A Compilation of Presentations
from the
Infertility Ethics Symposium
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By Rev. Dr. James I. Lamb

“Well does the theologian begin when addressing the issue of in vitro fertilization (IVF)? We do not begin with biology but with theology, specifically the Second Article and the incarnation of our Lord at His conception. From this starting point we will be able to establish a foundation upon which to properly look at and analyze the biology involved in IVF and, subsequently, what this means for God’s people on a practical level.”

By Rev. William M. Cwirla

“Be fruitful and multiply: fertility ethics viewed in the light of creation and redemption”

For a theologically informed discussion of fertility, we must take into consideration the biblical doctrines of creation and redemption. Fertility begins with the creative Word: “Be fruitful and multiply,” which is the source of all fertility and extends into the work of redemption by way of the promised Seed of the woman (Gen. 3:15). The incarnation of the promised Seed in the person of Jesus Christ redeems the old creation and ushers in the new. Living in the “last days” of the old creation, baptized believers today must take into account their eschatological context as they confront various ethical issues pertaining to fertility and infertility.

By Rev. Christopher Esget

“Pastoral care for those experiencing infertility and miscarriages”

Barrenness is inextricably linked to mankind’s fall into sin. Thus it presents serious spiritual challenges to Christians, including guilt, temptation, anger at God and others, and despair. Many suffer in silence, presenting unique challenges to the pastor. Esget will address barrenness and the curse of Gen. 3, the lives of the patriarchs and the unique challenges of modern reproductive technology in the spiritual lives of our parishioners. Particular attention will be paid to prayer and preaching in spiritual care of the barren.

By Rev. Dr. Robert W. Weise

“Embryo adoption: helping or hurting my neighbor?”

One of the by-products of in vitro fertilization and direct egg sperm injection is left-over embryonic human beings that will not be used either to be placed back into the mother or a surrogate. Currently, there are an estimated 600,000 unclaimed frozen embryonic human beings stored in liquid nitrogen at minus 321 degrees. Some researchers would like to use them in human experimentation studies for embryonic stem cell research while others would like to have them periodically destroyed, as they are in England. What about embryo adoption as the “logical” approach to see that these unclaimed, unwanted embryos receive adoptive parents? We will discuss the processes arriving at this stage, the moral and theological implications for procreation, parenting, human experimentation, and caring for the smallest and weakest of our neighbors. Some concluding guidelines for parents seeking to adopt frozen human embryos also will be addressed.

Disclaimer: The contents of this compilation are from speeches/presentations given at a symposium on the ethics of infertility medicine held Nov. 8, 2014, at Concordia Seminary, St. Louis. Views and opinions expressed herein are exclusively those of the authors, presenters and other contributors and do not necessarily reflect those of The Lutheran Church—Missouri Synod.
THE LCMS AND INFERTILITY ETHICS

REV. PETER J. BROCK

INTRODUCTION
This paper responds to the request of LCMS Life Ministries to examine the history of The Lutheran Church—Missouri Synod's engagement with ethical issues associated with infertility and what is commonly called reproductive technology and to offer reflections on how the church might proceed in this area for the care of God's people and in witness to the world. The suffering and temptations that come with infertility engender a grand scope of Scripture's witness and the church's theological reflection. We could, and should, say that every proclamation of God's Word, every act of mercy, and every expression of our walking together addresses, in one way or another, some aspect related to infertility and thus our understanding of marriage, family, children, and what it means to be human. The examination that comprises the first part of this paper limits itself to the most specific expressions of the Synod's engagement with infertility ethics over the last 40 years, or approximately since the first child was born as a result of in vitro fertilization. My aim is to bring this examination of our Synod's engagement into conversation with other careful thinkers and apply the contribution of that dialogue in thinking about how the church might proceed. I have organized those thoughts in the second part within the framework of the Synod's emphasis "Witness, Mercy, Life Together." In all of this, I contend that the Lutheran church's engagement with infertility ethics necessarily reveals what we finally believe about God and humanity, and that confession should direct and inform our witness to the world, our mercy to the neighbor, and our life together both as the body of Christ and as fellow human creatures. The thoughts here offered are by no means a final word on these questions. Rather, my hope is that they serve simply as a further call to continue the conversation about infertility, care for couples who suffer, and the promise or threat of reproductive technology.

I. LCMS ENGAGEMENT WITH INFERTILITY ETHICS
Our survey begins with four reports of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod (CTCR). According to the LCMS Constitution and Bylaws, the CTCR assists congregations to "conserve and promote the unity of the true faith, work through its official structure toward fellowship with other Christian church bodies, and provide a united defense against schism, sectarianism, and heresy." The commission also aids congregations "by providing a variety of resources and opportunities for recognizing, promoting, expressing, conserving, and defending their confessional unity in the true faith" and provides "guidance to the Synod in matters of theology and church relations." As such, the reports of the CTCR serve as a sort of voice for the Synod and its engagement with issues such as infertility and the understanding of reproductive technology, though the CTCR is careful to recognize that faithful Christians may disagree with how the commission applies certain biblical principles by which we are all committed to be guided. Much of the information about reproductive technology contained in these reports is, of course, quite dated. Nevertheless, the reports of the CTCR are instructive for how our Synod has publicly viewed infertility and reproductive technology and how those views have shifted (or not) over time.

Human Sexuality: A Theological Perspective
(CTCR Report - September 1981)
In September 1981, the CTCR published the report "Human Sexuality: A Theological Perspective." The purpose of this report was three-fold: 1) to place the order of marriage within the larger framework of human sexuality as God's creation; 2) to discuss the purposes or ends which marriage serves, as these are taught in the Scriptures and understood in the history of the church; and 3) to discuss, in the light of these purposes, certain problems or 'issues' which must inevitably engage the attention of those who think about human sexuality. Such a "study of human sexuality from the standpoint of Christian theology," the report notes, "cannot begin with a discussion of marriage. Rather, it must begin with the creation of man as male and female." In a footnote, the report also recognizes that "more could and needs to be said about how our creation as sexual beings affects a whole variety of relationships such as between parents and children …"

Grounding its thought in the Lord's creative activity and design, the report notes the implications this order has for understanding human life as created for community, a fellowship of embodied creatures. Though all need not marry, the report nevertheless identifies that "awesome human significance of the encounter between a man and a woman who give themselves fully to each other in a 'one flesh' union of love. The relation between husband and wife has a significance and meaning in and of itself, distinct from any other purposes (such as procreation) which their union may serve." This significance bears witness to important truths of our humanity, including the incompleteness of autonomy overcome by God's creative Word whereon one comes to know oneself only in relation to knowing the other in a fellowship of love.

That this reflects humanity's relation to God is not lost on the commission as the report applies the same understanding to procreation within the marriage union, noting that procreation

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1 This examination is far from exhaustive, and I have sought to supplement the survey, as well as the paper's second part, with a select bibliography for further reading and reflection.
2 2013 Handbook of The Lutheran Church—Missouri Synod, 13.
5 See, for example, CTCR, Christians and Procreative Choices: How Do God's Chosen Choose (September 1996), 18-19.
6 CTCR. Human Sexuality: A Theological Perspective. A Report of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod (September 1981), 4-5.
7 CTCR, Human Sexuality, 6.
8 CTCR, Human Sexuality, 6.
9 CTCR, Human Sexuality, 13.
is “an actual sharing in God’s on-going creative activity...a kind of natural promise embedded within the creation: a sign and manifestation of the truth that genuine love is lifegiving and fruitful... A willingness to give birth involves a willingness to align ourselves — in wonder, humility, and hope — with that blessing embedded in the order of creation itself.”10 Because of this willingness to align ourselves by faith to God’s creative activity, the report concludes that “involuntary childlessness need stand under no special stigma.”

While couples who are involuntarily childless can find great comfort knowing that the Child Jesus has come among us and that all Christians are members of the one family He has created, nevertheless it is still true that a childless couple may sorrow greatly at their inability to bear children. ... We need not gloss over that fact. Indeed, we do well to share their sorrow where we can. However, we ought not characterize their union as “incomplete.” To do so would be to take back all that was said concerning the relational purposes of marriage. It would be to forget the profound significance of the one-flesh union. That union of husband and wife has a full and sufficient meaning in itself, and the joining of a man and a woman in marriage should not be envisaged merely as a means of reproduction. Furthermore, husband and wife, even when childless, can still engage in a common work. Their union need not turn inward solely upon itself. They can permit the absence of children itself to be creative and fruitful in new ways in their shared life ... And, of course, they may seek to adopt children. It would be hard to find anywhere in our lives a more exact paradigm of agape (self-giving love) than the love which will move people to become parents or to provide foster care for those children who for a variety of reasons are without a family to provide for them.11

Here we do well to note how carefully the CTCR speaks about adoption in the context of infertility. The report describes adoption as an act of self-giving love, moving couples to provide care for children in need. Nowhere does the report suggest that adoption is a treatment for infertility or an answer to the infertile couple's understandable desire to bear children.

Before commenting on the report’s final section concerning artificial methods of reproduction, it is worth noting that among other reasons the report cites for condemning homosexual activity it includes the truth that the human person is “more than mere freedom to define what he or she will be. There are acts or relationships to which we cannot consent without stepping beyond the limitations our Creator has set for His creatures ... An unwillingness to make such affirmations is part of a ‘flight from creation’ which besets the contemporary world and contemporary Christendom. It ought to be resisted in the name of the Redeemer who is also our Creator.”12 These “acts and relationships to which we cannot consent” without rejecting what it means to be human extend beyond homosexual activity, and the CTCR concludes its report by drawing on the whole of the previous discussion to understand and evaluate artificial methods of reproduction.

Applying the insight of Lean Kass, the report observes how technology has affected the way in which we view children, cautioning that “to make procreation a technical operation, (mere reproduction) and to remove it from the context of mutual love is to deprive individuals of their role as persons in God’s creative activities ... To sever our acts of procreation from the personal context of mutual love would be to deface the image of God’s creativity in our own.”13 Because of this confession, the report warns about the possible pitfalls of artificial insemination. Rejecting the practice of artificial insemination by a donor other than the husband while granting that artificial insemination may be “offered as an aid to procreation within marriage,” the CTCR still cautions that it may also be a way of avoiding other problems within a marriage rather than addressing them.14 Furthermore, insofar as artificial insemination is viewed as a treatment for infertility, the report asks what, exactly, this technology treats, identifying the path on which the use of such methods sets us and where that path might lead:

[Artificial insemination within marriage] may also be a step — even if a justifiable one — toward an attempt to transform the mystery of human procreation in love into a matter of reproductive technology. We can see this when we note that the procedure does not really accomplish what medicine seeks to do; it does not cure the underlying defect. The physician is, one might say, treating not the defect but the desire of the parents to have a baby. Suppose, however, their desires go further — suppose, for example, they desire a male baby. Is that an end which medicine ought to pursue? We think not. To turn in that direction would be a definite step away from procreation and toward reproduction.15

In September of 1996, the CTCR published another report entitled “Christians and Procreative Choices: How Do God’s Chosen Choose?”16 Expanding on the 1981 report, the 1996 report focuses more on the methodology of moral reasoning. Drawing attention to the importance of learning to ask the right questions, the report offers tentative responses to difficult problems related to infertility and reproductive technology. The commission admits that the questions it addresses are “not easily answered, and they sometimes are so perplexing that they leave Christians in

10 CTCR, Human Sexuality, 17.
12 CTCR, Human Sexuality, 34.
14 CTCR, Human Sexuality, 38.
15 CTCR, Human Sexuality, 38.
16 Because the language of choice is questioned later in this paper, along with the idol of autonomy such language worships, it is important to clarify that the CTCR begins this report by noting that Christians’ choosing “is shaped, disciplined, and sometimes overruled by God’s choice of them through their Baptism into Jesus Christ.” Rather than acquiescing to the antibiblical assumptions of our culture, the CTCR seeks in this report to examine “the relationship between Christian faith and practical choices in procreative issues...[reflecting] on how Christian faith and theology inform our ethical choices.” We may, in the end, worry that a religious fascination with choosing hides from view the fundamental gift of the gospel (a gift that is cherished rather than chosen), but we should also note that the report itself directs our attention to this question, clearly stating that the Christian “will not be misled by a culture that has carried out to a remarkable degree the Pharisees’ vision of autonomous choice.” CTCR, Christians and Procreative Choices, 3, 31)
disagreement concerning God's will.”17 Aware of this, the report aims “not simply [at] arriving at one set of answers.”18 Instead, the commission tries to teach thoughtful Christians to “become more practiced and adept at biblically disciplined moral reasoning” with the hope that “we will be able to understand the significance of disagreements, … see how we can continue to reason together concerning God's guidance, … [and] be in a position to take up related questions or new issues ….”19

The report first addresses the issue of surrogacy through artificial insemination by considering a case study involving at least three parties — the husband and sperm donor, his wife with whom the child born would be adopted, and a family friend who would be artificially inseminated as a nonpaid surrogate.20 Welcoming the work of Oliver O’Donovan in evaluating how couples respond to infertility, the commission reports that “O’Donovan argues that when reproductive technologies divorce procreation from sexual intimacy in marriage, we risk turning children into projects and products.”21 Instruction on the method of moral reasoning follows, wherein the commission considers “how we might make use of the Small Catechism's discussion of matters relevant to surrogacy and family life” and reminds the reader that “con­fessional Lutherans are committed to framing questions about surrogacy in [the Small Catechism’s] light.”22

The commission concludes its thought on the case study by stating that “the weight of considerations concerning sur­rogacy is against the plan” to artificially inseminate a nonpaid surrogate with the husband’s sperm. The key considerations of the commission in reaching this conclusion are presented in two categories. The first concerns the “practical complexities in family relationships” and the fact that surrogacy will introduce complications that threaten to damage these relationships, which also include how the child is viewed and the relationship to the community before whom this would unfold. The second category concerns faith in God that follows His “guidance about marriage and family.” Citing the CTCR's 1981 report that described God's intention for conception to take place within the one-flesh union of husband and wife, the commission concludes that the current case study would disturb that union by introducing a third party into the conception of a child.23 Even though in vitro fertilization using gametes from the married couple with a surrogate might be used in an attempt to preserve the one-flesh union, the commission maintains “the implantation of the embryo and the gestation of the child in another woman's womb continue to locate some of the most intimate features of marital and parental relationships outside the one-flesh union of husband and wife.”24

The second case study the commission considers involves artificial insemination by donor, used by a married couple because the husband is sterile. Unique considerations mentioned in this case begin with concern about reducing the “donor’s role simply to that of providing the initial genetic material,” a proposal that troubles the commission on Scriptural grounds by minimizing the role of fatherhood in relation to children.25 The report also considers the “psychological and emotional risks” both for the couple and for the child in concluding that “the weight of considerations thus comes down against the practice of artificial insemination by donor … [and] the considerations that lead to a rejection of artificial insemination by donor apply equally to human egg and embryo donation.”26

A third case study in this report considers a couple deliberately and voluntarily choosing not to conceive a child in marriage. Allowing for rare and truly exceptional circumstances, the commission puts forward the thesis that “both God's Word and practical considerations that arise counsel against voluntarily choosing not to conceive a child in marriage.” The following biblical reasons support this thesis: 1) “God's Word rejects making marriage a function of indefinite and inconstant human choices;” 2) “a child 'makes physical and represents in the flesh' the unique relationship of a man and woman who come together sexually;” and 3) “the creation narrative explicitly links the creation of man and woman with God's command to be fruitful and multiply.”27 The practical observations that support the commission's thesis include the strong link between marriage and parenting, and the report laments “one of the most persistent and pernicious lines of attack on God's guidance concerning marriage … the one that seeks to separate the relationship of husband and wife from the relationship of parents and children … The unity of the family is then fractured - the union of husband and wife and the relationship of parents and children, contrary to God's intent, are both severed.”28

These observations attend also to questions surrounding infertility, for, the report continues, “however strongly we share the sorrow of infertile couples, we are all cautioned against consciously choosing to separate the conception of children from the one-flesh union of marriage” as is done by “third party intrusion into procreation” just as much as by couples who voluntarily choose to be childless. When considering the church's witness to the world, which includes very public witness about contemporary issues such as homosexuality and marriage, we should observe carefully where certain assumptions lead.29 Should we assume that "being a parent has little to do with the one-flesh union of the child's father and mother," as many arguments in favor of assisted reproduction do, we may suddenly find it difficult to disagree with others who share this assumption. Among those who share this assumption the report lists two women who “compact together to have a child by contriving to arrange for one of them to become pregnant; two men … [who] arrange for a surrogate to carry the child that they think they have a right to parent in their own way; and single women and single men [who] decide purposely to bring a child into existence through the use of artificial insemination or surrogacy.”30

Moreover, the report observes, “once the nature of the union of husband and wife is made a separate question from that of the

17 CTCR, Christians and Procreative Choices, 5.
18 CTCR, Christians and Procreative Choices, 5.
19 CTCR, Christians and Procreative Choices, 6.
20 Though not often counted in these considerations about “third party” reproduction, the child conceived takes the number of persons involved to four.
21 CTCR, Christians and Procreative Choices, 12.
22 CTCR, Christians and Procreative Choices, 16.
23 CTCR, Christians and Procreative Choices, 17.
24 CTCR, Christians and Procreative Choices, 17.
relationship of parents and children, then the essence of marriage can be significantly obscured.”

Marriage may be seen as a tenuous contract of convenience or companionship, easy to dissolve when circumstances change. God’s Word becomes difficult to trust, for “when sexual intimacy and parenting in this way become separate issues,” the commission worries that “people also begin to doubt God’s guidance concerning lifelong commitment in marriage.”

On a separate but related note, this obscuration of marriage’s essence begins, I think, to identify the tension and conflict that so often arise in a marriage when children are absent. “When Rachel saw that she bore Jacob no children,” Genesis 30 records, “she envied her sister. She said to Jacob, ‘Give me children, or I shall die!’ Jacob’s anger was kindled against Rachel, and he said, ‘Am I in the place of God, who has withheld from you the fruit of the womb?’”

The envy and anger prowling near infertility’s door should not be overlooked as the church considers how to care for today’s Rachels and Jacobs.

The report also responds to claims that “procreative choices are simply a variation on the morally praiseworthy practice of adoption,” contending that welcoming an adopted child into the one-flesh unity of marriage correlates to assisted reproduction involving third parties. Reitering respect for the one-flesh union of marriage in procreation, the commission makes the rather casual observation that “the practice of adoption does not involve a choice to conceive a child outside of the one-flesh relationship of marriage.”

Indeed, the report describes the direction of adoption’s aim as quite the opposite. Rather than choosing in favor of a couples’ desire adoption has the child’s well-being in view, responding “to the absence or disruption of a family context in a child’s life by welcoming the already present child into a new home.”

As in the 1981 report, the CTCR does not suggest adoption as a cure for the couple’s desire. Quite the opposite, the commission mentions adoption as a response to the child’s needs, adding that adoption “is one way for some infertile couples to serve God and the world by responding to the needs of a child through parenting.”

In the report’s fourth and final case study, the CTCR considers in vitro fertilization. Although this report marks the first time the synod has responded directly to in vitro technology, the commission recalls that synodical representatives contributed to the 1985 report by the Division of Theological Studies of the Lutheran Council of the U.S.A. Those LCMS representatives suggested at that time that any use of in vitro technology should be limited to the sperm and egg of a husband and wife without the use of a surrogate. Additionally, the LCMS representatives insisted that all embryos must be implanted in the wife, precluding any experimentation, destruction, or storage of “unneeded or defective fertilized eggs” and rejecting any termination of an IVF pregnancy “other than to prevent the death of the mother.”

Because of common practices associated with in vitro fertilization, to which the limitations just mentioned sought to respond, the commission expresses concern that “in vitro fertilization is such a complete technological intrusion into the mystery of the creation of new human beings that use of this technology may inevitably lead to practices no Christian could affirm.”

Though troubled “about potential for abuse opened up by this technology,” the commission explains that it is “reluctant to locate the problems that arise simply in the medical technique itself and to suggest that Christians could never faithfully use it.”

Still, the CTCR concurs with the 1985 synodical representatives that if in vitro fertilization is able to be used faithfully, it “will involve sperm and eggs only from within the marriage” and that surrogacy raises troubling questions regarding the implications for the one-flesh union of a married couple.

Regarding the care and fate of embryos made through in vitro technology, the commission recognizes that “these arguments deserve careful attention because they raise questions about the status of the unborn from the time of conception” and that “respect for the unborn at every stage can be enhanced also by reflection on the biblical themes concerning marriage and procreation.”

