

**Egg “Donation?”—Assessing the Morality of the Egg Donation Business in the
United States through the Lens of Virtue Ethics.**

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Abstract

In this paper I aim to address whether the current egg donation business in the United States is moral. First, I investigate the egg donation business in the United States. My research focuses on: what the egg donation business is, how the business is successful, who is involved, and why it is so popular. Ethical dilemmas associated with egg donation involve monetary compensations for human eggs, unknown serious health risks for donors, and consequences of the technology failing. Next, I evaluated different ethical theories to apply to this bioethical issue. I found virtue ethics as the most convincing and I present a case for it in Chapter 2. Finally, in Chapter 3, I use virtue ethics as a lens to assess the morality of the egg donation business. Here, I argue that if virtue ethics is true, then, the egg donation process in the United States is morally wrong. I conclude my paper with possible solutions to help make egg donation more in line with living a virtuous life.

Introduction

As a female, college student at an Ivy League university, the idea of egg donation is a reality. In my college newspapers or bulletin boards around campus I have usually come across egg donor ads seeking intelligent, attractive, young women. I have often found myself wondering if I would ever consider egg donation. My knee-jerk reaction is always no, but if I let myself get persuaded by the ads, I can begin to convince myself that it is not a terrible idea. I think to myself, ‘from an economic standpoint, it seems like a good investment of my time as I would get paid a large sum of money for something that costs me nothing to make. Furthermore, from an altruistic perspective, I could help someone who desires to have a child.’ In this research, I sought to investigate this topic further to weigh the benefits and costs of egg donation.

I wanted to understand what makes women’s eggs so valuable; what sets them apart from sperm donations or surrogacy. I discovered that the egg donation business in the United States as opposed to other countries is mostly unregulated by the government and is not required to follow any medical or legal guidelines. However, in countries such as Canada and the United Kingdom, the market for human eggs is illegal.¹ Thus, many infertile couples travel to the US to buy human eggs.² I discovered that the process involved in egg donation has many health risks for women and takes about six to eight weeks, a key difference from sperm donation.³ The main difference between surrogacy and egg donation is that infertile couples are paying more for their child’s genes in egg donation, such as intelligence and attractiveness. In contrast, the surrogate mother

¹ Sargent, Michelle. "Regulating Egg Donation: A Comparative Analysis of Reproductive Technologies in
² *ibid*

³ Almeling, Rene. "Rene Almeling’s ‘Sex Cells’ Explores Marketing Of Reproductive Donation."
Interview by Katherine Bindley. *The Huffington Post*. N.p., 20 Sept. 2011. Web. 29 Mar. 2016.

receives less compensation as she is being paid to provide her uterus for the development of a child.

For example, the population of egg donors and surrogates also varies. The demographic of women who become surrogate mothers are typically army wives or women of a lower social status.⁴ Usually, there are no physical requirements to be a surrogate, although a woman must be healthy and fertile. However, for sperm and egg donors the list of physical requirements is exhaustive, in particular for egg donors. The key requirements for sperm donors are that the men be tall and good-looking.⁵ For egg donors, women must usually pass many physical and medical examinations as well as an IQ test. Furthermore, most egg donors are college students who are financially burdened.⁶ These statistics motivated me to understand this process and assess the ethical implications behind the egg donation industry. Additionally, as a Science and Science Concentrator with a focus on History and Philosophy of Science, I decided to apply virtue ethics to this bioethical issue in order to provide a framework for understanding how we should approach egg donation in the United States. Therefore, the scope of this paper is to investigate the question: Employing virtue ethics, is the current egg donation business in the United States moral?

⁴ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*. The Center for Bioethics and Culture Network, n.d. Web.

⁵ Almeling, Rene. "Rene Almeling's 'Sex Cells' Explores Marketing Of Reproductive Donation." Interview by Katherine Bindley. *The Huffington Post*. N.p., 20 Sept. 2011. Web. 29 Mar. 2016.

⁶ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*.

