable to experiment on an oocyte for therapeutic purposes, it is

illicit to manipulate the oocyte towards an end apart from its directed path. There is an intrinsic value to the oocyte in its natural end that is entirely distinct from any purposes that we may intend. Human purposes for the oocyte including cloning, ANT and OAR violate not only the oocyte, but also the woman, the marital act, marriage, and love, serving as an affront to God and the “procedures” that he has set up for the continuation of humanity. As Wojtyła asserts, “*Nature cannot be conquered by violating its laws. Mastery over nature can only result from thorough knowledge of the purposes and regularities which govern it.*”²⁶

An improper notion of freedom leads to an impoverished concept of nature. A freedom conceived fundamentally as choice strips nature of any inherent value by subordinating it to the whims of man. St. Thomas reveals a fuller account of freedom as responding to the goodness already present in nature. This restores interiority to nature and corresponds to the inclinations present in man. A notion of responsibility arises out of this proper realization of freedom in light of this *given* integrity of nature. As emerging biotechnologies push man to redefine nature, including his own, knowledge of this inner teleological principle is necessary to prevent him from destroying both the world and himself.²⁷

²⁶ *Love and Responsibility*, p. 229.

²⁷ This paper was written under the direction of Prof. Kenneth L. Schmitz, and the author is deeply grateful for his guidance.