The report mentions four themes in response to fertilizing more eggs than are intended for implantation, genetic screening prior to implantation, attempts to see an analogous relationship between in vitro and in vivo loss of embryos in attempts to conceive, and selective reduction of implanted fetuses: 1) Because human dignity and worth are received as gifts from God rather than calculated on the basis of capacity, choosing not to nurture an embryo signifies rejecting a gift of God; 2) God often acts in ways that we are not given to act, and that which the Lord permits does not enable us to aim at the separation of what God has joined, destroy a relationship God has created or exclude a life the Lord has given, even when that “life seems problematic to us;” 3) Welcoming medical science that cures and cares does not commit us to “technologies that cut embryonic lives short in the name of caring, regardless as to whether the care is for couples thought to be infertile or for embryos affected by genetic disease;” and 4) Because of the intimate relationship between procreation and the one-flesh union of marriage, denying embryos “nurture in the womb that God created to receive them” risks distorting and diminishing “the unique and sacred expression in the embryo of the one-flesh union of marriage.”

31 CTCR, Christians and Procreative Choices, 29.
32 CTCR, Christians and Procreative Choices, 29.
33 Gen 30:1–2. (ESV) Emphasis mine.
34 CTCR, Christians and Procreative Choices, 30.
35 CTCR, Christians and Procreative Choices, 30.
36 CTCR, Christians and Procreative Choices, 30.
37 CTCR, Christians and Procreative Choices, 30.
38 CTCR, Christians and Procreative Choices, 36-37: “Because the biblical injunction to be fruitful and multiply was given by God to a man and a woman united in the one-flesh union of marriage (Gen. 1:28; 2:21–25), only the sperm and egg of a man and woman united in marriage may be employed. Any use of donor sperm or eggs involves the intrusion of a third party into this one-flesh union and is contrary to the will of God. For the same reason surrogate wombs must not be used. Because the unborn are persons in God’s sight from the time of conception (Job 10:5–11; Ps. 41:5; 139:13–17; Jer. 1:5; Luke 1:41–44), all fertilized eggs must be returned to the womb of the woman. Any experimentation with, destruction of, or storage of unneeded or defective fertilized eggs fails to accord respect and reverence for new life brought into being by God at the moment of conception and is contrary to his will. The same considerations preclude any agreement to permit the interruption of an IVF pregnancy for any reason other than to prevent the death of the mother.”
39 CTCR, Christians and Procreative Choices, 37.
40 CTCR, Christians and Procreative Choices, 37.
41 CTCR, Christians and Procreative Choices, 37–38.
42 CTCR, Christians and Procreative Choices, 38–39.
43 CTCR, Christians and Procreative Choices, 39. “First, in the biblical perspective
The CTCR summarizes these themes by stating that Christians who recognize Scripture’s witness regarding unborn children and marriage will likewise recognize limitations to the practice of in vitro fertilization along with the temptation it brings “to act without trusting God and to pursue goals the world holds before us without sufficient attention to God’s Word.” In conclusion, the CTCR acknowledges that “the future portends rapid change and development in both technology and society concerning marriage, family, and procreation,” and the commission therefore prays that “the Lord of the church will keep his people faithful to his will as we greet and reflect on each new choice presented to us.”

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the dignity and worth of the members of a family are not based on their inherent genetic properties or developed talents. Instead, God gives us to one another and commits us to mutual care for each other. One’s spouse is loved as that person to whom one has been joined by God. One’s children are received as gifts from the same God. One’s parents are honored because God has placed them in that role. A conscious decision not to nurture an embryo procreated from within a marriage is tantamount to a decision not to nurture a gift given by God. Such a decision would seem to encourage the notion that familial relationships are conditioned primarily on human choice rather than on God’s gifts. Second, God does and permits many things that we are not permitted to do. God permits marriages to end through untimely illness or accident. Sometimes illness or accident take a young child from loving parents. In the mystery of the beginnings of life God does in fact permit natural causes to end pregnancies. None of these events yet establishes that spouses are to separate what God has joined, or that parents or children are permitted to end their human relationship, or that we may consciously choose to exclude from the womb an embryo or fetus whose life seems problematic to us. Third, we are sympathetic to the argument that the church should welcome medical technology that expands our ability to cure and to care. But we do not see how this commits us to technologies that cut embryonic lives short in the name of caring, regardless as to whether the care is for couples thought to be infertile or for embryos affected by genetic disease. In our “culture of death” Christians must be alert to and must reject arguments purporting to show that actively ending a human life is the best way to express our care for one another. Fourth, we believe that the biblical witness puts the highest premium on the institution of marriage and on the closely related mystery of procreation within this one-flesh union. When embryos explicitly created from within a marriage are denied the possibility of nurture in the womb that God created to receive them, then the unique and sacred expression in the embryo of the one-flesh union of marriage is subject to distortion and diminution.”

44 CTCR, Christians and Procreative Choices, 40.

45 CTCR, Christians and Procreative Choices. 40. I think it is worth noting that the report concludes all but the last case study with a section labeled “Disagreement?” “Not all Christians will agree with the conclusions to which the Commission came,” the report acknowledges before asking, “What is the significance of disagreements that may arise on issues like this within The Lutheran Church—Missouri Synod?” The observations of the commission which respond to this question are: “1. We are together pledged not to disagree on our basic strategies for approaching difficult ethical questions. For example, we are pledged to give God’s Word the central place in our deliberations, and we are agreed that Lutheran confessional documents such as the Small Catechism are reliable guides for finding our way in the Scriptures.” “Walking together” in our Synod means that we together agree on the key resources available for Christian guidance. We also agree to pray together in the midst of our deliberations. We together trust that the Holy Spirit will strengthen our faith. 2. Ethical reasoning often includes reflection on some-what unpredictable aspects of human life. In the case of surrogacy, for example, we reflect on possible emotional and psychological implications for the parents and children who are involved. Judgments concerning such implications often leave room for honest disagreement among Christians. For example, not everyone will agree with Oliver O’Donovan that surrogacy and other reproductive technologies lead people to view a child more as a project or product than as a unique human being. We may find ourselves disagreeing about the risks involved in a relative-ly rare arrangement such as surrogacy. Insofar as our reasoning turns on the assessment of such risks we may find ourselves disagreeing about the acceptability of surrogacy. 3. In its discussion of surrogacy the Commission put special weight on its 1981 conclusion that the proper context for the conception and gestation of a child is the one-flesh union of husband and wife. Faithful Christians will not disagree with the commitment to be guided by God’s Word. Some may, however, disagree with how the Commission has applied the scriptural “one-flesh” principle to the question of bringing a child into the world. The Commission’s own words in the 1981 document leave some room for considered disagreement: “Although the Scriptures do not deal directly with the subject of artificial insemination by a donor other than the husband (AID), it is our opinion that such a practice must be evaluated negatively… the process of fertilization is removed from the personal context of the one-flesh union of husband and wife in a way that not even their consent can allow.” In our synodal life together there are a variety of ways for responsible pastors and congregations to communicate and work through disagreements concerning how God’s Word speaks to complicated contemporary issues” (18-19). The commission offers the report itself as a resource for congregations to discuss how God’s Word and the Christian faith relate to the difficult questions of procreative ethics and assisted reproduction.

46 The report begins with a call to patience. Citing G.K. Chesterton, who saw in 1933 that “private theories about what the Bible ought to mean, and premature theories about what the world ought to mean, have met in loud and widely adver-tised controversy.” Chesterton calls that controversy a “clumsy collision of two very impatient forms of ignorance…known as the quarrel of Science and Religion.” The report wants no part in any clumsy collision, insisting instead on “patience both to discover the genuine promises and to recognize the real threats that arise in modern science’s study of genetics and cloning.” (CTCR, What Child Is This? Marriage, Family and Human Cloning. A Report of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod (April 2002), 5. G.K. Chesterton. St. Thomas Aquinas (New York: Sheed & Ward, 1933), 98.)

47 CTCR, What Child Is This?, 6.

48 For a helpful discussion on personal dignity, see Gilbert Meilaender, Neither Beast nor God: The Dignity of the Human Person (New York: Encounter, 2009).

49 CTCR, What Child Is This?, 13.

50 CTCR, What Child Is This?, 14.
challenged to live by faith in God rather than by confidence in their own abilities to protect themselves from their vulnerabilities to each other. This means that for Christians marriage and family press beyond themselves to a reality that transcends this life. Marriage has roots in our biological and flesh-oriented existence, but it images a richer spiritual reality - the community of persons born of the Spirit … Marriage is thus a created image and analogy of relationships in the church, the Body of Christ. Our principle then is that marriage is to be held in the highest regard as the context in which children born of the flesh are best brought into the world. Marriage is the context where husband, wife and children may perhaps find, as one of the church’s prayers says, “a foretaste of our eternal home.” It is in this light that we consider how Christians enter sexual relationships and how they understand themselves as parents.51

The implications of the report’s principle that marriage, family and children teach us what it means to be human surely include that we should beware any activity that would lead us to unlearn the lessons that marriage, family and children teach. “From this perspective,” the commission hopes, “we will also be able to provide wisdom to the world at large, though we will not expect that persons who choose to continue living life only in the flesh will necessarily be persuaded by a vision that calls them to repentance and new life in the Spirit.”52 Rather than despairing over the Christian vision’s perceived persuasiveness, which inevitably leads to that panic which departs from Scripture’s vision, the church is given patient faith that sees wisdom in the cross and bearing the world calls folly, and the works that incarnate that faith bear witness to the world of the reality that transcends this fallen life. Thus, the “no” the church may wish to speak to certain exercises of human freedom, proclaims a resounding “yes” in Christ to the neighbor precisely because the world finds it peculiar.

Another insight offered by this report that contributes to our conversation about infertility is the commission’s observation that even in marriage procreative potential can become the temptation “to add one more selfish project to [the couple’s] list of accomplishments … not an opportunity for love but one more occasion for engineering our own self-fulfillment.”53 God’s design for procreation, the one-flesh union of a husband and wife who are significantly “other” and, we might add, whose act of love in sexual intercourse draws them outside of themselves and their plans, reminds the couple that any fruit of their union is also a unique “other” who can only then be received as a gift that bears no obligation to fulfill the parents’ projects or goals.54

Applying this perspective to reproductive technologies described by the report as “developed primarily to help rectify problems of infertility in marriage,” the commission includes the following evaluations: 1) artificial insemination introducing the husband’s sperm into the body of his wife “is considered a possible approach to overcoming infertility” while artificial insemination by donor is “an inappropriate remedy for infertility;” 2) “surrogacy is discouraged;” 3) in vitro fertilization using the sperm and eggs of husband and wife “does not seem to be a dis-

turbance of the marital relationship and the relationship between the parents and the child” though when in vitro fertilization uses sperm and/or egg donors “the violation of the purposes of marriage seems once again to occur;” and 4) “cloning human beings is a fundamental assault on the created order of God.”55

Finally, as with the two previous reports considered, the CTCR again responds to proposed analogies to adoption, this time describing how adoption relates to the question of genetic origin. Since the accepted practice of adoption means welcoming a child who originates outside of the one-flesh union of husband and wife, some wonder why the church would reject reproductive methods that use gametes originating outside the marriage. Again, the commission reorients the focus of adoption as compared to reproductive technology. “In adoption,” the report explains, “a couple typically is rescuing a child who lacks a family, rather than purposely creating a child in a way that goes beyond the marriage.”56 Additionally, while some would argue that the analogy of our adoption by God in Christ suggests a less limited perspective regarding the union of sperm and egg of husband and wife, the commission insists that the “biblical analogy of adoption suggests most persuasively the opposite. Couples who are not so focused on reproducing some of their own DNA are likely to be more prepared to share their love with the world in whatever way God calls them.”57 The CTCR also includes a footnote to their comments on adoption, noting that the commission considers embryo adoption “to be similar to regular adoption and therefore morally permissible,” adding that “just as we can approve and recommend regular adoption, so we can recommend and approve embryo adoption.”58

Concluding their report, the CTCR reminds the church that in order for Christians “to recognize the grave moral dangers inherent in the practice of cloning they will need to reflect carefully on the use of contraception and reproductive technologies.”59 Finally, the commission explains, as the church engages “in this task of assessing contemporary technologies of reproduction, our foremost concern is to ask what these technologies mean in light of Christ’s promise of new birth from above through water and the Spirit.”60


The fourth and final CTCR report taken up here is the 2005 publication Christian Faith and Human Beginnings: Christian Care and Pre-implantation Human Life. The commission explains its goals for this report as helping people move toward consensus on questions about pre-implantation human life and finding ways to articulate the pro-life position and its strategies that will lead to “progress in the context of the political realities of our pluralized society.”61

The CTCR recalls how in 1984 O’Donovan identified the moral problems introduced by in vitro technology, suggesting the most prudent response would be “to abandon IVF so we are

51 CTCR, What Child Is This?, 14-15.
52 CTCR, What Child Is This?, 15.
53 CTCR, What Child Is This?, 16.
55 CTCR, What Child Is This?, 18-19.
56 CTCR, What Child Is This?, 20.
57 CTCR, What Child Is This?, 21.
58 CTCR, What Child Is This?, 20.
59 CTCR, What Child Is This?, 21.
60 CTCR, What Child Is This?, 21.
no longer presented with the profoundly troubling ambiguity.”62 O’Donovan’s counsel, of course, was not heeded, and the commission’s report concedes that “[w]e cannot escape pondering the significance of human life presented to us in Petri dishes in an IVF clinic …Upon examination, the Commission on Theology and Church Relations has remained convinced that both biblical and philosophical perspectives support the wisdom of protecting pre-implantation embryos from the time of conception.”63

To support this conviction, the commission further develops the significance of personhood, a consideration introduced in the CTCR’s 2002 report What Child Is This? Citing O’Donovan’s book, Begotten or Made?, the report connects the idea of personhood to what the church fathers wrote about the Trinity and the two natures of Christ. Based on the early church’s discussion, O’Donovan understands that “a person is a substance, and a nature is the ‘specific’ property of a substance; it is not the case (as supposed by heretics on all sides) that to every nature there corresponds a person. In other words, the distinctive qualities of humanity are attributable to persons, not persons to the qualities of humanity.”64 On this basis, in part, O’Donovan argues for the “full moral/spiritual status of pre-implantation human life.”65

Worth noting is the report’s observation that “O’Donovan also seems to want to argue that the ultimate decision [regarding the status of pre-implantation human life] must be made on grounds other than science.”66 “We discern persons only by love,” O’Donovan writes, “by discovering through interaction and commitment that this human being is irreplaceable.”67 According to O’Donovan, the wrong in destroying pre-implantation human life should not be the old-fashioned crime of killing babies, but the new and subtle crime of making babies to be ambiguously human, of presenting to us members of our own species who are doubtfully proper objects of compassion and love … When we start making human beings [in IVF] we necessarily stop loving them; that which is made rather than begotten becomes something that we have at our disposal, not someone with whom we can engage in brotherly fellowship …There is no road which leads us from observation first to fellowship second, only a road which leads us from fellowship first to discernment second …Unless we approach new human beings, including those whose humanity is ambiguous and uncertain to us, with the expectancy and hope that we shall discern how God has called them out of nothing into personal being, then I do not see how we shall ever learn to love another human being at all.”68

The commission concludes that O’Donovan’s approach is helpful for understanding personhood on the basis of the Trinity and Christ’s two natures, demonstrating that more is at stake than the Fifth Commandment alone. The CTCR’s report commends further reflection on this approach, suggesting that it will “carry the discussion beyond an exclusive focus on an isolated individual’s ‘right to life’ … into a consideration of the meaning of human fellowship with God and with one another.”69

The report continues with an extended discussion of the biblical witness concerning pre-implantation human life and the scientific and philosophical perspectives surrounding its protection. Among the commission’s conclusions, the report is adamant that “we can and must pray and hope that God will guide our society, both Christian and non-Christian, toward consensus on moral truth concerning pre-implantation human life. Meanwhile, because God has entrusted His church with the clear message of reconciliation centered in Jesus Christ through whom God has reconciled us to Himself (2 Cor. 5:19), we dare not let societal disagreement on a moral and political question cause us to lose our focus on the Gospel-centered mission of the church.”70

Nevertheless, the respect for and protection of human life for which the commission calls means renouncing the destruction of embryos for research. The commission also urges “couples and their medical advisers to aim toward the practice of transferring all embryos” created through IVF, adding that “the practice of freezing embryos for future attempts at pregnancy can be a life-affirming practice …We consider that respect for human life can also be expressed by making embryos available for adoption by couples willing to provide the opportunity for life.”71

Recalling the 1996 report’s conclusion that “considerations that lead to a rejection of artificial insemination by donor apply equally to human egg and embryo donation,” we might begin to see a distinction, at least for the church and discussed further below, between embryo donation and embryo adoption.72 That is, we might understand from these reports that the CTCR discourages the practice of embryo donation, defined here for the purpose of this distinction as the creation of embryos through IVF with the intention or even potential that they be implanted in the womb of someone other than the biological mother. On the other hand,

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63 CTCR, Christian Faith and Human Beginnings, 10.
65 CTCR, Christian Faith and Human Beginnings, 27.
66 CTCR, Christian Faith and Human Beginnings, 27. Also helpful is the essay of C.S. Lewis, “Christian Apologetics”: “We have to answer the current scientific attitude towards Christianity, not the attitude which scientists adopted one hundred years ago. Science is in continual change and we must try to keep abreast of it. For the same reason, we must be very cautious of sniffing at any scientific theory which, for the moment, seems to be in our favour. We may mention such things; but we must mention them lightly and without claiming that they are more than ‘interesting.’ Sentences beginning ‘Science has now proved’ should be avoided. If we try to base our apologetic on some recent development in science, we shall usually find that just as we have put the finishing touches to our argument science has changed its mind and quietly withdrawn the theory we have been using as our foundation stone” (C.S. Lewis, “Christian Apologetics,” in God in the Dock: Essays on Theology and Ethics, ed. Walter Hooper [Grand Rapids: William B. Eerdmans, 1970], 92). See also Francis Pieper, Christian Dogmatics vol. I: “We are certain that there cannot be or ever is a real contradiction between Christian theology and true science, science in abstracto. But we are equally certain that it is not nor can it be the task of a theologian to reconcile our Biblical theology and science in concreto. The charge is indeed valid that in our efforts to lead the present unbelieving generation back to faith we make no attempt to demonstrate to the world the harmony of science and faith. But we see no reproach in this charge; rather, we glory in it, and we will not, by the grace of God, permit anyone ever to rob us of this glorying.
67 Oliver O’Donovan. Begotten or Made?, 59.
the commission seems to suggest that embryo adoption may be a moral option for the sake of rescuing embryos that already exist. Either way, we will need to attend more closely to the question of freezing embryos and its description as a “life-affirming practice.”

In closing, the commission urges Christians to “familiarize themselves with the current and changing state of debate concerning embryonic stem cell research.” Thus informed, Christians are encouraged to embrace the “opportunity and responsibility to participate in the political processes” that affect attitudes and actions toward pre-implantation human life.73

Other LCMS Writers

Several other LCMS writers have significantly contributed to The Lutheran Church—Missouri Synod’s engagement with infertility ethics and reproductive technologies.74 In Holy People Holy Lives: Law and Gospel in Bioethics, Richard C. Eyer offers a straightforward summary of the issues and considerations mentioned thus far, enlightening their truth and significance with the “worldview revealed by God and envisioning a heavenly reality.”75 By unfolding the meaning of marriage as an image and paradigm of the church’s relationship with God, Eyer reveals “what is at stake in the solutions proposed by reproductive technologies for resolving the problems of infertility.”76 As understood from Genesis 2, the one-flesh union of husband and wife is not lost when infertility precludes the one-flesh expression of children. Rather, Eyer contends, “the one flesh significance expresses itself also in the unique intimacy and companionship of marriage as well as in the possibility of children. Children are a gift of God, but the gift is not given to all. This, too, is a hard truth for many to accept but implies no lack of God’s love and favor toward a childless couple.”77 On the other hand, Eyer continues, producing children artificially in a laboratory to fulfill a woman’s right, to satisfy a researcher’s morbid scientific curiosity, or to comply with a desperate couple’s demand defiles God and the meaning of children as a gift from God to be given only in the fullness of time. If the command given by God to ‘have dominion’ over living things does not apply to domination of spouse over spouse, neither does ‘subdue the earth’ apply to the production of children in a laboratory without regard for marriage.78

Eyer also contributes to the conversation by pointing out problems of method with certain reproductive technologies.79 For example, while artificial insemination between husband and wife may not disrupt the one-flesh union by introducing a third party, the way in which the husband’s sperm is collected remains troublesome.80 Surrogacy also raises a number of methodological questions, in addition to the relational questions, including the practice of paying the surrogate, the plan to create a child with the planned purpose of giving the child away, and the documented examples of legal battles over custody and care.81

In vitro technology raises the question of expense — a cost the couple pays with their currency, with their emotions, with their connection to the child they hope to bear, and with their bodies. Moreover, Eyer notes, “embryos which are not used are eventually either destroyed or used for experimentation in research,” neither of which are acceptable options.82 Regarding embryo adoption as a solution to this problem, Eyer notes five concerns: 1) the industrialization of embryo exchange; 2) the commodification of embryos; 3) the tendency to think of embryos as possessions saved for future use; 4) the regularization of IVF should embryo adoption become normative; and 5) the risk of producing a population incapable of understanding “any need for or connection between the biological and the relational in marriage and conception.”83 Eyer’s concerns were published in his book fourteen years ago. Today, every one of his concerns has been realized. As will be discussed further in the second part of this paper, the embryo industry has arrived, wherein embryos are designed, purchased, and regulated as property, created and stored for future plans, and IVF is no longer uncommon.