Chapter I

Egg Donation

History

Egg donation combines the process of *in vitro* fertilization with donor women's eggs.⁷ The fertility industry began in 1978 with the birth of Louise Brown in England. Only six years later, researchers at the UCLA Medical School applied this same process with donor women's oocytes. Not only did the oocyte become fertilized, but this act also resulted in the first live birth from egg donation.⁸ The process of egg donation has allowed women who normally cannot conceive children to carry a child that is biologically theirs, but not genetically theirs.⁹ In the US alone, according to the Center for Diseases Control estimated that over 46,000 children have been born as a result of this technology.¹⁰

Process

The process to become an egg donor can be long and physically and emotionally taxing on a woman. First, a woman must apply to an egg donor agency with certain required qualifications. Commonly, agencies seek for specific physical features such as a minimum height requirement, and a high IQ.¹¹ Next, women must pass a medical screening that includes blood work, genetic and STD testing, and a psychological examination.¹² Most egg donation agencies are very selective and only accept about 1-3%

⁷ "Fertility Clinic in NJ | In Vitro Fertilization | RMANJ." *Reproductive Medicine Associates of NJ RMANJcom*. N.p., n.d. Web. 2 Feb. 2016.

⁸ "A Little History of Egg Donation..." *IRMS Reproductive Medicine*. N.p., n.d. Web. 1 Mar. 2016.

⁹ *ibid*

¹⁰ *ibid*

¹¹ *Eggsploitation*. Dir. Jennifer Lahl. The Center for Bioethics and Culture, 2011. DVD

¹² "Thinking of Becoming an Egg Donor." *Columbia Fertility*. Columbia University Medical Center, n.d. Web. 1 Mar. 2016.

of applicants.¹³ If a woman is selected by an agency, then they must wait for someone to select her profile, which can take months. Once she is matched, she begins the legal steps, which most of the time requires no open egg donor policy. This means that the egg donor will remain anonymous, forbidden from contacting their biological child or vice versa.¹⁴

After the legal contracts, the egg donor begins the “synchronization and stimulation” phase.¹⁵ At this point, the egg donor must begin daily hormonal injections for two weeks. She starts with Lupron, a drug that overstimulates the body’s own production of certain hormones, causing the production to stop temporarily.¹⁶ In women, this drug induces menopause and allows the physician to control the egg donor’s cycle.¹⁷ This also allows the egg donor’s menstrual cycle to sync up with the surrogate mother’s cycle. Next, the donor administers daily injections of gonadotropin to stimulate her ovaries. Normally, women produce one egg per cycle; however, this hormone induces the body to produce up to twelve times the natural cycle, overstimulation of the ovaries.¹⁸ During ovarian stimulation the egg donor visits the fertility clinic almost every day to ensure that the stimulation is working and that the eggs are growing.¹⁹

When the physician indicates that the eggs are mature and ready for retrieval, the egg donor induces ovulation with an hCG injection. Two days later, the medical procedure to retrieve the eggs takes place. The procedure is minimally invasive and the

¹³ "How Egg Donation Works." *Center for Human Reproduction*. N.p., n.d. Web. 1 Mar. 2016.

¹⁴ "Egg Donor Information: The Egg Donor Process." *ConceiveAbilities*. N.p., n.d. Web. 30 Nov. 2015.

¹⁵ *ibid*

¹⁶ "Lupron Injection." *Lupron Injection: Uses, Dosage & Side Effects - Drugs.com*. N.p., n.d. Web. 09 Feb. 2016.

¹⁷ "How Egg Donation Works"

¹⁸ *ibid*

¹⁹ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." *Fertility and Sterility* (2008): n. pag. Web.

recovery period is short, lasting about two days.²⁰ Thus, once the eggs are retrieved there is no follow up care for the egg donor.²¹

Health Risks and Ongoing Research Studies

There are several health risks associated with egg donation as with any medical procedure, both for the donor and recipient. The hormonal preparation of the donor is commonly used for other medical conditions such as infertility. The procedure in general is safe, performed via a minimally invasive technique, either transvaginally or transabdominally with laparoscopic equipment.²² However, as with any medical or surgical intervention, there are risks that should be disclosed to the participants. Aside from the emotional and physical stress, some health risks for egg donors may occur due to the use of hormones for ovarian stimulation, the egg retrieval surgery, and occasional long-term lasting physical and psychological effects.²³

Studies show that some common reactions to the hormone medication may include bloating, abdominal pain, mood swings, headaches, and bruising.²⁴ However, more serious reactions can be Ovarian HyperStimulation Syndrome (OHSS).²⁵ In preparation for egg donation, gonadotropin an ovarian stimulating hormone is used to induce ovulation. However, this hormone can induce the formation of theca lutein cysts in the ovary. These ovarian cysts have been associated with ascities, pleural effusions,

²⁰ "How Egg Donation Works"

²¹ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 2

²² Bodri, Daniel, Juan José Guillén, Ana Polo, Marta Trullenque, Carolina Esteve, and Oriol Coll. "Complications Related to Ovarian Stimulation and Oocyte Retrieval in 4052 Oocyte Donor Cycles." *Reproductive BioMedicine Online* 17.2 (2008): 237-43. Web.

²³ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*. The Center for Bioethics and Culture Network, n.d. Web.

²⁴ "Egg Donation Process." *Egg Donation Inc*. N.p., n.d. Web. 5 Dec. 2015.

²⁵ Zivi, Einat, Et Al. "Ovarian Hyperstimulation Syndrome: Definition, Incidence, and Classification." *Reproductive Medicine* 28.6 (2010): 441-47. *Thieme*. Web.

hemoconcentration or hypoalbuminemia and thus fulfill the definition of ovarian hyperstimulation syndrome.²⁶ Ascities is the accumulation of fluid in the abdominal cavity leading to symptoms of fullness, abdominal discomfort, and pain. Pleural effusion is the accumulation of fluid in the pleural space, which can cause difficulty breathing as well as harbor infection in this cavity. Hemoconcentration is when intravascular free water is reduced leading to more viscous blood and thus increase the risk for thrombosis. Finally hypoalbuminemia is a condition in which the albumin component of the blood is decreased with the development of overall swelling of the body with fluid retention. All of these conditions albeit uncommon can be serious causing substantial morbidity and can even be life threatening.²⁷

The oocyte retrieval process is again a minimally invasive surgical intervention performed in an outpatient setting. During the egg retrieval the most common symptoms are cramping and minor bleeding.²⁸ However, on a more serious level, damage to ovaries, bowel or bladder can occur. The use of laparoscopic instruments can perforate nearby viscera as well as puncture major blood vessels.²⁹ These complications if detected acutely such as intestinal perforation can be promptly repaired. However, such complications may go unrecognized until much later when symptoms of injured viscera can manifest as low-grade fever, nausea, vomiting and/or abdominal pain.³⁰ Retroperitoneal bleeding secondary to transvaginal oocyte retrieval and ureteral obstruction has also been reported.

²⁶ Miller, Paul B., Thomas Price, John E. Nichols, Jr., and Lawrence Hill. "Acute Ureteral Obstruction following Transvaginal Oocyte Retrieval for IVF." *Human Reproduction* 17.1 (2001): 137-38. *Oxford Journals [Oxford UP]*. Web.

²⁷ ibid

²⁸ Sauer, Mark, and Suzanne Kavac. "Oocyte and Embryo Donation 2006: Reviewing Two Decades of Innovation and Controversy." *Reproductive Biomedicine* 12.2 (2006): 153-62. *Reproductive Biomedicine Online*. Web. 15 Mar. 2016.

²⁹ ibid

³⁰ Pearson, Helen. "Health Effects of Egg Donation May Take Decades to Emerge." *Nature News@nature* 442.7103 (2006): 607-08. Web.

These surgical misadventures can lead to blood transfusions, repeated surgical interventions to repair damaged structures and thus morbidity to the patient.³¹

Some potential long-term health risks include: cancers, infertility, and psychological effects. However, there are no current or past research studies to support these correlations and other long-term effects of egg donation on women.³² There are few case reports of colon cancer in egg donor women that may be a result of the repeated hormonal ovarian stimulation.³³ One study of egg donors did find that 11.5% of women failed to become pregnant after egg donation.³⁴ Many women are unaware of the serious health risks associated with egg donation and even that there are unknown long-term side effects of this process.³⁵

Production of Knowledge

The documentary *Eggsploitation*, produced by the Center for Bioethics and Culture Network, reveals that in the United States, the fertility industry is mostly unregulated by the FDA and is barely under any government surveillance, making it a private business.³⁶ Therefore, privately owned fertility clinics and egg donor agencies are the main producers of knowledge (i.e. egg donor ads, statistics, health risks, and research studies). Agencies independently create ads in order to recruit young, college-aged women. Through their ads, egg donor agencies make the process of egg donation seem relatively simple and worthwhile. Their ads portray a sense of happiness, smoothness,

³¹ Bodri, Daniel, et al. "Complications Related to Ovarian Stimulation and Oocyte Retrieval in 4052 Oocyte Donor Cycles."

³² Sauer, Mark, and Suzanne Kavic. "Oocyte and Embryo Donation 2006: Reviewing Two Decades of Innovation and Controversy." *Reproductive Biomedicine* 12.2 (2006): 153-62. *Reproductive Biomedicine Online*. Web. 15 Mar. 2016.