Commenting on the distinction between reproduction and procreation, particularly as it concerns in vitro fertilization, Eyer helps the church’s conversation by considering reproductive technology from the perspective of the child conceived, identifying the connection this thinking has to our witness against abortion. “Seldom is serious consideration given to the good of the child conceived,” Eyer laments; “one feminist even argues that to ask what is best for the child with regard to the use of reproductive technologies is to undermine the right of a woman to abort by asking her the question, ‘What is best for the child within me?’”84

Moreover, because in vitro fertilization requires no physical relationship between husband and wife Eyer worries that the intimacy of marriage suffers. “The child does not come into being as a result of our lovemaking,” Eyer observes, “but as a result of a technician’s skill.”85 No wonder, then, that Eyer reports that couples who use such technologies indicate much strain on the marriage during this process … There is an exhaustive weariness and desperation that grows with each failed attempt at pregnancy.

82 Eyer, Holy People, Holy Lives, 120.
83 Eyer, Holy People, Holy Lives, 120-121. “First, whenever such social transactions occur in a free-market economy as ours, an industry seems to arise. In the case of reproductive technology, the very problem we seek to avoid is encouraged. Second, children as embryos could tend to be treated more as commodities than as human beings just as the fetus is already referred to in abortion clinics as a ‘product of conception.’ Third, it is difficult for parents not to think of their stored embryos as possessions banked for the future, further commodifying children. Court battles over the ownership of stored embryos attest to this. Fourth, it seems to be true that what we as society permit we also encourage. If adoption of embryos were to become a trendy norm, particularly among a sub-cultural elite which already de-spires marriage, in vitro fertilization itself might become normative, being justified on the grounds of it being for a good cause, namely to help childless couples. Fifth, the adoption of embryos for implantation by strangers might add to the as yet unknown risk of producing a new generation of persons who are no longer capable of seeing any need for or connection between the biological and the relational in marriage and conception.”
by reproductive technology. That desperation often turns into bitterness and blaming between husband and wife ... The marriage relationship, where lovemaking is burdened with the weight of reproductive technology rather than with unhindered love for each other, may have become secondary, while the arrival of a child is expected to set all things right again. Eyer reminds us that "our deepest needs can only be met by God and the only human being to whom we can turn in our desperation is the God-become-Man, Jesus Christ. Only the Gospel of Jesus Christ can transform the desires of a childless couple for fulfillment-through-a-child into the desire for one Child born in Bethlehem. He alone can give meaning and fulfillment to our lives." Schuermann identifies the suffering infertility brings in order to understand this very real and very difficult suffering in light of the biblical narrative, thus directing the reader's focus to the God who overcomes suffering not by removing it from this fallen life but by entering it and suffering Himself. Schuermann also identifies the temptations and even lies that are often offered by reproductive technology, observing that "it is in fear and doubt, the antithesis of faith, that we try to solve our own problems, carry our own burdens, and keep them hidden from God." Moreover, Schuermann follows the example of Martin Luther in his devotional writing to women who have had a miscarriage by inviting those who suffer from infertility to pray and receive the Lord's gifts in Word and Sacrament. Her book is certainly a gift to couples who face infertility. More than that, it is a valuable resource for the parish pastor, the deaconess, and the whole congregation they serve not only for understanding infertility in biblical perspective but for understanding suffering in view of the cross.

II. WITNESS, MERCY, LIFE TOGETHER — WHERE DO WE GO FROM HERE?

Seeking to walk together as Synod, the LCMS currently emphasizes three phrases — Witness, Mercy, Life Together — to "illustrate how the church lives and works together to proclaim the Gospel and to provide for our brothers and sisters in Christ in our congregations, communities and throughout the world." Bringing the LCMS's engagement with infertility ethics into conversation with other careful thinkers, we here consider our synod's witness both to the church and to the world, our mercy both to those who suffer infertility and to the children conceived by means of artificial reproduction, and our life together both as the body of Christ and as fellow human beings.

Witness

Regarding the first part of the synod's emphasis, Synod President Matthew Harrison writes that "the fundamental gift and task of the Lutheran Church is to bear witness to Jesus Christ — to His Gospel and all its facets (AC VII 2; FC EP X 7)." Concerning our witness regarding infertility and reproductive technology, Brian Brock reminds us in his book Christian Ethics in a Technological Age that although "the proposal that we ought to roll back or freeze technological advance is not only an impossibility, but ridiculous," embracing or rejecting new technologies "is always a step of faith." Brock writes to ask "if and when the church of Jesus Christ might wish to share the world's faith in the promise of technology, or if and when its own proper faithfulness might set it in opposition to the faith and order of its age." Complicating this consideration is Gilbert Meilaender's observation that our thoughts and ideas about matters such as the meaning of human life, marriage, suffering and death "are shaped by reasoned argument and reflection less often than we like to imagine." Because these "background beliefs," as Meilaender refers to them, "are commonly held at a kind of prearticulate level," it is necessary "to call to mind simply and straightforwardly certain basic elements in a Christian vision of the world - to remind ourselves of how contrary to the assumptions of our culture that vision may be." Luther's Small Catechism provides that Christian vision, calling to mind simple and straightforward truths that the faith of a child can confess. As the CTCR has insisted and Pless has exemplified in his book mentioned above, the church's witness to her members about infertility and reproductive technology begins not with the science of in vitro fertilization or moral claims about it, but with the First Commandment and Creed. "The creeds

89 Katie Schuermann. He Remembers the Barren (Fort Wayne: Lutheran Legacy, 2011).
90 Schuermann, He Remembers the Barren, 29.
92 lcms.org/wmlt
93 Matthew Harrison. blogs.lcms.org/2010/witness-before-god-and-to-the-world-10-2010 (October 5, 2010). "This is our task toward each other. This is our task over against those who do not know Jesus. This is also the sacred vocation and ecumenical task of the Missouri Synod to world Christianity. We exist to bear witness — even to the point of suffering and death ... — to salvation by grace alone, through faith alone, on account of Christ alone."
96 Meilaender, Bioethics, 1.
describe a formed faith,” Brock explains, “that reveals creation as it truly is. God gives a faith that has form and through it new sensitivities; these are exercised and explored in the ways we live.”97 Indeed, as Charles Arand has observed, catechesis “constructs a narrative”—“a way of life to guide the Christian this side of eternity and by which the Christian learns the art of living by faith.”98 The Christian not only lives by this narrative, but is taken up by it, made a member of it in such a way as to make “the hearer a participant. It is empathetic in that it draws the hearer into the story in such a way that he or she becomes a part of the communal story itself.”99

The catechism’s narrative establishes a world view in what Albrecht Peters calls the first theological center, the Ten Commandments and First Article - You shall have no other gods. "By tying the Ten Commandments to the First Article and the Third Article to the Lord’s Prayer,” Arand explains, “Luther has brought the ten commandments and all their religious counterparts — by telling the truth about creation. “100 In the Large Catechism, Luther teaches that the intention of the First Commandment “is to require true faith and confidence of the heart, which fly straight to the one true God and cling to him alone” (LC 386). James Nestingen observes that “here the Lutheran paradigm hits its stride by attacking all mythologies of fulfillment, self-transcendence through self-actualization, creating a new world through product relationships — the secular pieties and all their religious counterparts — by telling the truth about the limits and impingements of creaturely life.”101

Commenting on what Reinhold Niebuhr characterizes as “the juncture of nature and spirit,” Meilaender explains that “duality — but not dualism — is the mark of narrative, and, in particular, of the biblical narrative. We may be free spirits made to transcend all that is finite and to rest in God, but we are just as truly bodies subject to the relentless temporality of human experience…There are limits that ought to bind us, that we ought not to seek to transcend, but it is difficult to specify these in advance.”102 The narrative of the catechism, despite its infinite depth and sufficiency for Christian knowledge, provides no specific casuistry to questions about artificial insemination or embryo adoption, but it does provide a world view ordered by the reality that God is Father, Son, and Spirit, and we are His created beings. At the very least, then, as the church confronts troubling answers to the world’s desires, the catechism orient our thought toward the right questions.

Brock worries, though, that theologians have not always been so inspired to ask those right questions, being perhaps confused or distracted instead by the devil’s question, “Did God really say?” “On questions of technological development,” Brock suggests, moral theologians have all too often joined the world in asking the prototypical moral question of the juvenile: ‘How far can I go?’ This question hides a fatal narrowing of moral vision because it in fact assumes the further clause ‘before I get into trouble.’ The appearance of moral questioning that takes this form is an alarm notifying us that human attention and thought are no longer directly harnessed to overcoming barriers to the embodiment of love of neighbor, but have become trapped by some middle-distance goods such as profit or corporate survival …To ask ‘How far can we go?’ is to jettison the idea of limits on human action in the pharisaic guise of self-justification. To construe moral deliberation as a question of locating limits assumes that ethics is about choice, that we freely choose within certain boundaries, and that the task of morality is to designate the outer limits of this freely exercised choice. But there is no boundary for autonomous humanity.”

As a church body, we do well to remember the CTCR’s exhortation and the fact that confessional Lutherans are committed to framing questions about reproductive technology in light of the catechism. By receiving and embracing its narrative, the church will be led to ask questions about infertility and reproductive technology that respond to God’s address rather than questions that unwittingly assume the devil’s lies and false promises. The inevitable disagreements as well should serve as a call to further conversation about the catechism’s narrative and what faithful participation in its story means. “This emphasis on seeking the divine claim and faithfully responding to it” Brock adds, “gives Christian action a new assurance, lending a peacefulness to the Christian life …In being bound to concrete neighbors by Christ, we are freed from returning to ask whether it is too costly or risky to love them and can instead ask much more seriously what it would take to love them well.”104 Thus, though we may not consider ourselves free to produce a child, whatever the cost, for every infertile couple, Meilaender nevertheless notes that, “we can and should assure them that the story of Jesus is true — that the negative and destructive powers of the universe are not the ultimate powers whom we worship.”105

Because the Christ child has been born, and because the barren husband and wife have been born again from above into that Christ child, the metaphysical weight of their being and doing is lifted. Capacity and accomplishment no longer condemn. “Without in any way undervaluing the presence of children,” Meilaender adds, “we should also be free of the idolatrous desire to have them at any cost — as our project rather than God’s gift…. God blesses in many different ways, and the task he does not lay upon us may be replaced by other tasks less open to those who have children and equally significant for the care and preservation of creation.”106 So does the catechism direct the Christian to confess with Mary, “Behold [in this time, this place, and this

97 Brock, Christian Ethics, 4.
98 Charles P. Arand. That I May Be His Own: An Overview of Luther’s Catechisms (St. Louis: CPH, 2000), 150-152.
99 Arand, That I May Be His Own, 106.
100 Arand, That I May Be His Own, 136.
102 Meilaender, Limits of Love, 42-44.
103 Brock, Christian Ethics, 188-190.
104 Brock, Christian Ethics, 190.
105 Meilaender, Bioethics, 8.
106 Meilaender, Bioethics, 25. “It is a question about what sort of people we wish to be and ought to be. At least for Christians, procreation is primarily neither the exercise of a right nor a means of self-fulfillment. It is, by God’s blessing, the internal fruition of the act of love, and it is as task undertaken at God’s command for the sustaining of human life. Those who desire children, but, it turns out, can have none are understandably saddened. Nevertheless, we must learn to pursue our projects in faithfulness to God’s creative will. A couple unable to have children can — and should — find other ways in which their union may, as a union, turn outward and be fruitful.”

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circumstance], I am the servant of the Lord; let it be to me according to your word” (Luke 1:38). Understanding that suffering can have meaning, even though we would not choose suffering for ourselves, the church finds occasion to offer a mysterious and profound witness to the world.107

A humble faith that acknowledges there is suffering we could end (by, for example, eliminating the one who suffers or simply by employing evil means to accomplish a good end) but ought not end, sets before the world a better way than the path of autonomy, that idol worshiped by choosing.108 While we sorrow with those who suffer, including those who suffer from infertility, we sorrow in hope, renouncing the kind of despair that gives up on God, his word and his grace by seeking to be a god unto oneself. In the church we call this apostasy. In the world, we call it poor public policy, leading to pressures and ultimate responsibilities that no one should desire. As O’Donovan, Eyer, Meilaender, Brock, and others have shown, the church’s public witness, given maturity and insight by the church’s history since the world’s foundation, includes an appraisal of where the use and/or regularization of reproductive technologies will lead and the effect they will have on how we think, or do not think, about their meaning for our shared humanity.

While the possible trajectory of such technology does not in itself insist on its rejection, it does insist that the church not remain silent about its significance. The regularization of prenatal screening (and pre-implantation genetic diagnosis), for example, which has affected the meaning of pregnancy and motherhood in peculiar and troubling ways, has led Meilaender to conclude that “Christians could do the world a considerable favor and could bear substantial witness to the meaning of God’s own love for the “Christians could do the world a considerable favor and could bear substantial witness to the meaning of God’s own love for the

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Even if some share the CTCR’s reluctance to reject methods of assisted reproduction that do not use third parties, the church is nevertheless called to witness about the effect their use has on our thinking and our relationships, especially on the meaning of the one-flesh union of husband and wife which must be more than a measure for how far we can press our procreative potential. “We have already gone a long way in medicine toward losing the sense that the living body is the person,” Meilaender notes, “toward separating person and body. Assisted reproduction, however compelling and understandable its lure, leads us still further in that direction.”112 As the Lutheran church continues the conversation about reproductive technology, we will do well to think carefully about how our public witness regarding marriage and abortion should influence and affect our public witness about infertility and reproductive technologies, for it seems certain that our witness about reproductive technology will, in the end, influence and affect what we can say about marriage and abortion. Here we do well to heed the counsel of the CTCR’s 1981 report that more should be said about how our creation as sexual beings, male and female, affects (or should affect) relationships such as between parents and children.

Recognizing the deep and profound connection between procreation, marriage, and the meaning of our humanity, and recognizing this in the midst of a world increasingly hostile to God’s creative design, the Lutheran church will surely want its public witness about reproductive technology to reflect clearly its confession of the triune God and His address to the world in Christ. In the words of the CTCR in 1981: “To hold up before people once again the human, personal significance of our fundamental fleshly relationship, to explore the mysterious image of God’s love in the one-flesh union of husband and wife, and to recognize in wonder and humility the limitations which our creaturely condition places upon us — all this is part of fidelity to that God who has redeemed us, not that we may flee from His creation but that we may cherish it and find in it intimations of His love.”113 In this way, the church and her children are called to bear witness to one another and to the world, a witness that reveals the crucified and risen Christ and incarnates his love in mercy.

Mercy

The synod’s three-fold emphasis reminds the church that she is also called to be a servant of mercy to those suffering physical need. As God’s mercy embraced the whole world on the cross, the church’s life of mercy extends both to couples facing infertility as well as to the children that couples desire. The CTCR’s 2002 report expressed that the commission’s foremost concern is to ask what new reproductive technologies mean in light of Christ’s promise of Baptism, and the thought of Oswald Bayer is especially instructive for the church’s consideration of that question, thus also for informing her corporate life of mercy.114 For the church’s life of mercy to find appropriate expression today, Bayer asserts that it must first confess the existence of the “old world” as it is, what Brock calls the “modern technological world,” without being deceived by its false assumptions and lies regarding love, tolerance, and compassion.115 To ignore this realistic per-

107 See Meilaender, Bioethics, 7-8.
108 At the time of this writing, we have seen this most recently in the life and public witness of Maggie Karner. See blogs.lcms.org/2014/karner-responds-to-suicide.
109 Meilaender, Bioethics, 56.
110 Brock, Christian Ethics, 369.
111 See Romans 3:10-12, 23-24.
112 Meilaender, Bioethics, 21.
113 Human Sexuality, 39.
114 CTCR, What Child Is This?, 21.
115 Such words find important place in the church’s theology of mercy, but with christological meaning and implication. Words are important — so much so, in fact, that the fourth evangelist, in agreement with Genesis’ creation account, proclaims that all that is was created through the Word: “What God says, God does. The reverse is also true. What God does, God says; his doing is not ambiguous. God’s work is God’s speech. God’s speech is no fleeting breath. It is a most effective breath that creates life, that summons into life. It is the ‘nature’ of God to create out of nothing, to be the Creator by the Word alone.” This is not a speculative thought, for those who confess the one who creates out of nothing and gives life to the dead are those who have experienced the truth that God justifies the ungodly by his Word, creating a new self for the old Adamic self” (Oswald Bayer, Living By Faith: Justification and Sanctioning. Cambridge: William B. Eerdmans, 2003, 43). Bayer
spective is to forget the place of the church in this world, resulting in either a pessimistic antinomianism or optimistic legalism. Bayer contends that

this realistic perspective distinguishes Luther sharply from the harmlessness of modern theologians of love. The theologians of love transform the original Christian confession, God is love, into a principle of both knowledge and systematic construction in order to build an internally coherent dogmatic system. The price paid for this transformation is to render harmless the enemies referred to in the prayers of the Psalms, to let them fade into paper tigers. They are allowed to disappear through the effort of subsuming evil under a theory of love. Luther’s life and work, contrary to what modern theologians of love think, is determined throughout by the trials and temptations (Anfechtungen) suffered at the hands of these enemies and by the fight against them.116

To avoid either extremes of ignoring the conflict or making an idolatrous attempt at its eradication, a redirection of focus is needed.

According to Bayer, God’s address to the world “redirects our eyes to Christ crucified on the cross, who ‘was assailed by the images of death, sin, and hell just as we are’”117 Rather than a conflict or rupture between two historical ages, Bayer explains the conflict in which the church engages is “the rupture of the times between the new and the old eon” which “has occurred once and for all on the cross of Jesus Christ” where the old world meets its end and the new world, the renewed creation, breaks in.118 For the Christian life, baptism is the place and means of this rupture, when God creates one to be His child through participation in the death and resurrection of His Son. The whole of the Christian life — and here included is the church’s corporate life of mercy — proceeds from and is lived within this baptism.119 In the words of Bayer, it is life lived in “freedom in response” to God’s promise — “for human action does not start with itself; it draws its life from freedom that has already been given.”120 The promise of God is therefore a gift of space which permits our movement, our action in response to this Word, “discerning the gift and praising the Giver of all things good,” and this is called faith.

In the third chapter of Living By Faith, “The Passive Righteousness of Faith,” Bayer notes that because faith is entirely the work of God, “we experience it in that we suffer it … The passive righteousness of faith takes place when justifying thinking (metaphysics) and justifying doing (morality), together with the

unity of both that some seek, are all radically destroyed.”121 In this death, our need “to gain recognition by what we can afford and accomplish” is also destroyed.122 Bayer’s thinking thus asserts that meaning is given to one’s life, not earned or appropriated by oneself, one’s alliances, or one’s place in society. While Luther’s doctrine of the three estates articulates the “three basic forms of life that are God’s disposition for humanity,”123 even these institutions, sanctified though they may be, are not a path to salvation. Nor might one earn meaning or standing before God by a life lived within them. Such things are first of all granted, and then life in church, family and society is lived from what has been accomplished by Christ.

Bayer adds that “the course of this world and that of their own lives are so concealed even from those who are justified by faith that they cannot conceive or experience the divine and the human concern for the world as a harmonious relationship. This ambiguity extends even to the works of the justified done in the new obedience.”124 Rather than condemning the Christian to a life of inactivity or quietism, this truth frees the Christian to live and perform works of mercy as the need arises and is discerned. Concern over the “success” and permanency of active faith — love — does not plague the Christian’s action, for their justification has already been accomplished and their deeds are joyful response. This, Bayer importantly notes, means that any progress is ethical progress freed from metaphysical pressure — “as ethical progress, progress divorced from the question of salvation is really secular progress. It is never absolute and total.”125 Luther’s “apocalyptic perception of the times” excludes, counter-culturally, both the modern legalism of progress and the postmodern antinomianism of “tolerance.” Against the former, Bayer writes human action is ambiguous; against the latter, he insists such works are not arbitrary.

For the infertile couple this means they are not condemned to create their own family at any and all cost. The church’s mercy to the infertile couple therefore means listening, suffering and groaning in prayer with them, interceding in prayer for them, and redirecting their focus to Christ on the cross. Mercy does not mean recommending an endless and possibly dehumanizing list of solutions or distracting from their loss with pious platitudes. May medical science be praised for its penultimate treatment of sin’s ravages, but may the Christian couple be comforted that medical science is not the medicine of immortality that overcomes sin’s wages. The theologian of the cross calls a thing what it is, Luther reminds us, and as Katie Schuermann expresses in her book, the infertile couple needs no other fix than forgiveness.126

No longer occupied by the desperate attempt to manufacture a neighbor to love, the couple is free instead to discern the neighbor the Lord gives them to love. As noted above, for some infertile couples this will include the consideration of adoption, and for this very reason adoption must be understood correctly. Since the infertile couple does not need to be fixed, adoption should not be

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117 Ibid., 40.
118 Ibid., 45.
119 Cf. Luther’s Large Catechism, “Fourth Part: Concerning Baptism” — baptism as the means by which God creates His church, His holy community that works together in responsive freedom.
120 Oswald Bayer, Freedom in Response, 1. God’s continuous creative activity and His preservation and nourishing work in this creation, as it gives form and content to the church’s life of mercy, finds ground in Bayer’s fundamental premise that “human freedom is the result of God’s promise: I am your God. And therefore you are my people.” This promise is delivered in baptism and both places the Christian in the rupture between the old and new worlds with Christ on the cross and gives this life its content by informing a perception of the world consistent with the “interweaving of times” and communicating the freedom and works which are in the first place received as gift and only then lived and given in response.
122 Oswald Bayer, Living By Faith, 21.
123 Oswald Bayer, Living By Faith, 61.
124 Oswald Bayer, Living By Faith, 38.
125 Ibid., 67.
126 Schuermann, He Remembers the Barren, 49–54.
understood as a fix for infertility. Neither is adoption an answer to the infertile couple's desire to have a child. Should we think that adoption is to provide children to infertile couples who cannot conceive them, Meilaender warns that "some of the dangers of assisted reproduction will lie near at hand: Potential adoptive parents will want not just a child to care for but the best child, a certain kind of child."127 As Bayer explains, human thought and action this side of Christ's return will always be ambiguous, struggling with the simul of sin's motivations and righteousness' love. Still, our works, freed from the pharisaic fascination of self-justification, are not arbitrary, so rather than capitulate to the old adam's selfishness the Christian prays for the faith that takes action for the sake of the neighbor.

This faith, therefore, understands adoption as that love called charity — the selfless self-giving that acts to rescue a child.128 "The aim of adoption," Meilaender explains, "should be to serve and care for some of the neediest among us. It may, of course, also prove fulfilling for couples who have been unable to have biological children, and there is no reason to object if their interests and the interests of potential adoptive children should coincide. But adoption must remain an emergency measure, aimed chiefly at caring for children whose biological parents have not, cannot, or will not care for them."129 Brock adds that Christians who live by this faith "are rendered nurturers in appreciating the givenness of creation and their own adoption into God's family. Adoption cannot then be a stopgap or last resort when technique has failed, but for believers becomes a positive lived reflection of the experience of being adopted as God's children."130

Indeed, such was the thinking and practice of the early Christian church as they adopted into their families foundlings, children who had been exposed and abandoned to an uncertain fate. Some of the motives for abandoning children during the time of the early church were poverty, shame concerning disability or parentage, preferred family size, self-interest regarding available resources, undesirability because of gender or physical condition, and outright indifference for their well-being.131 In his First Apology, Justin Martyr informs us that most of the children exposed or sold became slaves, adding that "to expose newly born children is the part of wicked men...because we see that almost all so exposed (not only the girls, but also the males) are brought up to prostitution."132 The early church responded to this wickedness by calling those who were rejected and abandoned their own, saving them from the fate to which their parents had consigned them, and adopting them into loving families. One historian describes how the early church's ideas about adoption "could exert a considerable influence on the willingness of parents to adopt, on how people viewed and reacted to abandoned children, and on how the children viewed themselves. Though subtle, they were widespread: unlike any previous ethical system, Christianity strove to be both universal and exclusive."133

We may, perhaps, see in the pagan practice of exposure and abandonment an analogy to the practice of freezing embryos, consigned by their makers to what the Roman Catholic instruction Donum vitae calls "an absurd fate, with no possibility of their being offered safe means of survival which can be licitly pursued" (1, 5). Gene Vieth has noticed that as we enter this new age "biblical Christians will find themselves in exactly the position of the ancient Israelites and the early church — having to hold on to their faith in the midst of hostile pagan neighbors;" adding that "they will also face the same temptations."134 Hundreds of thousands of frozen embryos currently await either expiration or future use, whether by implantation or experimentation, and the church now is faced with the question of how to show mercy to these smallest of neighbors.

Believing these embryos to be human life demanding protection, some have argued that Christians may "hold on to their faith" by adopting them — the only act, other than the inactivity of leaving them frozen, that would not necessarily aim at the embryo's death. As the church considers embryo adoption, thus drawing a parallel to the foundlings of the early church, we would do well to wonder if blessing this act as rescue might not also require condemning the embryos' treatment thus far as abandonment, what Martyr calls "the part of wicked men." In addition to the many questions and concerns raised simply by the use of in vitro technology, as many as 50% of embryos die through the freezing and thawing process, and as few as 30% survive with all cells viable.135 Moreover, as discussed further below, some couples experience profound guilt over consigning their frozen embryos to this "absurd fate," not unlike the woman or couple who later comes to repent of an abortion.136 Condemning such treatment of human life, along with the acts and circumstances that lead to its necessity, may actually be a great act of compassion, directing couples considering it away from this ethical quagmire and the remorse that often follows and directing couples who regret it to confession and absolution.

Condemning such treatment of human life does not mean condemning the life itself. Eyer's thought again is helpful for understanding that children made through artificial reproduction "are no less the children God Himself created."137 This by no means undermines the grave concerns raised by the use of reproductive technology, nor does it suggest that a good end justifies any and all means. Rather, such an understanding confesses that God can bring good even through evil while also confessing that we are not given to continue in sin that grace may abound.138

To be sure, the church will want to be clear to couples considering embryo adoption and to the world that such an act, if understood as adoption, ought not to be done to satisfy a couple's desire for a child "of their own" or a woman's individual desire to experience pregnancy. Though writing about embryonic research,

127 Meilaender, Bioethics, 18.
128 See Brent Waters. Reproductive Technology: Towards a Theology of Procreative Stewardship (Cleveland: Pilgrim, 2001), 70-75.
129 Meilaender, Bioethics, 18.
130 Brock, Christian Ethics, 372.
135 See inf.universityofwashington.edu/critique/fert.htm, and inf.universityofwashington.edu/fert.htm.
136 See Dr. James L. Lamb's presentation, "IVF: From Created to Creator" Infertility Ethics Symposium (Nov. 8, 2014): lcms.org/life.
Meilaender’s insight still applies: “The very fact that these embryos are leftovers from someone’s attempt at IVF suggests not that they may now be used, but, rather, that they should not be used. After all, these embryos have already been used once in the service of someone else’s project ... They have been produced and used in an attempt to satisfy the desires of others. Is being used once not enough?” Thus adoption, even of embryos, must be understood as an act of charity for the sake of the neighbor’s life, to rescue them from the absurd fate of either death by exposure or death by that exploitative prostitution called embryonic experimentation and research.

On the other hand, some still worry that however well-meaning the motivation embryo adoption either cannot or will not be viewed as an analogy to adoption’s historic understanding. Eyer worries that “whenever such social transactions occur in a free-market economy as ours, an industry seems to arise.” That industry is here. Not only are clinics selling embryos, they are custom making them according to the preferences of the prospective parents. Meilaender grants that Christians could understand embryo adoption as rescue, but, he adds, “if we are looking for needy children to rescue, they are, alas, all around us in our foster care system. Pre-birth embryo adoption is not likely to signal similar attempts at rescue. It is far more likely to be one more way of exercising quality control, of finding the child whom we want — rather than loving the child we have been given.”

If Meilaender is right, then embryo adoption will be perceived, at least by society as it is already if not also eventually by the church, as an option for treating infertility. In his book Reproductive Technology: Toward a Theology of Procreative Stewardship, Brent Waters maintains that “perceiving adoption as a reproductive option distorts its charitable character, implying a reciprocal exchange or collaboration between natural and adoptive parents.” This distortion seems all the more amplified, and even more likely, in the case of embryo donation and adoption. Waters argues that the various parties involved seemingly enter a joint venture of meeting each other’s needs in which the natural parents perform an equally charitable act in surrendering their child to an infertile couple. This portrayal, however, misrepresents the situation as a coincidence of interests rather than a tragedy; i.e. the natural parents’ inability to care for their offspring. Suppressing this tragedy opens the door to a market-driven approach to procreation, suggesting that a fertile couple have reproduced for the purpose of supplying an infertile couple with a child. However much adoption may solve the respective problems of infertile and unfortunate couples, to cast it as a reproductive option corrupts the inalienable character of parenthood. In this respect, it must be stressed that natural parents ‘do not act for adoptive parents; adoptive parents act for them’ The overriding consideration is the welfare of the child, not the plight of natural or adoptive parents. The intent is not to relieve natural parents of a burden they are unable to bear or to satisfy the parental desires of an infertile couple, but to find a suitable place of timely belonging for a child who would otherwise have none. This is why adoption is not restricted to infertile couples, for its purpose is not to obtain children but to place them in families.

As the church continues to discuss the question of embryo adoption as merciful rescue, we should consider carefully its implications for the technology that created these embryos in the first place. That is, we should ask in earnest if a distinction should be declared, at least for the church and as mentioned above, between embryo donation, the creation of embryos outside the womb with either the intention or potential that they be gestated by someone other than the biological mother, and embryo adoption, suggested by some to be an act of rescue for embryos that already exist. We should also show mercy to the couple considering embryo adoption by encouraging them to identify why they consider themselves called to adopt an embryo out of its frozen state rather than a child out of her foster home, a consideration that should affect the methods embraced in embryo adoption.

In considering both the church’s witness and her mercy to the world, we must think seriously not about how far we can push the limits of our creaturely existence, but how we might live as embodied creatures in merciful witness to the world. Again, Meilaender:

When we remember again the number of needy children who go unadopted precisely because of their needs, when we consider the degree to which new reproductive technologies have — in very short time — begun to teach our society to think about reproduction as a right to which everyone is entitled, when we ponder the implications of these technologies for our society’s understanding of children, we must ask whether Christians should call a halt — at least for themselves. We do not have a story that teaches us to think of children as our entitlement or our possession. Indeed, the story we tell goes even beyond that of Hannah, Elkanah, and Samuel. For knowing as we do that God has already provided the Child, we can free ourselves of the feverish need to have a child of our own, whatever the cost. Perhaps the greatest service we can perform for our own children and for the world into which they will be born is to live in such a way that we remind ourselves and others that each child is indeed not our product, our project, or our possession, but a “blessing” that “love gives again into our arms.”

Life Together

The third phrase, Life Together, of the synod’s three-fold emphasis, refers to the fellowship of Christ’s body, the church, created and sustained by God’s Word and Sacraments, even as the body of Christ also discerns the life together we share with all fellow, embodied creatures. The divine service locates the church’s life together as the primary place and creative center of her fellowship. It is the primary place of pastoral care for the couple expe-

139 Meilaender, Bioethics, 122-123.
140 Eyer, Holy People, Holy Lives, 120.
143 Waters, Reproductive Technology, 73.
144 Meilaender, “A Child of One’s Own,” 45.
riencing infertility, where the Christian vision is given a glimpse of the feast and joy to come and our creaturely existence as finite and free is oriented by and toward eternity. The Lord’s divine service to his people is, in the end, the only way forward for the church in this world that leads to resurrection and life everlasting. Forgetting this means failing to serve suffering couples with the lasting peace and true fulfillment Jesus offers through Word and Sacrament. Thus, David F. Wells contends that the contemporary church needs to recover some old habits now much discarded, like learning to think of sin as moral failure before God and the self as needing to be restrained, displaced, and forgotten, and seeing God not for his value to us as consumers but for the value he has in himself …Humility is that freedom from our self which enables us to be in positions in which we have neither recognition nor importance, neither power nor visibility, and even experience deprivation, and yet have joy and delight. That is the pattern of humility modeled in the incarnation (Phil. 2:5-11). It is the freedom of knowing that we are not the center of the universe, not even in the center of our own private universe. Those who have best learned this kind of godliness know that what may seem like the most awful loss is actually true freedom.146

In Worship as Pastoral Care, William Willimon recalls these “old habits” that Wells begs the church’s servants to recover: “In an earlier time, a pastor caring for his flock, engaging in the activities related to the cure of souls meant, in great part, leading them in worship …A major difference in the pastoral care of previous ages of the church and that of our modern era is the switch from care that utilized mostly corporate, priestly, liturgical actions to care that increasingly limited itself to individualistic, psychologically-oriented techniques heavily influenced by prevailing secular therapies for healing, personal fulfillment, and self-help…”147 Referencing Willimon’s insight about this peculiar change in pastoral care, Pless reminds the church and her servants of the primary place of word and sacrament, including confession and absolution, in caring for souls: “The pastoral care of the individual is done in the context of the congregation gathered around word and sacrament …In catechizing his people the pastor will need to make it clear that confession/absolution is the ordinary means of pastoral care in the church. It need not be reserved only for extraordinary circumstances or situations.”148

This gift of God’s address, Bayer notes, is “more than simply a motivation for Christian living. It contains within itself certainty of a material and ethical kind.”149 It provides not only the world view from which a Christian’s life is lived but also its form and content as well as its place in relation to the world and fellow humanity. One who understands the creative action of God in baptism, absolution, and the Lord’s Supper as creatio ex nihilo will therefore “discern their own fellow human beings simply as those who find themselves in the same situation. Thus the least of our brothers and sisters (Matt. 25:40) will not just be the others, strangers, with whom we are called to show solidarity. Rather, from the very outset we are those people.” This, indeed, is how the Christian learns to relate to the world — by living in one’s baptism, or at least being constantly returned by God to one’s baptism through confession and absolution. In fact, that is where baptism finds the Christian at the end of Luther’s catechism — in the world, in need of forgiveness. “The gospel liberates,” Brock adds, “by informing humans that they are not responsible to empirically define humanity, and can therefore gratefully receive human life as a gift …Only a community that has ‘tasted and seen’ resources beyond itself can embrace such a claim, and only such a community is given the faith to ask for the wherewithal to care for those who have been given.”150

Confession and absolution, then, is the ordinary means of pastoral care for couples suffering from infertility. As in the story of Jacob and Rachel and the many stories of today’s infertile couples, temptations to sin against God and the neighbor, in particular the neighbors of husband, wife and child, come with the suffering of infertility. Not only are there temptations to transgress the limits of our created existence, but the old adam who remains in need of daily drowning lashes out in envy and anger when he does not get his way. The Lord’s divine service to his people brings his people up against the absolute God, and, as Forde has well explained, “the only solution to the problem of the absolute is absolution …That is to say that the only solution to this systematic problem is the pastoral one, the move from the abstract to the concrete, from the hidden to the revealed God, from, we might say, the lectern to the pulpit, font, and altar. Only if the absolute actually absolves here and now can our bondage be broken and we be saved.”151

All other expressions of pastoral and diaconal care flow from this divine service of God to his people and direct them back to it. This rhythm of the Christian life, as Luther called it, cannot be escaped on this side of the resurrection. Efforts to overcome or move past the need for forgiveness, to have a measurable answer to every question and secular solution for every problem, seek ultimate meaning in penultimate actions. “This need not and should not mean a rejection of the penultimate healing that scientific and clinical medicine offer us,” Meilaender adds; “the best physicians know, however, that their art at its highest must cooperate with powers beyond their own. We should give them our respect and gratitude, but not our devotion — and they, of course, should seek no more. Instead, we place our ultimate hopes for Health and Wholeness in the God who himself has been broken by death — and who nevertheless lives.”152

Meeting us in his word and sacraments, that crucified and risen Christ frees us from the desperate need to be like God and raises us to live from the forgiveness of sins, not as a god but as children of God who “can experience deprivation and yet have joy and delight.”153 In that encounter with the incarnate Lord who did not insist on equality with God but rather humbled himself for the sake of his neighbor, the church’s witness, mercy, and life

147 William H. Willimon, Worship as Pastoral Care (Nashville: Abingdon, 1979), 35-36.
149 Ibid., 20.
150 Brock, Christian Ethics, 371.
151 Forde, The Preached God, 155. Emphasis original.
152 Meilaender, Bioethics, 131.
153 Wells, Losing Our Virtue, 204.
together finds its most profound expression of the reality that transcends this life. For both the church's conversation about reproductive technology and her care for infertile couples who together ask “Where do we go from here?” we may find no better antiphon then the song of the Psalmist: “I was glad when they said to me, ‘Let us go to the house of the Lord’” (Psalm 122:1). There we find a foretaste of the feast to come that, as the church prays, blesses our earthly homes to be “a foretaste of our eternal home.”

**SELECT BIBLIOGRAPHY FOR FURTHER STUDY**


—*Christians and Procreative Choices: How Do God's Chosen Choose?* (September 1996).


—*What Child is this? Marriage, Family and Human Cloning.* (April 2002)


Schuermann, Katie. *He Remembers the Barren*. Fort Wayne: Lutheran Legacy, 2011.


Yahnke, Beverly. “Understanding the Childless Couple.” An Audio Tape available through Concordia Center for Bioethics.
I wish to thank the organizers of this event, particularly Katie Schuermann, for their gracious invitation for me to come and speak with you today and for their confidence in me to address this complex and sensitive issue. Thanks also to LCMS Life Ministry for their support and Concordia Seminary for hosting. And finally thanks to you for your presence and interest in this topic.

The topic of infertility is a complex medical, ethical, and pastoral one that calls for great wisdom, discernment, and sensitivity. It is ground tread upon lightly and gingerly. It would be quite tempting to dismiss it entirely as “none of the church’s business” and to leave it to the clinicians and fertility specialists to sort through the issues. While it is certainly not of the church’s proper business of proclaiming the justification of the sinner in the death and resurrection of Jesus Christ, bodily life necessarily and inescapably involves the body. We are embodied creatures, dust and breath, and as such, body issues are always spiritual issues and vice versa. If we are, as the apostle Paul says, to “glorify God with our bodies,” then the pastoral and spiritual care of the soul (Seelsorge) must also concern itself with the body.

At the surface level, the issue of infertility appears to be a matter of medicine and bioethics. By way of full disclosure, I am neither a physician nor am I a biologist by training. My undergraduate and graduate school years were occupied in chemistry which were then followed by a 5 year stint here at Concordia Seminary, for a couple of degrees in theology. I am also not an ethicist, ethics being a somewhat foreign language in the Lutheran camp. For ethics, we usually went up the road to the Jesuits at St. Louis University who seem to take delight in the finer distinctions of life. This isn't to say that ethics don't have a place in our life together. Where poets teach us to value words about God, ethicists remind us that our actions have consequences, both intended and unintended. We do not act in isolation, and our actions often have far reaching implications, often to the third and fourth generations.

My interest in this matter of infertility is also not strictly clinical; it is also deeply personal. My wife Karen and I, who have been married for nearly 25 years, do not have children. This has not been by active choice so much as by passive default. As we like to say to the ever-inquisitive church ladies eager to know why we haven't done our part to populate the church and its Sunday School with little Lutherans, “We have never said ‘no’ and God in His infinite wisdom has never said ‘yes,’” though this explanation rarely satisfies pious inquisitions. We do not consider our marriage “barren,” nor do we see ourselves in some categorical box labeled “childless.” Children are simply not a part of our life. Our identity comes from our Baptism into Christ not how many or how few children the Lord has granted us. And like any pair of “empty nesters” we are fully husband and wife as “one flesh” without being father and mother.