³³ Woodriff, Molly, Mark V. Sauer, and Robert Klitzman. "Advocating for Longitudinal Follow-up of the Health and Welfare of Egg Donors." *Fertility and Sterility* 102.3 (2014): 662-66. Web.

³⁴ *ibid*

³⁵ *Eggsploitation*. Dir. Jennifer Lahl.

³⁶ *ibid*

and peacefulness by including photos of women on the beach or glistening in the sunshine. However, behind this curtain lies a myriad of ethical dilemmas.

According to Debora Spar, the President of Barnard College, egg donation is at least a “\$40 million a year” industry.³⁷ Couples can pay up to \$100,000 for the entire process.³⁸ A large amount of this goes to pay for the egg. An egg donor is usually compensated anywhere between \$5,000-8,000 per egg retrieval.³⁹ According to the Hastings Center for Bioethics, the average compensation is \$5,000. Although the American Society for Reproductive Medicine (ASRM) issued guidelines, stating that compensations over \$5,000 should be explained, many agencies do not follow them.⁴⁰ For example, a study conducted by the Hastings Center found that “more than a 100 egg-donor ads from 300 college newspapers...offered fees above 5,000.”⁴¹

Ethical Implications

In the United States, many ethical concerns plague the fertility industry. Some hot topics include stem cell research, frozen embryos, or even designer babies. But, behind these hot button issues lie the ethical dilemmas with egg donation. This section outlines four main ethical concerns.

A. *The Egg Donation Business is Coercive to Women*

Julia Derek, a 22-year-old college student with an expiring visa, donated her eggs multiple times because she needed the money.⁴² She figured she received more money

³⁷ Clark, Amy. "Inside the Business of Egg Donation." *CBS News*. N.p., 17 May 2006. Web.

³⁸ *Eggsploitation*, Jennifer Lahl

³⁹ Clark, “Inside the Business of Egg Donation.”

⁴⁰ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 3

⁴¹ Moskowitz, Clara. "Exorbitant Fees Offered to Human Egg Donors, Study Finds." Web log post. *Livescience*. N.p., 26 Mar. 2010. Web.

⁴² Derek, Julia. *Confessions of a Serial Egg Donor*. New York: Adrenaline, 2004. Print. 5

donating her eggs, than waiting tables.⁴³ However, she learned through first-hand experience that selling her eggs was detrimental to her health. In the chapter “Another Visit in Hell,” she describes the effects of egg donation on her body: hormone imbalance, deep depression, and severe headaches.⁴⁴ Derek explains how an ad in the *Washington Post* caught her attention as it offered \$3,500 per egg cycle.⁴⁵ She states that the ads do not show the health risks or long-term process it takes to become an egg donor.⁴⁶ Although she made up to \$50,000 selling her eggs twelve times, it was at the cost of her health. She reveals the egg donor ads persuaded her to donate her eggs.⁴⁷

According to the Center for Bioethics and Culture Network, many egg donor ads “invoke language appealing to the altruism of potential providers.”⁴⁸ Furthermore, they point out that ads are “markedly coercive” since they appeal to young women’s financial needs and “maternal instincts.”⁴⁹ In a recent survey at Yale conducted by Kevin Su, a Yale undergraduate student, he found that 60% of people viewed egg donation as “an opportunity to help an infertile couple,” as opposed to a “business transaction.”⁵⁰ He also found that of the women who responded it is “an opportunity to help an infertile couple,” two-thirds of them responded “no” to the question if they would consider donating without a monetary compensation.⁵¹ These findings provide evidence for the observation that ads coerce women into donating their eggs by initially appealing to women’s sense of altruism, but then swaying them with the financial rewards.

⁴³ Derek, Julia. *Confessions of a Serial Egg Donor*. New York: Adrenaline, 2004. Print. 5

⁴⁴ Poore, Michael. "Selling Her Body, a Few Eggs at a Time." *Breakpoint Worldview Magazine* 20 Feb. 2008: n. pag. Web. 22 Mar. 2016.

⁴⁵ *ibid*

⁴⁶ Derek, Julia. *Confessions of a Serial Egg Donor*. 45

⁴⁷ *ibid*

⁴⁸ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*.

⁴⁹ *ibid*

⁵⁰ Su, Kevin. "Not by the dozen." *The Yale Herald* [New Haven] 21 Feb. 2014

⁵¹ *ibid*

B. *The Egg Donation Business is Deceitful to Women*

“The agency told me it’s safe, and they use a reputable IVF clinic and experienced doctors. I know there’s a usual small risk of bleeding and infection from the egg retrieval, but otherwise they say there’s no problem.”⁵²

--Jessica Schneider, former egg donor

Dr. Jennifer Schneider recounts her daughter’s experience with egg donation.