Any discussion of infertility ethics within the context of biblical revelation must begin in the beginning with the doctrine of creation. Genesis 1 lays out a framework of creative, divine imperatives beginning with “Let there be light” (or in Hebrew, simply “Be light”) and ending with “Be fruitful and multiply” in an ordered week of days, each day beginning with “And God said.” God speaks and so it is. That is the nature of these divine imperatives which are not moral imperatives or “commandments” in the sense of the legal principles but “ordinances or mandates of God” (mandatum Dei) that call into being, order, name, and provide purpose and function. They correspond to what we call the “laws of nature.” “The Word says “Let the earth bring forth vegetation…” and the earth brings forth vegetation not only in the beginning but ever thereafter. (Apology XXIII.7-8) The Word says “Be fruitful and multiply,” not only to Man but also to the animals. As a result, the the birds do it, the bees do it, and we do it too, all by the power of the creative mandate of God.

Although we share much common biology with the animal world, human reproduction is, comparatively speaking, a rather inefficient business. Or, as they say on Facebook, “it’s complicated.” Whereas the divine mandate “be fruitful and multiply” in the animal world produces a rather straightforward and efficient set of impulses and instincts resulting in a profound plethora of puppies, kittens, and rabbits, human procreation takes place within a complex dynamic of sexual intimacy between man and woman, what the Scripture calls “one flesh” (Genesis 2:24). While all creatures are driven by the creative impulse “be fruitful and multiply,” Man uniquely does this within a narrow context of intimacy, commitment, covenant, and community.

For this reason, the word “procreation” is vastly preferred to the mechanistic word “reproduction.” Copy machines reproduce and viruses replicate. Human beings procreate, that is, they are instrumentalities and co-participants in the creative working of the Word.

Ethicist Richard C. Eyer of Concordia University-Wisconsin expresses it this way:

Procreation … is a biblical concept expressed in the meaning of the old English word “beget.” This word implies a committed relationship between husband and wife in marriage. In procreation the focus is not on making children but on making love. Procreation refers to the result of love-making between husband and wife, and the gift of a child from God. Sometimes that gift is not given. (Eyer, Reproductive Ethics)

In the same way, the words “copulation” or “sexual intercourse” or simply “sex” cannot do justice to the mystery of “the two become one flesh.” The biblical term for sexual intimacy is yda, “to know.” “Adam knew his wife, and she conceived…” This is not a bashful euphemism on the part of the OT writers, who wrote anything but bashful when it came to such matters. It is rather
a profound statement that lifts up our biology to the spiritual. Animals do not “know” each other. But Man, as the unique creature of God made in the Creator’s image, acts spiritually with his body. With man, to be united sexually is to know and be known, to become “one flesh” with another, Adam and Eve reunited in an indissoluble unity which God declares by His Word and which man cannot rend asunder. No greater intimacy can be had in this temporal life short of our union with Christ and with one another in the mystical union of Christ’s Body, a union that is not fully realized until the resurrection and the age to come in which they “neither marry nor are given in marriage.”

Marriage is the God-approved and God-appointed context in which this intimate knowing of man and woman takes place. It is a protective fortification built around the “one flesh” union of man and woman so that no one may intrude. Adultery, in any of its various and perverse forms, threatens to pollute the “one flesh”, hence the sixth commandment. It is a signature of Scripture that human sexual activity is narrowly confined within a lifelong union of man and woman from which only death can part. Marriage, intimacy, and procreation must be seen together as a single divine gift that God has joined together for our blessing and good.

It is noteworthy that the first recorded conception and birth in the Scriptures is post-Fall. Cain, the firstborn son of the one flesh union of Adam and Eve, was born in Sin and conceived in iniquity. Only Adam and Eve in their original state were without sin and could cast the first stone were they so inclined, but they threw that away privilege with a tempting bite of knowing good and evil. From that moment on, their knowing of each other was tainted their knowing good and evil, and the procreative impulse to be fruitful and multiply became Sin-corrupted with lust, perversion, self-centered pleasure, and other great shame and vice. Having become self-aware, their nakedness became a source of shame that needed to be covered.

Nevertheless, God is gracious merciful. The promised “seed of the woman,” — a rather novel way of speaking — would be the Savior of Adam’s children and the head-crushing Conqueror of the Deceiver. The woman’s amplified pain in childbirth would serve not only as a preaching of the Law against her role in the Fall, but also as a reminder of the promised Seed who would eventually come from her womb. We might see this in parallel with the later sign of circumcision under the covenant with Abraham. God fittingly puts the sign of the Promised Seed at the procreation point.

The Old Testament history is a record of the Promised Seed from mother Eve through the generations to Abraham, Isaac, and Jacob and to Judah and on through the centuries to the Virgin Mary and her Son Jesus the Christ. The historic road of the Promised Seed takes some interesting twists and turns by way of Tamar and her father-in-law Perez, Rahab and Salmon, Ruth, the Moabite outsider who becomes the Israelite insider, and David’s sordid adultery with the wife of Uriah. Clearly, the Lord’s ways are not our ways.

THE PROMISED SEED / THE BARREN WOMB

The Old Testament view of fertility and infertility must be understood against this background of creative blessing and redemptive promise. Children were a sign of God’s favor. “Blessed is every one who fears the Lord, who walks in His ways!…Your wife will be like a fruitful vine within your house; your children will be like olive shoots around your table.” (Psalm 128) “Lo, sons are a heritage from the LORD, the fruit of the womb a reward. Like arrows in the hand of a warrior are the sons of one’s youth. Happy is the man who has his quiver full of them! He shall not be put to shame when he speaks with his enemies in the gate” (Psalm 127).

For a man to die without heirs or a woman not to bear children, especially sons, was a great bitterness. Sheol, the place of the dead, is called a “barren womb.”

Yet all is not lost. “The Lord gives the barren woman a home, making her the joyous mother of children” (Psalm 113). In fact, the barren womb proves to be fertile ground for the Lord who remains true to His promise. The barren womb demonstrates the monergism of God. He closes the womb, and He opens it according to His will and purpose. And so there is Sarah, the wife of Abraham, who is old and has not conceived a child, and yet is chosen to be mother of the promised Seed of Abraham. There is Menoah and his wife who eventually conceive and bear Samson the judge and deliverer. There is Hanna, the wife of Peniel, who is and prays for relief in the temple, who becomes the mother of the prophet Samuel. There is Naomi, who is “bitter” over the untimely death of her sons and the lack of any grandchildren, and her Moabite daughter-in-law Ruth, who is God’s chosen vessel to be bear David’s grandfather by Boaz.

The barren womb comes to its prophetic end with Elizabeth, the wife of Zechariah, the priestly, childless couple, who in their senior years conceive a son by the power of the Word. They are the last of the old testament line, standing on the threshold of the messianic age, and their son is no less than the prophetic forerunner of the Christ, John the Baptistizer.

The next womb is not a barren one, but the virgin womb of one who has “known not a man.” Mary is Eve’s counterpart in the history of the Promised Seed, the fulfillment of the promise of salvation through the Seed of the woman, and she is the daughter of Zion, the last in the line of Israelite mothers who have borne the Promised Seed. Eve hearkened to the lie and was deceived; Mary believed the Word and she conceived. In her virgin womb, the creative and redemptive work of God come together as One in the Son of God, the Word Incarnate. The Word which was in the beginning with God, the Word that was God, the Word through whom all things were made and in whom all things hold together, became Flesh and dwelt among us. In Mary, the vocation of woman as child bearer finds its ultimate fulfillment. Of no man can it be said, “Bearer of the eternal Word.”

SURROGATE MOTHERS

Surrogacy was known in the ancient world as a remedy for barrenness. A woman would offer her maidservant as a surrogate to her husband, and the child conceived would be legally considered her child. This was actualized by the surrogate mother being straddled by her mistress at the time of delivery, so that the child would literally be born between her knees. So Sarah gives Hagar to Abraham as her surrogate, and they conceive Ishmael, Abraham’s firstborn son. While God blesses Hagar and her son Ishmael, it is abundantly clear that this was not God’s intended plan of action. The apostle Paul allegorizes Hagar the surrogate as the slave mother, the way of the Law, in contrast to Sarah, the free mother, the way of the Promise and also our mother, the Church.
(Galatians). This was not Abraham’s finest moment, and certainly not the faith that God reckoned to him as righteousness. And we have been living with the consequences in the conflict of Ishmael and Isaac ever since.

Four of the twelve tribal patriarchs of Israel — Dan, Naphtali, Gad, and Asher, but not Judah! — were sons of surrogate mothers — Bilhah and Zilpah, the maidservants of Rachel and Leah, respectively. While the biblical record is free of explicit condemnation, it is by no means approving. In a telling scene between Rachel and Jacob, Rachel cries out in frustration, “Give me children or I shall die,” which certainly ups the ante on things. And Jacob responds, “Am I in the place of God, who has witheld from you the fruit of the womb?” (Genesis 30:1-2). Am I in the place of God? That is an overarching question on the table here today.

THE NEW TESTAMENT AND THE COMING AGE

In the new testament, the focus is not so much on the family as it is on the family of God. Not on the one flesh union of man and woman in marriage but on our union with Christ through faith and with one another in the mystical Body of Christ. Not on our first birth of the flesh but on being born from above by water and the Spirit. When someone attempted to garner Jesus’ attention by praising His mother — “blessed is the womb that bore you and the breasts you nursed,” Jesus redirect the speaker’s attention to the Word — “Blessed are those who hear the Word of God and keep it.” His true “mother, brothers, and sisters” were not His family but those gathered around Him in the house to hear His Word.

To be sure, our Lord affirms the gift of marriage and family as the first article that it is. He blesses a wedding at Cana with wine overflowing, but that is more of a sign of the messianic age than anything having to do with marriage per se. Still, if Jesus had anything against marriage, one could hardly expect Him to bring 180 gallons of wine to the party. He blessed the little children, holding them up as images of trusting, receiving faith and threatened millstones around the necks of anyone who would cause one of the little ones who believe in Him to stumble. Against the legalistic loopholes of the Pharisees and their teachers, Jesus affirmed the will of the Creator who made them male and female in the beginning and declared them to be “one flesh.” Yet the age to come had already dawned with the coming of the Promised Seed in the Flesh, an age that gifted men to forego marriage and family to be “eunuchs for the sake of the kingdom” (Matthew 19).

Marriage and family are of the old order of things that is passing away. Anna the prophetess, who together with aged Simeon, greeted the Christ Child in the temple when He was presented as a 40 day old. She had been married 7 years and was now 84 (a fulfilled seven times twelve). Her long widowhood was spent in the temple, like old mother Israel, worshipping night and day, fasting, praying, waiting and watching for the coming of the Savior Child and the redemption of Jerusalem.

In the resurrection, Jesus says, “They neither marry nor are given in marriage.” The 144,000 in the Revelation, God’s perfected and complete Israel, are virgins who have never defiled themselves with women. In his apostolic advice to the Corinthian congregation, the apostle Paul viewed single celibacy as the desired state in view of the coming trials of the latter days and the dawning of the coming age. Jesus Himself spoke of the days of tribulation when one would say, “Blessed are the wombs that never bore and

ASSISTED REPRODUCTIVE TECHNOLOGY

The old testament psalmist prayed, “For Thou didst form my inward parts, thou didst knit me together in my mother’s womb. I praise Thee, for thou are fearful and wonderful. Wonderful are thy works! Thou knowest me right well; my frame was not hidden from thee, when I was being made in secret, intricately wrought in the depths of the earth. Thy eyes beheld my unformed substance; in thy book were written, every one of them, the days that were formed for me, when as yet here was none of them. How precious to me are thy thoughts, O God! How vast is the sum of them!” (Psalm 139)

The psalmist didn’t know about embryology or genetics or reproductive technology. Science has opened the “secret place” of the womb to our curiosities as well as our tinkering and interventions. While we are no less fearfully and wonderfully made today, our modern, scientific worldview tends to ignore the final Cause who works hiddenly and focus on natural cause. The advent of “assisted reproductive technologies” (ART) — everything from hormonal treatments to artificial insemination to in-vitro fertilization — has ushered in a brave new world of reproductive technology.

Richard Eyer writes:

We may look back collectively at in-vitro fertilization as the point at which procreation gave way to reproduction as

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described in Huxley’s, Brave New World written seventy years ago. In the new reproductive paradigm, the next step would be cloning human beings, eliminating the need for spouse or partner. This would be the ultimate step of separation of the biological from the relational. It seems that each new reproductive technology moves us deeper in the direction of separating marriage and conception as two distinct and unrelated activities. (Eyer, In-vitro Fertilization: Moral or Immoral)

Eyer raises an important point. What are the implications and consequences when procreation through intimacy becomes reproduction by means of technological intervention? What becomes of the “one flesh” intimacy of man and woman or the covenant of marriage when medical science intrudes? What happens to the mystery and sacredness of life when we deconstruct it into its component parts and mechanisms?

Wittingly or unwittingly, we have divided the unity of covenant, intimacy, and procreation. Easy access to divorce and lax societal standards regarding premarital sex have separated one flesh intimacy from the marriage covenant. Birth control, on the one hand, and various artificial reproductive means on the other, have divided intimacy from procreation. Fertility is something almost taken for granted now, like a light switch that can be turned on or off at will.

A “one flesh” union of a man and a woman is no longer necessary to produce a child. One doesn’t even need a partner, much less a relationship, but simply the biological materials of sperm and egg, whether one’s own or that of another. Corporations now provide medical insurance coverage for women to harvest and freeze their eggs for later use, much like the produce of last summer’s garden, so that promising careers will not be delayed or subverted by the ever-ticking biological clock. That all this technology “works” and results in the birth of a child, at least some of the time, does not necessarily indicate God’s approval. That would be like me saying that the law of gravity indicates God’s approval of me pushing you off a cliff. If anything, it is a testimony to the creative tenacity of the Word “be fruitful and multiply.”

THE INFERTILITY SUPERHIGHWAY
Fertility intervention places a couple on an ethical superhighway with very few available exits. The typical entry point is when a couple first seeks a medical diagnosis for their infertility. They have been “trying” for some time but with no apparent success. Sometimes the problem is an underlying medical condition - occasionally a serious one. Or it may be as simple as a hormonal imbalance or some other treatable condition that does not involve any form of assisted reproductive technology. Yet even at this point, a subtle shift in thinking has already taken place. Conception is now the goal of intimacy, rather than a happy side-effect. Many couples undergoing fertility treatment describe their intimate lives under the watchful eye of the fertility technicians as that of breeder cattle or horses, where sex is timed to optimize success and failure is not an option.

Failing to identify and treat a medical impediment to conception, the next stop is some form of assisted reproductive technology, usually in the form of artificial insemination. The chances of success are optimized at the cost of intimacy. Procreation is now separated from intimacy. With this separation, new possibilities come into play: donor sperm. Now a woman can conceive without knowing a man, not by the power of the Holy Spirit, but by the power of reproductive technology. Fatherhood is the first of the collateral victims.

Failing to conceive in-vivo, the next step for the couple is in-vitro fertilization (IVF). The mystery of life and conception are now physically removed from the body of the woman and placed directly into the petri dish of the clinician. The divorce of intimacy from procreation is now rendered final. Conception is not divorced from covenant and intimacy. Procreation becomes a depersonalized and mechanized process. Very often, the couple in their zeal to conceive will not perceive these steps or their progression through them. The emotional and financial investments are large, the zeal of the fertility doctors is great, and every failure propels the couple to the next step. This can often lead to marital friction in the “one flesh” relationship of husband and wife. She may want a child at any cost; he may not be so sure about raising a child he knows is not his own.

CRYOGENIC LIMBO
One of the unintended consequences of in-vitro fertilization is the large number of embryos held in cryogenic limbo. A 2002 study by the RAND corporation estimated that there were, at the time, over 400,000 frozen embryos in the United States. About 88% of these were designated for “family building,” that is, were being held for potential future use by the couple that generated them. 2.8% were designated for scientific studies, including the creation of embryonic stem cell lines, and 2.2% were discarded. The Family Research Council estimates that there were some 28,000 frozen embryos whose fate remained undecided.

For those who hold to the principle that human life is sacred from the point of conception, this presents a serious dilemma. What to do with the unused embryos of IVF? One tragically unacceptable solution is to allow them to thaw and die as collateral damage, a kind of embryonic “holy innocents.” Another, albeit somewhat bizarre proposal by a Roman Catholic ethicist, is to keep them frozen until an artificial womb can be developed to bring them to full term. (The live birth rate of frozen embryos is around 36.9% according to the Family Research Council.) Another solution is to use them to develop lines of embryonic stem cells. The RAND study estimates that if all the frozen embryos designated for research were used to create stem cell lines, a generous estimate would be about 275 stem cell lines generated from the 11,000 embryos available. (RAND, April 2002)

A fourth option is to donate the embryos to couples who are not able to produce viable embryos on their own. Either they are procured from a supply of available donor embryos or they are “adopted” as “snowflake babies” through agencies such as Night-light Christian Adoption, who handle these cases as adoptions, giving the same due diligence given to the fitness of the prospective parents, the adoptive home, etc as with any standard adoption. An advantage to the adoption route is that the child can know his or her genetic history, which may not be the case with anonymous donors, given medical privacy laws as they are. As in-vitro technology develops, we can reasonably anticipate that excess embryos will be a diminishing problem in the future, but the 400,000 or more embryos in cryogenic limbo remains an ethical dilemma for the present.
PRINCIPLES AND OUTCOMES

Ethics seeks to weigh outcomes and consequences (teleology) against underlying principles (deontology). The principles in play here are the sanctity of human life as a gift from God and a mystery that runs deeper than our reason and senses, and the “one flesh” union of husband and wife in which covenant, intimacy, and procreation are the God-given context for our being “fruitful and multiplying.” The desired outcome, of course, is a healthy child born to parents eager to have children. The consequences of fertility intervention are the depersonalization of procreation, human embryos left in cryogenic limbo, the potential sale and trafficking of human embryos, embryo selection, and children raised outside of the context of family and the marriage covenant.

Does the end of a child to the childless justify the medical means to get there? Do the biblical principles of the sanctity of human life and the inviolability of the “one flesh” union preclude the intervention of medical technology in the procreative process?

As Lutherans, we believe that science and technology are first article gifts of God that can be received and used with thanksgiving. We believe in the power of God to heal. We pray for the sick and anoint them with oil, but we still go to our doctors and take our prescription medicines. Can artificial reproductive technologies be viewed in the same way? Can we retain the sacred mystery of life as a gift of God and the mystery of the one-flesh union of man and woman while at the same time treating procreation as a mechanical process subject to our technology? Is reproductive technology a first article gift of God or is it Man’s attempt to usurp God’s dominion?

PASTORAL CONSIDERATIONS

In closing, I offer seven pastoral observations:

1. Our identity as Christians is not shaped by our vocation nor by our being husband or wife, father or mother. Our identity is in Christ into whom we have been baptized. We are children of God. And we are that whether we are single or married, whether we have many children or none. Anything apart from Christ that shapes our identity is idolatry. Yes, even marriage and family can be idolatrous.

2. It is neither great faith to shun medical science, nor is it great unbelief to utilize it. Just because we can intervene medically, doesn’t mean that we must. We say this at the end of life, we must also say it at the beginning of life.

3. Human life as sacred mystery and gift of God must not be compromised or diminished no matter how laudable our desired outcomes. We are stewards and priests of God’s creation, who have been granted dominion to do good. If we lose our sense of sacredness and mystery on account of our science and technology, we risk losing our very humanity. Our dominion over creation, including over own bodies and their biology, must not become our dominion over God Himself.

4. The sacred mystery of husband and wife as “one flesh” must remain inviolate or we will have completely lost what it means to be male and female. Marriage, intimacy, and procreation belong together as an organic spiritual and bodily whole. Deconstruction can only lead to destruction when we are no longer able to put the pieces back together again.

5. We must be as sensitive to those in our midst who have no children just as we are supportive of those who do. The clarion cries to have children in order to save the church sound harshly in the ears of those who have tried but cannot conceive. They can be as painful as the sideways glances and snide remarks directed at those who have large families. Not all couples are childless by choice nor are they motivated by selfishness. The church is a body of diversely gifted members. Some are gifted for marriage, some for singleness. Some are gifted to bear and raise children, some aren’t. But they are all gifted members of Christ’s body. To be without children need not be seen as a cross to bear or a punishment from God. In faith, it can be received as a vocational gift and opportunity.

6. Life under the sun in a fallen world is complicated and fraught with moral and ethical ambiguity. As sinner/saints, we cannot act without sin. Here Luther’s dictum to Philip Melanchthon fits well: “Sin boldly and trust Christ yet more boldly.” As free men and women in Christ, the question is not whether this is a sin or that is a sin. Rather the questions should be: How does this serve my neighbor in love? How does this glorify God with my body? All things may be lawful, and increasingly possible, but do they build up? Do they edify our life together, our community, our humanity, our faith.

7. Marriage and family is a first article gift of God for this temporal life. As such, it cannot occupy the center any more than clothing and shoes, food and drink, house and home. The center belongs to Christ and Him alone, the Author of Life and the Conqueror of Death, who by His incarnation, death, and resurrection brought life in abundance. As His church and His ministry, charged with proclaiming His eternal kingdom, we will not serve our people well if we permit things temporal, even such things as infertility, to overshadow the things eternal.

Again, the words of our Lord which we heard earlier this morning shape our discussion here today: “Truly, I say to you, there is no one who has left house or brothers or sisters or mother or father or children or lands, for my sake and for the gospel, who will not receive a hundredfold now in this time, houses and brothers and sisters and mothers and children and lands, with persecutions, and in the age to come eternal life.” (Mark 10:29-30)

BIBLIOGRAPHY


PASTORAL CARE FOR THOSE EXPERIENCING INFERTILITY AND MISCARRIAGES

REV. CHRISTOPHER S. ESGET

She was overwhelmed with grief and sorrow. Her husband loved her, but still she felt cursed by God. Indeed, she felt that ancient curse spoken over the first woman: “I will greatly multiply your sorrow and your conception; In pain you shall bring forth children.”

Who is this woman? I originally wrote those words about Hannah, but many other Hanshah sit in the pews of our churches, empty, sad, bearing with bitterness the curse in their bodies: “I will greatly multiply your sorrow and your conception.”

Some women feel the pain in childbirth; others feel the pain of not having this gift. And then there are the children who are no more, who never draw breath, passing away without funeral, the only baby shower being the tears of parents grieving in secret.

Why? There is no answer, not for any particular woman. God’s ways are hidden from us. Some women pass all of their days without a little one to cradle, while other women wait years in silent grief until they have a child to mother. Abraham’s wife Sarah. Isaac’s wife Rebekah. Jacob’s wife Rachel. Elizabeth, who became in her old age mother of John the Baptist.

And then here is Hannah. Her prayers are not polite; she breaks all decorum, and that, in the place of sacrifice. ‘And she was in bitterness of soul, and prayed to the LORD and wept in anguish.’

If we are going to discuss pastoral care for those suffering infertility, miscarriage, and other tragedies, we most need to understand that bitterness of soul experienced by so many women — and not women only, but also men, who long to be fathers.

One picture will not do; the griefs and heartaches, the spiritual challenges people face are different. So I want first to sketch for you, with broad outlines, some of the crosses our people are carrying, and the sins and spiritual problems that assault them.

THE CROSSES OF THE BARREN

The barren woman feels isolated. My wife and I adopted a little boy, James, just over a year ago. We had numerous visits with our social worker after placement before the adoption could be finalized. At one of the first visits, she asked us, “Have you discovered the club yet?” She meant the parenting club, and I had been oblivious to it before. Now, however, my conversations had turned from sports statistics to sleeping statistics, and shameless comparisons of the color and consistency of infant excrement. There was a secret society that had been holding meetings in broad daylight! Well, that society was secret to me — but it isn’t secret at all to the barren woman. She is isolated and excluded. These are not high school cliques — but in some ways they’re worse, because the only way in is a baby.

The barren person feels like a disappointment — a disappointment to husband or wife anxious for a child, a disappointment to parents anxious to be grandparents. No matter how loving and patient these are, the barren person cannot shake the feeling, “I’ve let everybody down.”

Eventually people begin prodding: “When are you going to start a family?” Which communicates to the barren couple that they are not a real family. And just as the culture has begun to judge “breeders” for having children, so there is an opposite judgment of the childless for their selfishness, and the barren feel indicted by that unjust judgment, made more bitter by their longing.

“No I’m finally an adult,” said one proud father after the birth of his first child — unintentionally causing the barren to feel stunted, not even regarded as a full member of the community.

These are problems not from secular Western culture, but problems that arise within the culture of our churches. If you have cancer, we’ll put you on the prayer list. If you are pregnant, we’ll put you on the prayer list. But if you are struggling to get pregnant, the church does not publicly remember you or acknowledge you. Like mental illness, the crosses of barrenness and miscarriage are often treated as taboo.

That’s inside the church. What’s influencing us from the outside?

CULTURAL CATEGHESIS:
WHAT DOGMAS DOMINATE THE WESTERN WORLD?

A core problem in our culture is the idea of autonomy: that we are laws unto ourselves, to each individual belonging the right to make every decision concerning sexuality, marriage, and parenthood, even when these things contravene nature. The church must address how the concepts of choice and control dominate our own thinking about children and family. The culture indoctrinates us with these ideas:

• Having children is a choice
• Pro-choice is not just about abortion, but about the decision to pursue pregnancy.
• Thus even most pious Christian marriages begin with the assumption that children are not gifts from God given in His good time, but lifestyle choices according to our timing. And it would be best to wait. Wait until school is finished, wait until we have enough money, wait until we have a large enough house, wait until we are ready.
• And while we are waiting, we use birth control. Note that language of control — our will dominates. The natural functioning of the body, and one of the principal purposes of marriage, is willfully subverted, in an attempt to keep God from controlling, to keep God from giving us a blessing that we are terrified will be a curse.

At the core of this focus on control is the lie that we are the masters of our destiny, that we can shape life according to our will. Russell Moore calls this “the god of a self-directed future”:

This counter satanic humility can be seen, first, in Christians learning to give up the sense of desperation we feel when

1 I Samuel 1:10 NKJV
we lose “control” of our lives, our expectations, our families, our churches, our country. I don’t know what your personal trap is for kingdom building. For me, the satanic temptation was there in the having of children. When my wife and I first married, I was absolutely terrified of her getting pregnant “too early.” I had all kinds of plans for my schooling and for my ministry, and I didn’t think we could “afford” children for a while. The day finally arrived when I was “ready” to be a father. Maria and I made the “decision” and celebrated around the table. It was almost like an engagement. But nothing happened. Thank God.

That’s easy for me to say to two adoptions and two births — four children later. But if we had conceived right away, I would have been a miserably bad father. I would have seen those children as simply an extension of myself and of my plans for the future. I know that because of the way I reacted to years of infertility and miscarriage. Although I never would have put it this way, I actually felt as though God was taking something away from me. He was taking away from me the “normal” life I’d mapped out for myself. In fact, he was taking away from me my god, the god of a self-directed future. [Tempted and Tried: Temptation and the Triumph of Christ, p149]

I don’t mean to upset anyone for airing my antediluvian views on contraception. But wherever you come down on that question, I hope you can see how the acceptance of that worldview, where childbearing is a matter of our choice and within our control, sets the stage for deep confusion and heartache when the god of our self-directed future turns against us.

SPIRITUAL PROBLEMS IN THE PURSUIT OF PROGENY

What happens to people spiritually as they seek a child? Consider a young woman just out of school. If she wants to competitively pursue a career, she probably needs to delay childbearing. Just a few weeks ago, technology companies Apple and Facebook announced offering up to $20,000 in egg-freezing coverage for female employees. 2 The clear message to female coders: career first, family later.

Years later, once the decision is finally made to reproduce (note the mechanism of the factory in that term, in contrast to procreation), often a woman’s most fertile years have passed.

Now what will she experience in her soul? Guilt. “We should have begun this earlier.” Recrimination. “I wanted to, but you wouldn’t listen!” Resentment. “If you had only paid more attention to me.”

Ah, but there is a god this couple can turn to! The god is Science, and this cult has its priestly class, fertility doctors. The sacrifices demanded are more costly than anyone realizes.

It isn’t just the money, although the costs start high and only get higher. Soon a husband is depositing his sperm in a cup to send it to the lab for testing; what does that do to his soul? Pills for the wife begin altering her hormones to do the opposite of the pills she used to take. After a few months, if those pills don’t work, the fees get higher and the probings more invasive. Perhaps she will have to drive to a specialty pharmacy some distance away, to receive a speciality kit that must be kept refrigerated. Charting her temperature, she goes every other day to the clinic, where her insides are probed, measured, studied. Then, at just the right time, she is to stick herself with a large needle filled with a medicine that costs several car payments for a single dose. Then, there is a narrow window of time when there must be marital intimacy.

Everything the culture has taught — and everything even this pious couple has practiced themselves before the decision to pursue children — is that sex is for fun, and perhaps also for relational closeness. In this scenario, there is no fun, and what should draw the couple together may even be replaced by a kind of hostility.

What if it doesn’t work that month? How many more times will they try? How big is their bank account? How long can this go on without their love turning to hate? Is it different from a gambler, thinking that he can’t walk away now, because the next pull on the slot machine will surely be the one that makes him rich? The couple may find that they have entered the Hotel California, where you can check-out any time you like, but you can never leave. The thoughts linger: what if we had tried one more time? “Earlier you were against artificial insemination. But the doctor says it will increase our chances. Have you changed your mind?” “The pastor said that IVF was wrong. But how can it be wrong if we get a child, our own child, to love?” “Should we pursue adoption?” “No, too risky. Besides, I’m not sure I could love someone else’s child.”

The pursuit of the child has now become an idol. And it can be a form of self-idolatry, as one seeks not someone other to love, but a reflection of oneself.

Instead of, or along with, all of these challenges, the barren family can simply experience a deep sadness. Every child they encounter is a reminder of their failure, their brokenness. The husband goes to the barber shop to get his haircut, and there sees a dad with his little boy, teaching him about tipping the barber. He won’t cry, he won’t discuss it — but he goes home sad, empty.

Meanwhile, every baby shower invitation, every infant baptism at church, and each successive Mothers Day becomes another reminder to this woman that she is flawed, barren, excluded from the celebration.

Russell Moore observes,

Mother’s Day is a particularly sensitive time in most congregations, and many pastors and church leaders don’t even know it. Infertile women often find this day almost unbearable, not because they’re bitter or covetous or envious, but simply because it’s a reminder of unfulfilled longings. Some pastors, commendably, mention in their sermons and prayers on this day those who would love to be parents but haven’t yet been given this opportunity. (Adopted for Life, p173)

Now if this couple is pious, they’ve probably already been praying. Or maybe they start. Addressing the twenty years of barrenness in Isaac and Rebekah’s marriage, Luther highlights the challenge of persistent prayer:

Rebecca took refuge in earnest and persistent prayer and sighed anxiously night and day. Isaac, too, prayed for her and placed before God nothing else than that one trouble, namely, his wife’s barrenness. We should learn from this that all our troubles, even those that are physical, should be placed before God, but above all the spiritual needs. Isaac prayed in this way: “If it means the hallowing of Thy name, and if it tends to pre-

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2 nationalreview.com/article/390942/no-egg-freezing-wont-let-women-have-it-all-madison-v-peace
serve Thy kingdom, give Rebecca offspring." Where a promise is lacking, as Rebecca lacked it, prayer should supply this and should come to the rescue. But it is a difficult thing and requires great exertion. It is far more difficult than the preaching of the Word or other duties in the church. When we teach, we experience more than we do; for God speaks through us, and it is a work of God. But to pray is a most difficult work. Therefore it is also very rare. [AE 4]

Prayer is difficult. When our imaginary couple begins to pray, now the spiritual games really begin. Let's make a deal with God. "You give me a baby, and I'll be a good dad, a good mom. But don't do it for me, God. Do it for my husband. He'd be such a good dad. Do it for my wife, her parents, my parents. You see, O Lord, what a mess the world is in, the church is in. Give me a child, and I will raise him to praise You."

No, wait, none of this is right. I'm still selfish. "But You said, God, to pour out my heart to You. Your Word says to make our requests known to You. So this is my request. Your will be done."

Except that isn't true. I don't really want God's will to be done. I want my will to be done. I bet God won't answer my prayer until I really, really mean that I want His will to be done. If I read the Bible more, pray harder, become more humble and more selfless, then God will answer my prayer.

Days pass. Months. Years, even. Crickets.
Why do You stand so far off? Why are You aloof from me?

The sadness may become bitterness, anger at God, resentment at the fecundity of others, or perhaps a numbness that becomes a kind of functional atheism, even as the person continues to go to church. "For whatever reason, God, if there is one, doesn't answer my prayers." And so the person stops bothering at all.

Or, they believe that God has judged them, that their failure to have children is a special punishment from God. Luther in his Genesis lectures refers to this as the trial of barrenness. Discussing Isaac and Rebekah, he says,

"This is another trial. After the flame of lust has ceased and Isaac has become a husband and has had Rebecca as his wife for 20 years (for so long does God delay the promise in which He had promised his father Abraham: "Through Isaac shall your descendants be named"), another affliction now follows, and indeed one that is far more burdensome than the previous trial. The victor over lust overcame the devil by his chastity up to the time of his marriage. In the marriage state he longs for offspring, in accordance with the promise; and he certainly has no slight hope, since he knows that his wife was prepared for him and brought to him in accordance with God's plan. But Rebecca does not bear a child; nor does she have a promise that she will be a mother, just as Sarah, too, did not have a promise at first. This undoubtedly troubled his heart, and to this trial were added fear of and worry about perpetual barrenness, which they considered to be a curse. For the fathers laid very great stress on this statement (Gen. 1:28): "Be fruitful and multiply." They felt that a special blessing of God rested on this statement; and because they did not multiply, they supposed that they were cursed and under God's wrath.
life, but a lot of people are seriously suffering, and I’m so glad it’s not me.

And then one day it was me. My wife Kassie and I shared that secret joy of pregnancy, followed by the horrible anguish of miscarriage. People said insensitive things to us, and some of those people, to my shame, I was angry at for a long time. Isn’t that rich? Angry at people for being as clueless as me.

For the most part, though, we kept it secret. Which is a mistake. It is awkward, to say the least, to announce the death of a baby that nobody knew was alive. But when we hide the sorrows from the public prayers of the church, we really make the prayers regarding children and family into an announcement of our successes, while burying our griefs in a deep pit of shame and resentment. Suffering the death of their child, most people want to hide and be alone, and we shouldn’t force people to make public what they want to keep to themselves. And in the immediate aftermath, the mother is physically dealing with the very undignified end of her tiny baby’s life.

But that isolation, it can kill the soul. It sent me into a fierce spiral of anger and depression. Getting into the pulpit became the hardest thing to do. Here I’m charged with preaching God’s love and grace, and all I could feel was that He hated me. I knew all the stories, how Abraham and Sarah, Isaac and Rebekah, Elkanah and Hannah and Zachariah and Elizabeth, how they struggled and prayed. Now I am a great sinner, and one of my sins was in being angry that God answered their prayers and not mine.

I needed a way to grieve publicly about this, to receive the support of others. As it turns out, there is another club, this one much more secret than the parenting club, and it’s very hard to get in because you have to make yourself vulnerable, to break the taboo and risk hearing hurtful and insensitive, if well-meaning, words.

The best thing that happened to me was one person telling another about our miscarriage, and after church one Sunday that woman came to me, whispered that she knew, and then gave me a hug and said simply, “We love you and are hurting with you.” Those simple words did more for me than everything else put together.

I think only someone who has experienced hurt—whether it’s this particular pain or not—can say that. But having somebody identify with your pain, to share it, begins the journey to the cross, and risk hearing hurtful and insensitive, if well-meaning, words.

THE HELL OF BARRENNESS
For those who are childless because they cannot find a godly spouse, for those who are childless because their bodies are broken, for those who suffer the profound regret of abortion, for those who live with the pain of miscarriage, still-birth — we must see these as trials. “Whom the Lord loves, He chastens,” and every branch that bears fruit He prunes. That pruning is painful, but the trial—for whatever reason He has chosen it for us and for our parishioners, is designed to drive us to despair, and in despair, to find the only answer to all human longing in the open arms of the Savior who loves us and hurts with us. Both Rachel and Leah experienced times of barrenness. Turning again to Luther, he has a beautiful passage about Rachel’s despair driving her to prayer:

Therefore Moses has employed a significant word: “The Lord remembered.” It is as though he were saying: “She had almost despaired within herself, and she was convinced in her heart that God would never remember her, yes, that He had forgotten her forever.” “I shall not be a mother,” she thought, “but I am the most wretched of all women. I should have been the mother of the house, but God has forgotten me.” In this way she was led down into hell, where no hope of help seems to be left. In despair she takes hold of her maidservant and hands her over to her husband, which she would not have done if she had not given up all hope. Yet she despairs in such a way that she retains a spark of faith. In her despair she retains that sobbing which Paul calls inef-fable (cf. Rom. 8:26), but this is so deeply buried and covered with impossibility and contrary emotions of the heart that she is barely conscious of that sobbing or sighing.

IS MY BABY IN HELL?
A particular grief that some—but not all—people have is the eternal state of their miscarried or stillborn child. We emphasize, and rightly so, the importance of Baptism for infants. What do we tell a parent whose little one died without benefit of Baptism? Cold rationality, no matter how Biblically faithful, is not always comforting to the grieving parent.

The only thing to do is commend the child into God’s hands. The Augsburg Confession says that in infant baptism children “are committed to God.” When we don’t have opportunity to administer the means of grace, we commend ourselves and everyone we love to the grace of God, asking the One who is love to remember us in love.

I find Hannah to be among the most remarkable women in the Old Testament, because after years of tears, anguish, and prayers that seemed to go unheard, she receives the gift and turns around and gives her son Samuel back to the Lord. She is confessing that nothing is ours, everything belongs to God.

Mention Luther’s tract, “Comfort for Women Who Have Had a Miscarriage,” AE 43. Luther’s principal points: (1) “God’s will is always better than ours, though it may seem otherwise to us.” (2) We should hope that the believing parent’s prayer is effective, that God hears it. (3) God will do better things than you desire. Ps. 50.15. “Call upon Me in the day of trouble.”

DID I KILL MY BABY?
Discuss ectopic pregnancy — baby develops outside the uterus (typically withing the fallopian tube). Child cannot survive, mother’s life is in danger.

Unique horror — miscarriage and abortion together. The woman, although she undergoes a procedure necessary for her own life and ethically permissible, she nevertheless feels guilt.

The pastor should be with the family. Go to hospital with them.

PRACTICAL MATTERS
Barrenness is not a sin. But it is the result of sin, and it also can produce many sins. Fortunately, the church has the one thing that can address all of this: the Absolution. We need to name these inner struggles our people face. Ponder the burdens our people have: resentment, anger, the loss of control, disappointment, iso-
tion, jealousy and envy at seeing fertile families. Name those sins, burdens, and hurts. You don't have cliches or pat answers, you don't know the mind of God. But you can tell people about Jesus who says to them the same thing that my kind parishioner said to me: "We love you and are hurting for you." That's the meaning of the incarnation: "God said to His beloved Son, 'It's time to have compassion. Then go, bright jewel of My crown, and bring to all salvation. From sin and sorrow set them free, slay bitter death for them that they may live with You forever.""

One woman said to me years after her miscarriage, "What can you say?" There are no right words in the moment. Go ahead and acknowledge that. And then realize that you'll need to keep on talking to these people:

Spiritual care in the instance of a miscarriage is not a singular event. Though it may lessen over time, the grief remains with them. Thus don't regard it as a bad event in the past, but in your preaching, public and private prayers, and personal words, be even mindful of their grief and sorrow, resentment and loneliness, and all the other terrible ways the devil assaults the heart and conscience.

Offer absolution to the hurting. Not only for specific sins, but for the contagion of sin causing this brokenness, and the sins committed against them.

Pray regularly, in the public prayers, for those who long to have children, those who have lost children to abortion, miscarriage, and still-birth.

Be sensitive to the unintentionally excluded. This doesn't mean that you can't have events, groups, or recognitions of particular vocations. But remember that when we talk about marriage, there are people who long to be married but have not found a spouse. When we celebrate children, there are people who are childless. Remember them with compassion

God calls us to unexpected, even undesired vocations. He uses these to teach us and to be a blessing to others. Preach contentment in the vocations we have, not the ones we wish we had.

Our identity is not found in what we accomplish or by what we lack. Our identity is found in Jesus.

Most importantly, we speak to the hurting the joy of the atonement. The atonement is justifying, but Christ's work on the cross is not only a forensic transaction. "Surely He has borne our griefs and carried our sorrows." We preach Jesus who is with us in all our brokenness and loss, and will at the last wipe every tear from our eyes. In that day of new creation, the former things will be forgotten, and sorrow and sighing will flee away.

6 Lutheran Service Book 556, stanza 5.
This presentation begins with the critical question, “Where does the theologian begin when discussing in vitro fertilization?” The theologian begins with theology! Where in our theology do we begin? Lamb suggests the best place is the Second Article of the Apostle's Creed, specifically the incarnation of our Lord. His conception by the power of the Holy Spirit not only testifies to Christ's divinity at that moment, but also to the value He gives to all humanity from the moment of conception. From there we can move to the First Article and the value God's creating hands give to life from that moment. Finally, we move to the Third Article and the value that God's desire to call each life into an eternal relationship with Him gives to all human life.