Initially, she claims Jessica was attracted to egg donation for purposes of helping others.

Her mother says she did not have a problem with it as long as it was safe. The quote above illustrates both what Jennifer and Jessica knew about the safety of egg donation.

However, a couple years later at 29 years of age, Jessica developed colon cancer. Two years later Jessica died of this cancer. She had no genetic pre-disposition to colon cancer or any other cancer.⁵³

Similar cases to Jessica’s case have come to light from different places around the world. For example, in London an egg donor developed colon cancer six years after her egg retrieval.⁵⁴ *Maggie’s Story*, a documentary exposing the dangerous effects of egg donation, follows the life of an egg donor who similarly developed colon cancer, having no genetic pre-disposition of it.⁵⁵ According to Dr. Jennifer Schneider, doctors do not know if “repeated large doses of hormones” led to her daughter’s colon cancer because there are no studies showing the long-term effects of egg donation.⁵⁶ Therefore, she argues that not having long-term research studies does not give egg donors properly informed consent.⁵⁷

⁵² Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 1

⁵³ *ibid*

⁵⁴ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 2

⁵⁵ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*.

⁵⁶ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 2

⁵⁷ *ibid*

Yale researcher, Dr. Rene Almeling, reveals that money initially motivates women to become egg donors, but then once they are at the fertility clinic they are motivated by altruism because doctors tell them what they are doing is amazing.⁵⁸ This example conveys how money and altruism are deceiving and blinding to egg donors, skewing their reason to make an informed decision. Furthermore, Almeling states that at the fertility clinic, women receive a disproportionate amount of information about the benefits of egg donation compared to the health risks.⁵⁹

According to a study conducted by the Center for Bioethics and Culture Network, many egg donors are not aware of the psychological effects, short-term health risks, and lack of research on the topic.⁶⁰ In a documentary released by the network, *Eggsploitation*, the filmmakers trace the lives of five women who were in the dark during their process and later developed life-threatening complications such as abdominal bleeding or a collapsed ovary.⁶¹

Jennifer Schneider argues that although the serious health risks are only known in some cases, “a single tragic case [can lead] to significant institutional involvement in efforts to prevent recurrences.”⁶²

C. *The Egg Donation Business Results in the Commodification of Human Life*

Currently, in the United States there is no cap on the compensation women can receive for their eggs. In other countries such as Canada and the UK, the sale of human eggs is illegal. However, in the United States since the fertility industry is mostly

⁵⁸ Su, “Not by the dozen”

⁵⁹ *ibid*

⁶⁰ “Egg “Donation” and Exploitation of Women.” *Cbc-network.org*.

⁶¹ *Eggsploitation*. Dir. Jennifer Lahl.

⁶² Schneider, Jennifer. “Fatal Colon Cancer in a Young Egg Donor.” 3

unregulated, women can receive up to \$100,000 for their eggs.⁶³ What does placing a price tag on human eggs say about life in general? Moreover, how does commercializing eggs lead to humans being viewed as harvestable for an open marketplace?⁶⁴

D. *The Egg Donation Business Deprives Children from an Inherent Right*

In a recent segment of the Katie Couric Show, 16-year-old Brittan Gilmore states, “she felt like something from her was missing.” Brittan is the biological child of an anonymous egg donor. After months of secretly searching for her biological mother, she found her through a website called Anonymus.org, which connects anonymous egg/sperm donors with their biological children or siblings.⁶⁵ This case is one of the rare instances where mother and child were reunited. However, most of the time children will live their entire life not knowing their biological mothers. This presents a concern when the child has no medical or psychological history record or when the child seeks to meet their biological family. Before the child is born, they are prevented from a right to meet his or her biological family. Furthermore, this can cause psychological stress in the child’s life and lead to problems of identity.⁶⁶

Conclusion

Although there are various other ethical problems regarding egg donation and the fertility industry, the examples outlined here are the most relevant to egg donation. An article regarding egg donation released by the Stem Cell Bioethics states that “definitive answers [to these questions] are not available” and thus we need to be guided by the

⁶³ "Egg "Donation" and Exploitation of Women." *Cbc-network.org*.

⁶⁴ Loike, John D., Ruth L. Fischbach, and Janet Mindes. "Ethical Considerations of Egg Donation." *Stem Cells Biology, Bioethics, and Applications*. New York State STEM Cell Initiative, n.d. Web.

⁶⁵ *One Girl's Search for the Anonymous Egg Donor That Created Her*. Prod. Katie Couric. *Youtube*. The Katie Couric Show, 11 June 2014. Web.

⁶⁶ Loike, John D., "Ethical Considerations of Egg Donation."

“Ethical Imperative.”⁶⁷ It says, “in research and medicine, our actions should be guided not by what we *can* do, but rather what we *should* do.”⁶⁸ Therefore, the following chapters include a discussion of what “ethical imperative” we should apply to this bioethical issue and what we “*should* do” to address the problems of egg donation.⁶⁹

⁶⁷ Loike, John D., "Ethical Considerations of Egg Donation."

⁶⁸ *ibid*

⁶⁹ *ibid*

Chapter II

The Case for Virtue Ethics

With the revival of virtue ethics in the last century, the theory has resurfaced as a competing basis for morality and ethics. G.E.M. Anscombe, the pioneer of this revival, believed that in order to study proper modern moral philosophy, we must have a clear understanding of the philosophy of psychology before we begin.⁷⁰ In other words, she argues that we cannot understand ethics until we have a solid grasp of the intentions, motivations, and actions of humans.⁷¹ In order to understand the philosophy, we must return to the study of human nature and humans' purpose in life. She argues that virtue ethics provides a framework for understanding human nature and the individual.⁷²

Virtue ethics as Aristotle defines it is the study of what character traits bring about "the good life" or *eudaimonia* (overflowing happiness in Greek). Aristotle believed that there is a higher good, which all humans aim to achieve; he defined this as *eudaimonia*.⁷³ In order to reach this state of flourishing happiness, one must "aim at a life in full conformity with their rational natures."⁷⁴ This means that humans should seek moderation, balancing between their desires and reasons.⁷⁵ Aristotle defines two kinds of virtues: intellectual and moral. An intellectual virtue is practical wisdom. A moral virtue

⁷⁰ Anscombe, G.E.M. "Modern Moral Philosophy." *Philosophy* 33.124 (1958): n. pag. Web.

⁷¹ Aaron. "Modern Moral Philosophy- G.E.M. Anscombe." Web log post.*Notes on Virtue Ethics*. Blogspot.com, 20 June 2008. Web.

⁷² Alfano, Mark. *Character as Moral Fiction*. New York: Cambridge UP, 2013. Print. 17

⁷³ Kemrling, Garth. "Aristotle: Ethics and the Virtues." Web log post.*Philosophy Pages*. Britannica, n.d. Web.

⁷⁴ *ibid*

⁷⁵ *ibid*

is a mean between two extremes. For example, *courage* is the mean between the excess of *rashness* and the deficiency of *cowardice*.⁷⁶

Aristotle argues that moral virtues enable us to act in accordance with reason and help to orient us in the right direction.⁷⁷ For example, a virtuous person would not let his or her desire to sleep keep him or her from being able to reason that he or she should wake up for work. Moreover, Aristotle states that attaining the virtues help us have the right intentions and motivations.⁷⁸ An example of this is when a person is honest not because he or she wants to avoid consequences, but because it is the right thing to do.

“Virtue ethics can be used to determine the rightness or wrongness of an action by relating the choice to admirable character traits.”⁷⁹ For example, an action is morally wrong if it develops or cultivates a vice such as self-indulgence or stinginess. On the other hand, an action is morally good if it is in accord with human reason and promotes a virtue such as generosity or moderation.

In order to understand morality and ethics G.E.M. Anscombe calls for a resurrection of Aristotle’s virtue theory. She believes ethical theories should focus on the individual instead of the action as this gives us a basis for truth. She claims that the current ethical theories such as consequentialism or deontology do not tell people how to live their life, but rather these theories focus on the action itself.⁸⁰ Thus, Anscombe calls virtue ethics the foundation for modern moral philosophy because it understands human reason and emotion.⁸¹

⁷⁶ Aristotle, and Martin Ostwald. *Nicomachean Ethics*. Indianapolis: Bobbs-Merrill, 1962. Print.

⁷⁷ Garrett, Jan. "Virtue Ethics: A Basic Introductory Essay." *Www.wku.edu*. Web. 15 Mar. 2016.