With this theology as the foundation, the process of IVF is given in simple terms. The goal is to understand the process and make judgments about the process based on our theology. It is not the intent to pass judgment on any who may have used IVF and received the gift of children through this process. Even many of these couples are not aware of the total process involved. Once the process has been discussed, the latter portion of the presentation turns back to our theology and makes connections to the IVF process. It is both the process and theology that the Christian must consider when making decisions about the use of IVF.
Many begin with the Fifth Commandment and the prohibition of taking judicially innocent human life and the positive aspect of helping and befriending our neighbor in his bodily need. To be sure, embryos created in IVF are judicially innocent human lives and they are our neighbors whom we are to help and befriend. We will certainly get there in this discussion, but it is not the best place to start. Some might start with the First Commandment. IVF and other biotechnologies do run the risk of becoming “gods,” something we look to for more help and good than from God as Luther puts it in the Large Catechism. Others may begin with the Sixth Commandment. Marriage between one man and one woman and the one flesh union is a big consideration in the discussion of IVF. But we will not start there either. So, where in our theology do we begin when discussing a technology that involves human life at its very beginnings? I believe the best place to start is with Him who came to redeem human life from its very beginning and who started His human life at life’s very beginning. For the theologian, the best place to start in a discussion of IVF is the incarnation of our Lord. And that discussion does not take us to a manger in Bethlehem, but to a fallopian tube in the virgin Mary.

The Word became flesh and dwelt among us nine months before Jesus’ birth. The angel’s words to Mary, “And behold, you will conceive in your womb and bear a son, and you shall call his name Jesus.” (Luke 1:31)

As theologians we begin with our theology. That leads to our next question, where in our theology do we begin?
“And behold you will conceive in your womb and bear a son, and you shall call his name Jesus.”

(Luke 1:31)

"We believe that the Son of man according to His human nature is really exalted to the right hand of God because He was assumed into God when He was conceived by the Holy Spirit in His mother’s womb and His human nature was personally united with the Son of the Most High.”

Pieper writes, “For Scripture says, as already pointed out, not only of the grown man, not only of the adolescent boy, not only of the babe in its mother’s arms, but of the embryo in its mother’s womb that it is ‘ο κύριος, God the Lord.” (Pieper’s Dogmatics VI. II, p. 84)

Our confessions so state: “We believe that the Son of man according to His human nature is really exalted to the right hand of God because He was assumed into God when He was conceived by the Holy Spirit in His mother’s womb and His human nature was personally united with the Son of the Most High.” (Epitome, p. 15, Art. 8)

“‘And why is this granted to me that the mother of my Lord [kupiou] should come to me?’”

(Luke 1:43) Here kupiou is used as the counterpart of the Old Testament name of God, Yahweh. The timing of this visit is important. Mary leaves right after the angel’s visit, that is, right after the conception of Jesus. She “went with haste into the hill country of Judah” (1:39). If we give her ten days to make this journey, Jesus is just beginning to implant in Mary’s uterine wall. He is a speck capable of sitting on the point of a pin and yet He is referred to as “Lord,” the God of the universe.

Thus, when we say in the Second Article, “conceived by the Holy Spirit,” we attest to Jesus’ divinity at that moment. But I would suggest we give thought to the idea that we also attest to the value Jesus’ conception gives to humanity at that moment. It is part of the price with which we were purchased.
We know our need for a Savior from the moment of conception. “Surely I was sinful at birth, sinful from the time my mother conceived me” (Ps. 51:5 NIV). Again from Pieper, “Christ passed through all stages of our existence that He might fully remedy our unclean conception and birth” (Pieper’s Dogmatics VI. II, p. 84).

As we indicated earlier, the path to the cross and empty tomb did not start in a manger, but in a fallopian tube.

Christ needed hands and feet to be pierced and bleed.

Christ needed a mouth to utter His forsaken cry.
Christ needed a brow to be crown with thorns.

Christ needed a beating heart to be stilled in death.

Christ needed a body to be buried in a tomb and to rise again.
We find a poetic picture of this in Ps. 139:13-14. “For you created my inmost being; You knit me together in my mother’s womb. I praise you because I am fearfully and wonderfully made.” (Ps. 139:13-14a NIV). Using Hebrew idioms, the Psalmist creates an intimate picture of God’s hands-on involvement in the creation of each human being. I see here a kind of poetic biology. Now I know I’m imposing this on the text and I suppose it’s my undergraduate work in biology kicking in. On the other hand, I am not surprised that this God-inspired poetry for procreation reflects the biology God uses for the same.

God creates our “inmost being,” that which is essentially us, our very souls. That’s what happens in biology. At the moment of conception, you were you. Male/female, tall/short, brown hair/light hair, blue eyes/brown eyes . . . you were you, and uniquely you. You are the result of a possible 1 and 70 trillion chromosomal combinations. Next our poetry says, “You knit me together in my mother’s womb.” A little more literal, this comes out something like, “You wove a covering for me.” So God creates us and then weaves a covering for us, this body, this temple.

With the incarnation as our starting point, we can move “backward” in the creed to the First Article to discover the reason for this “speck to spectacle” event. It was God’s great love for the work of His hands, His creation, especially the crown of His creation, human life. Having created the backdrop and set the stage, on day six God brings human life onto the scene made for them. Male and female He creates them. In His image He creates them, a distinction given to none other. Though shattered in the fall, this original and lofty position still raises the value of human life above all of God’s creation.

Male and female He creates them and then brings them together bone of bone and flesh of flesh. He tells them to be fruitful and multiply and sets into motion a biological process for procreation. He institutes marriage as the context for this one-flesh union and to reflect His relationship with His own. But He does not remove His creating hands from the biology His hands gave.

Luke refers to the crucifixion as θεωρίαν, a spectacle (23:48). But before there could be a spectacle on a cross, and before there could be the spectacular of the resurrection, there needed to be a speck in a womb. Jesus took our place not just in the living of His life, not just on the cross, and not just as the first born of the dead. He took our place from the moment of conception. A holy, God-embryo giving value to unholy human embryos from the moment of conception.

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The reason, then, for the incarnation and the nail-pierced hands was His love for the work of His hands in Creation. And the value God gives to human life has just doubled—created by His hands and redeemed by His hands.

Again, with the Second Article as our starting point, let's move forward to the Third Article. Those God creates with His hands and has redeemed with His hands, He desires to call and hold them in His hands. God would have all to be saved and to come to the knowledge of the truth (1 Tim. 2:4). God desires that all would be brought to the waters of Holy Baptism. God wants every human being to have an eternal relationship with Him. God wants every soul to be saved and every body to be redeemed so that it might be raised to eternal glory on the last day.

So it is in biology. Here we are as a blastocyst, a hollow ball with a single cell layer on the outside and a mass of cells forming on the inside. When we arrive in our mothers' womb, this outside layer of cells forms the placenta and umbilical cord. The cells that are on the inside begin to change and differentiate and fold forming three layers eventually becoming bone and muscle and skin and nerve forming our body, this temple. After three weeks we look like this, and in just six weeks like this. Yes, and both Scripture and embryologists would agree, we are "fearfully and wonderfully made." As I tell the children when I speak to them, we could all have a tag attached to our necks which would read, "Handmade. By God."
Is IVF a blessing from God that Christians may use or are there problems that need concern us? This presentation will look at the basic procedure involved in the normal IVF process. But before we move on, let me make it clear that the purpose of our discussion is not to judge those Christians who have used IVF and have children by this process. I personally know such couples and their children. But I have learned from these relationships that not all couples are clearly aware of the process involved. So that is our purpose, to lay out the basic facts of IVF in a simple way and then make some judgments about the process, not the people who have used the process.

The basic procedure of IVF begins with unfertilized eggs. The woman is hyper-stimulated so that she produces many eggs per cycle instead of only one. The eggs are placed in a Petri dish full of sperm. Please note that this allows for the use of donor eggs and donor sperm. The egg is fertilized and the normal development begins. This occurs in a glass petri dish, hence the name in vitro, which means “in glass.”

Many eggs are fertilized because this is an expensive and time consuming process. Most clinics will not perform this procedure on just one egg. Many new lives are created in this process.

The next step in the process is embryonic grading.

We are God’s handiwork! Created by the hands of God, redeemed by the hands of God, and called to be held by the hands of God—this is the source of the value of human life. It gives value to all human life regardless of their size or where they live or the condition of their health or degree of dependency on others. This is the foundation from which we address IVF.

With that theological background, we can now look at the biology involved in IVF.
It is at this point that pre-implantation genetic diagnosis is possible. A nucleus from one of the embryo’s cells is removed and his or her genetic code analyzed. This procedure was developed to detect genetic diseases like Tay-Sachs or cystic fibrosis. If a genetic disease exists in the baby, then the embryo is destroyed. Also, since your gender is determined at the moment of conception, there are clinics who are now using this technique to determine the gender of the embryo and then the clinic will only implant the babies of the gender that the client chooses. This has been going on for some time as this January 26, 2004, issue of *Newsweek* indicates.

So what happens to “good” embryos? They are implanted in the uterus. The procedure generally calls for several embryos to be implanted because not all the embryos will develop. However, when multiple embryos do begin to develop, doctors will recommend that you selectively reduce some of them so that only 1 or 2 remain. Of course, selective reduction is a euphemism for abortion.

Now, if the first attempt is successful, the extra babies are frozen. They are placed in glass straws called “cryo” straws. These, in turn, are placed in a larger glass tube which is then plunged into a tank of liquid nitrogen at minus 346 degrees F and frozen. Embryos may be harmed in this freezing process and, harm may also occur when they are thawed. To combat this, a newer procedure called “vitrification” is used which is a process for making water solid without freezing. This is a complicated process, however, and not many clinics do it or even want to do it. This may be a good place to discuss the idea of a “non-receptive womb.” If the reason for the infertility is the inability of the uterus to allow implantation, it would seem we are putting embryos at risk through this process. Such non-receptivity may or may not be discovered during pre-IVF workups.

What options do couples have in regard to their frozen embryos? Let’s discuss those on the next slide.
Any questions?

Couples who have frozen embryos generally have four options for what to do with them. They may desire to have more implanted at a later date. They can donate them for research where the embryos would be destroyed for their stem cells. They could seek to have them adopted by another couple, or they could allow them to die by removing their life support, in other words, allowing them to thaw. Most clinics will only keep the embryos for five years so decisions will need to be made sooner or later.

That, in very simple terms, is the in vitro fertilization process.

What are some theological principles that come into play with In vitro? i.e. How does it connect to the Word of God? What doctrines apply?

Any questions?
AN ETHICS SURVEY OF REPRODUCTIVE COUNSELING PRACTICES IN THE LUTHERAN CHURCH

REV. DR. KEVIN E. VOSS, D.V.M., PH.D

My name is Kevin Voss, Director of the Center for Bioethics at Concordia University Wisconsin. This empirical research project was carried out for my Ph.D. dissertation at the Albert Gnaegi Center for Health Care Ethics at Saint Louis University (SLU). It was approved by the Institutional Review Board at SLU. In the interest of full disclosure, this study was funded by a grant from the Lutheran Foundation of St. Louis, a philanthropic trust of the Church seeking the improved care of people in the community.

The study population was clergy currently serving in congregations who were Roman Catholic priests, pastors of the Lutheran Church—Missouri Synod, and rabbis from the Conservative branch of Judaism. This study focused on three specific issues pertaining to reproductive counseling: the moral status of the human embryo, In Vitro Fertilization (IVF), and Prenatal Genetic Testing (PGT).

The dissertation makes the normative argument that there is a need for directive, morally guided reproductive counseling by congregational clergy (an inclusive term used in the dissertation that refers collectively to clergy of all three groups). For that counsel- ing to be effective, clergy of each faith tradition need to take seriously the duty to be competent in their professions by seeking appropriate clergy-specific education in reproductive counseling.

Surprisingly little research has been conducted on the importance or quality of reproductive counseling provided by congregational clergy. During the literature review, only four studies were discovered that specifically focused on reproductive counseling offered by clergy. A MEDLINE search of the keywords “reproductive techniques, assisted” or “genetics” and “clergy” produced 15 hits.

On this slide, you can see the research questions for this project: (1) how do various demographic variables relate to opinions of clergy concerning reproductive technology and the moral status of the human embryo? (2) How important is knowledge of reproductive technology for the congregational ministry or rabbinate? (3) What beliefs and opinions of clergy are associated with the kind of counseling they provide to their congregants? (4) How well are clergy addressing issues concerning IVF and prenatal genetic testing? Finally, (5) how do beliefs about reproductive technology of each of the three religious affiliations relate to each other?

Infertility and genetic issues are important for many people, including those in religious communities. Infertility, defined as the inability to achieve pregnancy after one year of unprotected sex, affects about 9% of the population. Twelve percent of women of childbearing age in the U.S. have used an infertility service (CDC, 2011). In vitro fertilization and related procedures (called assisted reproductive technology, or ART) are now the frontline treatments for infertility, and in 2006, IVF was a $3 billion business. In 2012, 176,275 ART cycles were attempted resulting in over 65,000 live births in the U.S.

With regard to genetics, each couple, in each pregnancy, has a 2 to 3% chance of having a baby with a significant birth defect or developmental problem. Approximately 120,000 infants are born with birth defects each year in the U.S. (March of Dimes, 2010). Genetic issues are major contributors to infant mortality, and result in billions of dollars in costs for care” (CDC, 2008). Two types of prenatal genetic testing are available: testing done in utero (prenatal genetic testing) and during IVF (known as preimplantation genetic diagnosis).

Religious couples, therefore, are likely to have many questions about reproductive technology, such as: Is the use of IVF ethical and, if so, how can we use it? Is the use of donor gametes or surrogate mothers allowable? What does the result of this genetic test mean for us? Can we end the life of an unborn child with a severe genetic disease? Can we legitimately use preimplantation genetic diagnosis if we can give birth to a baby free of a genetic disease?

Most couples turn to genetic and reproductive counselors for advice. Professional counselors are typically trained in the pertinent medical procedures and in decision-making techniques. The National Society of Genetic Counselors Code of Ethics states that genetic counseling is to be nondirective: Counselors are to “enable their clients to make informed decisions, free of coercion, by providing or illuminating the necessary facts, and clarifying the alternatives and anticipated consequences” (2006). Studies have shown that directiveness and nondirectiveness on the part of genetic counselors are not always consistent and the exact role of clergy is indeterminate. Some counselors are reluctant to involve clergy in the decision-making process; however, participation of clergy in reproductive and genetic counseling does have advantages.

Clergy are involved in the lives of couples during premarital counseling sessions and when newborn children are prepared for a religious rite, such as the Sacrament of Holy Baptism. Congregational clergy help connect individuals to faith communities. Rightly or wrongly, clergy are sometimes perceived as being more accessible than health care professionals. Many religious couples want moral guidance from their faith traditions, and clergy add those specific religious dimensions. On the other hand, many clergy are not prepared to counsel couples about reproductive or genetic issues. Steiner-Grossman and David (1993) state: “Even though nearly 90% … view counseling on genetic issues as part of their rabbinical role, most rabbis, even those who actually counseled on these issues, felt poorly prepared to do so” (p. 1359).

To examine the differing perspectives of the three religious traditions in this study, I focused on authoritative documents published by each group. They are listed on the next two slides. Although I cannot cover them in detail today, I will briefly summarize each of the positions on IVF and prenatal genetic testing.

In the Roman Catholic tradition, the embryo is an entity that ought to be accorded full moral status, and IVF should not be used to treat infertility because it is not consistent with human dignity. The LCMS believes IVF can be used by a married couple as long as the technology does not bring a third party into the
union and it does not involve abortion. In the Conservative movement, the command to procreate is very important, IVF may be used, and gamete donation is permissible. The embryo or fetus is not fully a human being until birth. Fetal termination is required if the mother’s life is in jeopardy.

With regard to prenatal genetic testing, the Roman Catholic and LCMS churches both permit prenatal diagnosis as long as the life of the unborn child or mother is not threatened. Prenatal genetic testing can be undertaken to help care for the child; however, preimplantation genetic diagnosis is considered to be unethical. In the Conservative movement, PGT is encouraged, and fetal termination is allowed for a serious defect. Under certain conditions, Preimplantation genetic diagnosis is permissible to avoid having a child with a severe genetic disease. None of the three traditions forbids the use of genetic counselors.

With that background, we now come to the empirical research study. This snapshot shows the cover of the 12-page survey. Copies were mailed to 1,300 congregational clergy affiliated with the three groups. Sources of mailing lists were the United Synagogue of Conservative Judaism, the LCMS Office of Rosters and Statistics, and the Catholic Directory. To maximize return, two complete mailings and a reminder postcard were sent, and clergy were given the opportunity to enter a random drawing for ten $50 Amazon.com gift certificates.

The questionnaire consisted of 112 items, organized into 8 parts. The first 4 parts utilized a five-point Likert scale (“Strongly Disagree” through “Strongly Agree”). Raw scores for items from the first four parts were summed to form five a priori indices called “Attitude Embryo,” “Attitude IVF,” “Attitude PGT,” “Attitude Needs,” which measured the attitude of involvement by respondents in these issues, and “Attitude Counseling,” which measured a preference for either clergy or secular counseling.

The next two sections of the survey requested clergy to indicate their experiences with specific reproductive and genetic counseling practices. These sections used a simple binary scale (yes and no). Numbers of “yes” responses from those sections were then totaled and put into measures called “Practices IVF” and “Practices PGT,” respectively. Next, the survey had a knowledge section, having ten high school-level, multiple-choice items. This part measured respondents’ general knowledge of the science of reproductive technology. Finally, the survey included a demographics section.

Validity and reliability of the instrument were key concerns. Survey items were vetted by Center faculty and a select group of congregational clergy. A draft of the survey was pilot tested by 32 St. Louis-area clergy. Measures for internal consistency were very high; alphas for the indices ranged from .70 to .92, indicating the survey’s data are reproducible.

Data were analyzed with SPSS, a common software package for social science statistical research. Descriptive statistics were generated. Kruskal-Wallis H Tests and post-hoc Mann-Whitney U Tests were employed for non-parametric variables across groups, and one-way ANOVAs were used for parametric variables (the indices) across groups. Correlation and multiple regression analyses were run. The Bonferroni correction, a conservative method to counteract the problem of multiple comparisons, was used to avoid Type I error (i.e., an indication of a significant group difference when there is actually is not).
(3.24) on an item that read, “My religious tradition has taken a clear position regarding the use of prenatal genetic testing.” Lutheran clergy also scored low on the item, “I would like to address procreative issues in my sermons more frequently” (2.89); however, they indicated the highest agreement (4.35) with “a need for faith-based counseling about reproductive concerns” and felt a strong duty to “discuss the teachings of their religious tradition whether or not the congregant asks” (4.28). Of the three groups, LCMS pastors most strongly agreed that “when counseling congregants about reproductive issues, clergy should inform them of the position of their religious tradition on abortion” (4.40). Similarly, LCMS clergy most strongly disagreed with the statement, “clergy should avoid imposing their values during counseling sessions” (2.16).

Remember that two parts of the survey asked clergy to indicate their actual practices when it came to advising their congregants about genetics and IVF. These sections called for simple “yes” and “no” answers. In recording the data, the number 1 stood for “yes” and 2 represented a negative response. Answers were averaged for all three groups. Pastors unanimously did not advise “divorced couples to donate their remaining frozen embryos for research” (2.00). Most LCMS clergy indicated that they “have consulted publications to help [them] advise congregants about IVF” (1.43). A majority of them (1.16) have been asked “when an embryo or fetus becomes a human being (i.e., the point of ensoulment).” Overall, 81% of all clergy answered in the affirmative to that item. Most of the LCMS respondents “have spent time learning more about genetics testing and/or genetics issues” (1.46). However, rabbis (1.28) have done that more frequently than the other two clergy groups.

Please refer to the following table from the dissertation. Group comparisons confirmed that the three traditions differed significantly. Conservative rabbis tended to be more pro-choice than either pastors or priests (the lower number in index 1), and rabbis showed a greater willingness to advocate for use of in vitro fertilization or prenatal genetic testing than priests or pastors (the higher numbers in indices 2 and 3). Priests were the most wary of the three groups, having the lowest mean total scores. The “Practices PGT” measure showed that rabbis had more experience advising congregants about PGT (the highest number for index 7).