⁷⁸ *ibid*

⁷⁹ *ibid*

⁸⁰ Alfano, Mark. *Character as Moral Fiction*. 17

⁸¹ *ibid*

Anscombe's work inspired many philosophers to become virtue ethicists such as Alasdair MacIntyre, Philippa Foot, and Rosalind Hursthouse. These philosophers expand Anscombe's theories and apply them to relevant ethical issues. For example, in MacIntyre's book, *After Virtue*, he proposes that the practice of virtue ethics should be a communal effort. That is, the community should celebrate qualities of character that help individuals fulfill their purpose and shun those attitudes that are counterproductive.⁸² Philippa Foot defends virtue theory by stating that "the making of any sincere moral judgment requires the presence of individual feeling, attitude, or intention and thus goes beyond description or assertion of fact."⁸³ Foot implies that we cannot remove human psychology (motivations, feelings) from an action for the simple reason that when making a moral judgment attitudes and feelings are considered.

Rosalind Hursthouse, one of Anscombe's students, outlines why virtue theory is the best ethical theory compared with consequentialism and deontology. In her essay "Virtue Ethics and Abortion," she presents the case for virtue ethics. She first outlines each theory and then explains why virtue ethics is above all of them. She lays out deontology, Kantian ethics, as an action that is in accordance with the moral rule or principle. Deontology is not concerned with intention or motivation for the act. Instead, once the moral rule is derived, humans ought to use their rationality to obey the principle. Hursthouse links right action, moral rule, and rationality, which are the key components to Kantian ethics.⁸⁴ An example of deontology to perform the right action would be the following:

⁸² Lutz, Christopher Stephen. *Reading Alasdair MacIntyre's After Virtue*. London: Continuum, 2012. Print.

⁸³ Foot, Philippa. *Natural Goodness*. Oxford: Clarendon, 2001. Print. 7

⁸⁴ Hursthouse, Rosalind. "Virtue Theory and Abortion." *Philosophy and Public Affairs* 20.3 (1991): 223-46. Wiley. Web. 20 Mar. 2016. 224

P1: Killing is wrong because it is not in accordance with the moral principle, *though shall not kill*.

P2: The moral principle is laid on us through reason and rationality.

Thus, for Kantian ethics, there must always be a right or wrong answer because we can use reason to arrive there. However, Kantian ethics runs into many problems when the situation becomes grey. For example, would it be morally wrong to lie in order to protect your family? Kantian ethics would say that it is always morally wrong to lie, since the theory is absolute. This theory ignores the consequences the action has on others and the motivations/intentions the person has when performing the act. Kantian ethics solely judges the act. It is difficult to ignore intentions and consequences when evaluating the morality of an action. Therefore, humans should adopt another ethical theory to help society better deal with the moral complexities of human life.

The other popular ethical theory Hursthouse describes is consequentialism. This ethical theory was proposed by John Stuart Mill, an English philosopher of the twentieth century. He suggested that humans ought to maximize utility/happiness and perform actions that bring about the best consequences. Thus, there is a link between right action, consequences, and happiness. An example employing consequentialism is the following:

P1: You ought not kill because it does not promote the best consequences.

P2: The best consequences occur when happiness is maximized.⁸⁵

Consequentialism focuses mainly on maximizing happiness, even at another's expense. For example, a utilitarian would say that Truman's decision to drop the atomic bomb on Hiroshima and Nagasaki was morally right because it ended the war. In this case, the benefit of dropping the bomb to create peace outweighed the cost of killing people.

⁸⁵ Hursthouse, Rosalind. "Virtue Theory and Abortion." 225

However, this theory runs into many problems when for example it violates another's happiness for the greater good. Consequentialism is not sufficient to help us solve ethical dilemmas as it overlooks intrinsic human values and rights in order to produce the most utility.

The final ethical theory Hursthouse introduces is virtue ethics. She defends this theory as the best ethical theory because it takes into consideration human emotions, reasons, and desires. She creates an argument explaining virtue ethics as the following:

P1: An action is right if it is what a virtuous agent would do in the circumstance.

P1 (a): A virtuous agent is one who acts virtuously.

P2: A virtue is a character trait that a human being needs to flourish or live well.