Of the total number of respondents, only 46% felt qualified to advise congregants about IVF, and 30.1% felt qualified to counsel congregants about prenatal genetic testing and/or genetic diseases. Therefore, a forward selection model multiple regression analysis was employed to predict factors that foster active participation by clergy in reproductive counseling. One important factor was “meaningful education programs” (p. 193).

Based on the results, this study offers the following recommendations. (1) Pre-seminary programs should include introductory classes in bioethics and philosophy. (2) Seminary courses in bioethics and counseling must be required; unfortunately, most bioethics courses at seminaries are elective. (3) Seminary students should become familiar with their tradition’s stance about bioethics issues as well as those of all faith traditions because they will be counseling people from many religious backgrounds. (4) Continuing education seminars about ethics, counseling techniques, and the basic science of reproduction should be required of pastors, priests, and rabbis. (5) Religious bodies should develop networks of reproductive and genetic counselors willing to work with congregational clergy. Finally, each mainstream religious tradition should create and support centers for bioethics studies and associated academic programs. Thank you for your kind attention.
I. The child in the womb: ‘God has created me’
   A. Creator and the married human creatures of God in ‘one flesh union’.
      1. Creator and created humans—male and female—and then, the first ‘lunch break’.

I will not address all of the alternatives to ‘dealing with embryonic human beings’, as that was addressed by the first speaker, other than leave them frozen until the Lord comes to judge the living and dead. I am not here to be what I have not been called to do: faithful to the scriptures and the confessions. Nor am I ‘insensitive to the infertile’ as one of our 5 daughters struggles with this having just recovered from a 3 hour surgery to correct some of the malformation of her reproductive organs that needed to be done without the end: “We are doing this to have a child’. Infertility is a complex medical concern that isn’t as simple as applying various hormonal treatments.
Created life in Christ: Adam and then Eve

Body and soul corrupted due to original sin = we become narcissistic in our desires to seek what please us and not God. Self is the greatest idol.

I am not here to be what I have not been called to do: faithful to the scriptures and the confessions. I am neither an endocrinologist, who deals with infertility issues and ART technologies nor am I an attorney to address the many legal issues that need to be addressed regarding embryo freezing and embryo adoption, especially in cases wherein there is a divorce or death of one or both spouses and then, who obtains the frozen embryonic human beings. Yes, my background in clinical hematology, genetics and cell biology help in appreciating these technologies that result in embryo production and freezing, but there is one thing that I have learned and pass on those whom I serve at Concordia Seminary and St. James Ev. Lutheran Church, where I am serving as Interim pastor: stick to your vocation and then, stick to your own language. This doesn’t mean that we can study and learn from the experts in this field, but we need to know our limitations and that we are here to proclaim Jesus Christ as Created-Redeemed, baptized into the death and resurrection of Jesus.

My intention is to lay out a Biblical structure to assist you and me in our Biblical and Confessional thinking on this difficult subject. Therefore, I will not be entering into the emotional side of this, as I am not a Clinical Psychologist, License Clinical Social Worker or Psychiatrist who is trained to deal with couples who are infertile and desire to adopt a frozen embryonic human being. I have read extensively in this area, visited infertility clinics, chatted with endocrinologists, both surgical and non-surgical, and nurses who have worked in NICU and seen children born from IVF or embryo adoption.

So, what I have received, I will do my best to pass what I have learned so that pastoral/Christian care for the unborn and those who struggle with infertility can remain without judgment but center on Jesus Christ and all of us who live the life of Christ in this world so that whatever we do, we do to the glory of God.

I will add, I have some relative understanding and appreciation for those of you who struggle with infertility and the desire to be pregnant, as my wife, Jan and I have a daughter, one of five who has this struggle for more than 10 years and is recovering from a 3 hour surgery that she had several weeks past.

I. The child in the womb: ‘God has created me’
   A. Creator and the married human creatures of God in ‘one flesh union’.
   2. One flesh marriage: caring for the other . . .

Created life in Christ: Adam and then Eve

Body and soul corrupted due to original sin = we become narcissistic in our desires to seek what please us and not God. Self is the greatest idol.
Marriage is a vocation blessed by the Triune God. It has responsibilities. And if it is God’s will for the procreation of a child, a blessed GIFT from God. Children are not products or commodities. They are given by God in the marriage union to be raised in the instruction and discipline of the Lord. Parenthood is a blessed vocation, rather than a problem to be controlled. Children are loved by God in Christ and by parents as God’s good gift, not because they possess certain characteristics or attributes. When the later is sought, change is not far behind. Whether single, married, widowed or divorce with children, the family is a smaller community within the larger community, the body of Christ. Children are not ‘owned’; they are nurtured within their family and the body of Christ.

For couples who desire to have children, but for any number of reasons are unable cast their cares to the Lord Jesus who cares for them. Meilaender: “… We seek daily to learn how to see the whole of life in the light of God’s creation and redemptive activity” as His children baptized into His death and resurrection.

One in flesh, one in body and soul, one in the Spirit of God.

Male and female, husband and wife are one in marital union, and if it
Some implications that we need to keep in mind when we are thinking about the continuous blurring of God’s creation and His human creatures who are being trivialized in some abuses of biotechnology to the point that they are AWOL: And so, several things are at stake. These are applicable to any abuse of biotechnology regardless: the authority of the scriptures and those who say that since the Bible doesn’t address ART with all of its attendant uses” we have a carte blanche, ignoring the Redeemer as Creator. Secondly, As I have learned from a colleague and next door neighbor at the sem, Dr. David Adams, is the church’s understanding of the role of sexuality in human existence. Herein, as I understand David’s comments relate to the human person as a unity in which the body and soul are extricably joined by the divine creative act. We are embodied human creatures: male and female. As David says: “to attempt to escape the fact of our sexuality is to attempt exactly the “flight from creation”. One of the greatest concerns for the church in whether or not Adam and Eve have left the building, and I believe in some abuses of the technology that we have viewed this evening, they have, is marriage: while marriage continues to undergo redefinition until it has become more of contractual collaborating partners in some cases, using the body and its reproductive gifts as products to produce commodities that fit their individual emotional and economic interests. In the abuses of ART, the bond of one flesh marriage and its blessings by God in Christ has been turned into a project producing children by design. Creating and destroying human embryonic children as the context determines. Procreation should teach us that the act of love is not simply a personal project undertaken for our own fulfillment. We live the life of Christ in this world witnessing the resurrection of Jesus Christ who is the author and perfecter of faith always caring and never killing as we look, not only to our interests, but the interests of others for the love of God in Christ that we have bears, believes, hopes and endures all things, this love never fails. The child, is always Gift and, even a mystery — one like the parents who springs from their embrace, not an inferior being whom they have made and whose destiny they should now determine. ART with all of its attendant uses as we have observed this evening, and there are more, is dehumanizing as it enters the quality control aspects of keeping the fit and discarding the unfit. Human equality in God’s word does not teach us that a child is a product or commodity, but part of a community, one like us,. As Gilbert Meilaender says: “We need to open our minds to other features of human action in order to see how we might come to think of a child as our equal — not simply as our product or project or commodity.” As we continue to see the ongoing transformation of procreation to reproduction to replication to substitutionary human-kind, we are challenged to rethink or to think more clearly about God the creator and His weakest children amongst us in the womb as our equal, for whom He gave His life and blood, therefore, what it means to be human, righteous before God in Christ. This love does no harm. Therefore, It is incumbent on us to provide answers, when we can and not to provide answers when we can’t, to help structure the Biblical thinking of those around us in love and truth, to these practical questions as we witness and teach, admonish and offer forgiveness and counsel in the many circumstances that arise in our lives in Christ.
Latin: *Surrogatus*, past participle of *surrogare/subrogare*. The use of this term pertains to Assisted Reproductive Technology. Baby M was the one of the first cases wherein the surrogate mother refused to give-up the birthed child to the genetic parents.

Biblical Surrogacy: Genesis 15-16—Abram, Sarai and Hagar: The Lord told Abraham that through His body he would have a son, of course this meant included the one flesh union of Abram and Sarai. Both in their older age, and beyond traditional child-bearing, didn’t wait on the Lord and so Sarai told Abram to go into Hagar her female Egyptian servant became their substitute and gave birth to a son. Asking one of my colleagues on the Hebrew in Genesis 16: Sarai tells Abram to go into her so that I may built up through her. Such a struggle. Even though this was a recognized legal practice, but not advocated by the Lord regarding one flesh union. This is a disconnect from the Lord’s command to Abram and one flesh union/procreation.
If we reverse the process of human development as a continuum from the beginning process of fertilization to birth and on, please tell us the moment when he or she stops becoming a human creature; and back up your comment.

Parents are called by God to their vocation of rearing their children in the instruction and discipline of the Lord. The love that God in Christ gives to parents and children, alike does no harm to the neighbor: the spouse, the child and to all, especially the weakest amongst us, the child in the womb, the elderly suffering from various medical illnesses, and the terminally ill.

What will come following this slide, we will try to keep the ‘coming technologies’ within the aforementioned context of God the creator and we, His creatures who have been given Christian freedom, as St. Paul writes: "Look not only to your own interests, but to the interests of others" and adding “Let no one seek his own good, but the good of his neighbor. … So, whether you eat or drink, or whatever you do, do all to the glory of God. Give no offense to Jews or to Greeks or to the church of God, just as I try to please everyone in everything I do, not seeking my own advantage, but that of many, that they may be saved.

A question to ponder: Can you parent a frozen embryo?
III. The child outside of the womb: made by man’s hands.

A. The ‘made to order child’: created and graded embryonic human beings via IVF and DESI (ICSI)

B. The ‘made to order child’: the frozen chosen for

C. Embryonic Human beings: Secular Terminology and Back to the Biblical Basics (What/Who is frozen?)

*In vitro* fertilization [IVF]: test-tube reproduction outside of the body
Begin with embryo grading: top left to right—grade 4 (high quality, day 3 embryo); grade 3 (day 3 embryo, high quality with minimal fragmentation); grade 2 (5 cell, 3 day embryo, low chance of implantation due to increased fragmentation [blebbing]; bottom left to right-grade 1 (3 day, too much fragmentation in this 6 cell embryo, unlikely to implant); grade 0 (3 day embryo, way too much fragmented, non-viable and degenerating, will not implant).

What does this grading teach us about our societies view of who are the fit and who are the unfit, or as it is put in the Genetic Scientific movie: GATTACA, who are the valid and who are invalid.
III. The child outside of the womb: made by man’s hand.
   A. The ‘made to order child’: created and graded embryonic human beings via IVF and DESI (ICSI)
   B. The ‘made to order child’: the frozen chosen for ‘life’

7% to 75% embryos thawed will die. Statistics on ‘death of embryos at freezing’ is undetermined.’
Welfare check: $300 to $500/year to keep frozen. ~600,000 frozen in those cryostraws. Abandoned to the hallways of fertility clinics.
The scriptures are not vague on the matter that we are created by God, conceived in sin and born in iniquity. While fertilization is a process and that there are no moments in this process, we are human being, body and soul, from the beginning throughout our pilgrimage on earth to time when we will be resurrected to live in the New Heaven and New Earth. This was discussed briefly in the first few minutes of my comments.

We are to care for all creatures of God, especially when we reference the explanation to the 5th commandment and many other places in the Scriptures and the Confessions that talk about our Christian witness to all human life. Consistency in the pro-life MO is to always to care and never to kill, so that the exception doesn't become the rule. All human beings, including the weakness, the embryonic human being, needs to be cared for and not treated as a commodity or product. They are gifts to be cherished, as God ‘created us with all that exists.

IV. The child in the ‘test tube’ womb: from liquid nitrogen to embryo adoption

A. The history of embryo adoption: from liquid nitrogen to the flesh of the womb

B. The history of embryo adoption: questions to ponder within the framework of the ARTechologies that agree with the Scriptures and Confessions

Nightlight Christian Adoption and National Embryo Donation Center

1. Arlene Spector (embryo isn’t a person). 2001 placed $1 million dollars into the USDHealth/Human Services for embryo adoption.
2. November 2002: Snowflakes received $500,000 in federal tax dollars to create public awareness of embryo adoption.
3. British law passed a statue in 1990 that all frozen embryos will be destroyed after 5 years.
4. First deadline of destruction: August 1, 1996.
5. A ruing cry went up from pro-lifers around the world.
6. One of those ‘ruing cries’ came from Attorney Ron Stoddart, found of Nightlight Christian Adoptions, an inter-country embryo adoption agency.

I have chosen Nightlight Christian Adoption center because this is the one that that addresses those Christians who are seeking embryo adoption and the NEDC because they are one of the largest centers relating to embryo adoption and secondly, because I have been in contact with a LCMS person who works at the NEDC. In general they are very similar, but there are differences, and time doesn't allow me to address their similarities and differences, as I don't think that is the important concern regarding embryo adoption.

Hence, because I was indirectly involved with one of the first embryo adoptions from Nightlight, Snowflakes and have chosen to give a bit of history of Nightlight and a their view of embryo adoption as it relates to the Scriptures and confessions, and especially procreation and parenting.
Nightlight Christian Adoption and National Embryo Donation Center

7. From embryo transfer to embryo adoption
8. In this case the adoptive surrogate becomes legally, the real mother.
10. No homosexual couples allowed (yet!)

Statements from Nightlight website:
➢ To date: more than 700 embryonic human adoptions to birth.
➢ Embryo adoption is legally called ‘the relinquishing rights of parents’ who created embryos via IVF and DESI and receiving parents are ‘birthparents’ under law.

Nightlight Christian Adoption and National Embryo Donation Center
➢ All frozen embryos are adopted. If ‘birthparents’ do not use all of them, they are returned to the genetic parents. According to NEDC, not all frozen embryos from a genetic couple must be adopted.
➢ If ‘birthparents’ are unable to carry the ‘relinquished frozen embryo(s), they must be willing to use a gestational surrogate.
➢ Placing family selects the ‘adopting family’

➢ All frozen embryos are adopted. If ‘birthparents’ do not use all of them, then the ‘birthparents’ have the option of returning them to their clinic or find another adoptive parent.
➢ If ‘birthparents’ are unable to carry the ‘relinquished frozen embryo(s), they must be willing to use a gestational surrogate.
➢ Placing family selects the ‘adopting family’
➢ Will accept, under specific scrutiny, embryos created by donor sperm and donor egg.

➢ Embryos may be adopted from more than one family if only one or two frozen embryos are available from ‘one’ donating family.
➢ 3633 embryos have been thawed for transfer: 2107 were viable for transfer. 58% success rate of viable embryos for implantation: ~1222 died in the thawing process.
➢ Average success rate to birth is 39%.

➢ An unregulated industry.
➢ Due to the courts, embryos are considered property. The contract to ‘relinquish’ frozen embryos covers the transfer of property.
➢ Their definition of surrogacy: an agreement is made for a woman to carry a pregnancy for the benefit of the intended parents.
Is Embryo Adoption (relinquishing) helping our neighbor?

Yes: who is our neighbor?

the neighbor is the ‘other’: the frozen, unclaimed embryo and those surrogate birthparents seeking to bear a child within their ‘one flesh union’.

Yes: who is our neighbor?

the neighbor is the ‘other’: those parents who created too many embryos via ivf and DESI to be placed back in the their womb, look for some morally correct way to use them, rather than to give them over to research or leave them to their continuous freeze or let them die via thawing (embryonic euthanasia)

Is embryo adoption (relinquishing) hurting our neighbor?

Yes: who is our neighbor?

the neighbor is the ‘other’: genetic parents relinquishing their frozen ivf/DESI children

the neighbor is the embryonic human beings who are frozen and then 13-75% die in the thawing process

the neighbor is ‘birthparents’ who have spare frozen embryonic human beings and can’t implant the remainder but keep them frozen at ~$400/year

According to National Embryo Donation Center

They don’t require that all embryos be donated to the same family

NEDC basic fee= $5022
Additional fees may add ~$2000

IV. The child in the test tube womb: from liquid nitrogen to embryo adoption

A. The history of embryo adoption: from liquid nitrogen (-196°C) to the flesh of the womb

B. The history of embryo adoption: helping or hurting our neighbor?

1. Embryo Adoption (relinquishing): helping our neighbor?

2. Embryo adoption (relinquishing): Hurting our neighbor?

http://www.nightlight.org

Hannah was born December 31, 1998 at 7:07 am. She was one of 20 frozen embryos FedEx to a couple in California. In the initial thawing 3/12 survived. None survived implantation. The attempt: 8 embryos were thawed 3 implanted, one survived—Hannah.
V. The Embryonic Child Adoption: the challenge
and then, back to the basics to meditate and pray on as you listen, search the scriptures and then, whatever you do, you do all to the glory of God in Christ.

A. The challenge: embryo adoption

B. As created and redeemed children of God: Biblical reflections for meditation and prayer on embryo adoption

A. The challenge: The scriptures and the confessions don’t speak about embryo adoption, about the adoption into the family of God through water, word and faith.

B. As Created and redeemed children of God: Biblical reflections for meditation and prayer on embryo adoption. Not here to give you a ‘betty crocker’ laundry list to answer your struggles with infertility for science in this area isn’t an issue of good or bad, but is it in service to the word of God and the confessions.

1. Marriage is one in body/soul and blessed by God, if it is His will for the procreation of children. Children are a blessing, not a projects or products. Thus procreation and sexual intimacy is God’s gift to a husband and wife.

2. The use of any biotechnology that compromises the one-flesh union, such as the use of surrogates or donor gametes disconnects the one-flesh union of a husband and wife.

3. Any experimentation with, destruction of, or storage of ‘unwanted/unused embryonic human beings fails to accord the reverence that they are creatures of God and have been given “my body and soul: eyes, ears, and all limbs and senses; reason and all mental faculties” when the wife’s and husband’s genetic material form the zygote, the one-cell embryonic human being.

4. Embryonic human beings and those who are birthed into the light of this world are parented from ‘conception’ and on. Hence, you can’t ‘parent a frozen embryonic human being’.

5. Embryo adoption is dissimilar than ‘traditional adoption’ in this way: the child that is given up at birth or later in their life is already presenting himself/herself in person in need for care. The adopted child is not conceived in order to be given up, which is either the direct or indirect result of ivf or DESI. (Meilaender).

6. Troubling to the concerns that some of us may or may not have regarding Embryo Adoption, based on the Scriptures on 1st article of creation is not only the freezing of embryos, but also, their death rate in thawing and the Biblical injunction to love our neighbor as our self, for love does no harm.

7. Another point of contention for those who continue to debate the pros and cons of Embryo Adoption is surrogacy as addressed earlier. The parents that purchase the relinquished embryos, thawed and implanted are surrogates and have entered into the one flesh union of the genetic parents. As I said earlier, surrogacy means ‘substitute’. The intention to return is a legal extension of that term.
Herein, as I understand David's comments relate to the human person as a unity in which the body and soul are extricably joined by the divine creative act, and inseparable both in time and eternity. We are embodied human creatures: male and female. As David says: “to attempt to escape the fact of our sexuality is to attempt exactly the "flight from creation". One of the greatest concerns the church in whether or not Adam and Eve have left the building, and I believe in some abuses of the technology that we have viewed this afternoon, they have. While marriage continues to undergo redefinition until it has become more of contractual collaborating partners in some cases, using the body and its reproductive gifts as products to produce commodities that fit their individual emotional and economic interests. In the abuses of ART, the bond of one flesh marriage and its blessings by God in Christ has been turned into a project producing children by design. Creating and destroying human embryonic children as the context determines. As Dr. Gilbert Meilaender said: "Procreation should teach us that the act of love is not simply a personal project undertaken for our own fulfillment."

We live the life of Christ in this world witnessing the resurrection of Jesus Christ who is the author and perfector of faith always caring and never killing as we look, not only to our interests, but the interests of others for the love of God in Christ that we have bears, believes, hopes and endures all things, this love never fails.

Human equality in God’s word does not teach us that a child is a product or commodity, but part of a community, one like us., As Gilbert Meilaender says: "We need to open our minds to other features of human action in order to see how we might come to think of a child as our equal — not simply as our product or project or commodity."

As we continue to see the ongoing transformation of procreation to reproduction to replication to substitutionary human-kind, we are challenged to rethink or to think more clearly about God the creator and His weakest children amongst us in the womb as our equal, for whom He gave His life and blood, therefore, what it means to be human, righteous before God in Christ. This love does no harm. Therefore, it is incumbent on us to provide answers, when we can and not to provide answers when we can, to help structure the Biblical thinking of those around us in love and truth, to these practical questions as we witness and teach, admonish and offer forgiveness and counsel in the many circumstances that arise in our lives in Christ.

FOR FURTHER STUDY