In describing virtue theory, she links right action to virtue and virtue to flourishing (*eudaimonia*). This means that an action is right if it is in accord with virtue. Virtue ethics tells us how to be and does not focus on following the rules. However, the root of virtue ethics may be viewed as a flaw as it does not tell us how to act. Hursthouse would respond by saying that each virtue "generates a positive instruction" and each vice a prohibition.⁸⁶ Another response proposed by Mark Alfano, a postdoctoral research fellow at Princeton, says that virtue ethics is concerned with people's actions as they provide a glimpse into people's character.⁸⁷ He provides this example:

*"A jilted lover is upset about what her paramour did, but even more upset about what that shows him to be. The violation of trust is one thing, the trait of dishonesty another."*⁸⁸

Another criticism of virtue ethics is that it is "trivially circular": the right action leads to virtuous agent, and the virtuous agent leads back to right action. But as seen in

⁸⁶ Hursthouse, Rosalind. "Virtue Theory and Abortion." 227

⁸⁷ Alfano, Mark. *Character as Moral Fiction*. 20

⁸⁸ *ibid*

Hursthouse's outline of virtue ethics, we can see that the action is right if the agent is virtuous, meaning they possess character traits required for human flourishing.⁸⁹ Thus, *eudaimonia* is the end goal of virtue theory.

There are many advantages virtue ethics has over consequentialism and deontology. Mark Alfano, a philosopher at the University of Oregon, outlines a few in his book, *Character as Moral Fiction*. First, is that virtue ethics avoids Michael Stocker's "moral schizophrenia" problem. That is, when actions are not in line with feelings and motivations.⁹⁰ For example, I make my mother coffee not because I want to, but because I have a moral duty to take her coffee. However, virtue ethics encourages people to do the right thing for the right reasons.⁹¹ Bernard Williams suggests that virtue ethics expresses "a union of fact and value,"⁹² leaving no room for moral schizophrenia.

Another advantage Alfano describes is that virtues are more accurate for action-guidance.⁹³ He adopts Anscombe's view that assessing if an action is right or wrong does not explain why and can often times be confusing.⁹⁴ But, asking if the action is just or unjust is more precise as it considers the motivations behind the act. Along the same lines, virtue ethics embraces moral psychology better than consequentialism and deontology as it bridges the 'is-ought' gap. Neither consequentialism nor deontology focus on creating benevolent or rational people, instead they focus on ways to maximize good or obey a moral rule. In contrast, virtue ethics combines "explanatory and evaluative properties."

⁸⁹ Hursthouse, Rosalind. "Virtue Theory and Abortion." 226

⁹⁰ Alfano, Mark. *Character as Moral Fiction*. 20

⁹¹ Alfano, Mark. *Character as Moral Fiction*. 21

⁹² Alfano, Mark. *Character as Moral Fiction*. 22

⁹³ *ibid*

⁹⁴ *ibid*

The last advantage virtue ethics has over the other ethical theories is that it is more effective at motivating people to do the right thing. Instead of saying “you shall not lie” because it violates the moral duty or does not maximize happiness, virtue ethics says, “you shall not lie” because you are an honest person or should strive to be an honest person. This according to many virtue ethicists gives people a reason to do the right thing. Martha Nussbaum, a virtue ethicist, argues that even literature teaches concepts of virtue ethics by portraying superheroes and villains in fictional stories.⁹⁵

Virtue ethics as Alfano puts it has “a lot to offer” and should not be dismissed or ignored.⁹⁶ Humans should strive to develop the character traits to be a virtuous person in order to attain *eudaimonia*. Virtue ethics can be applied to real ethical dilemmas and in the next section I will illustrate how this theory works in order to address a bioethical issue.

⁹⁵ Alfano, Mark. *Character as Moral Fiction*. 24

⁹⁶ *ibid*

Chapter III

Virtue Ethics and Egg Donation

Introduction

As mentioned in the previous chapter, virtue ethics is the ethical theory that emphasizes an individual's character as the key element of ethical thinking.⁹⁷ Aristotle states humans should aim to be virtuous because it helps us fulfill our purpose in life: flourishing happiness.⁹⁸ This theory takes into account both emotions and reason. It focuses on the agent performing the action, instead of the action itself. Virtue ethics considers human motivation, intention, and emotion when assessing the morality of an action.⁹⁹ Because of this, virtue ethics is the best ethical theory to analyze the morality of egg donation. Instead of maximizing utility at one's expense (consequentialism), or blindly obeying a "moral duty," (deontology) virtue ethics traces a person's character when making a decision.

When thinking about egg donation, it is hard to separate motivations or intentions from the action. For example, women either donate their eggs for monetary motivations or altruistic intentions. Similarly, infertile couples buy human eggs to fulfill their desire to have a child. Furthermore, people involved in the business (agencies, doctors, fertility clinics) may have multiple motivations to help connect egg donors and infertile couples, but two main reasons are desire to make money and desire to help people have children.

⁹⁷ Mastin, Luke. "The Basics of Philosophy: A Huge Subject Broken down into Manageable Chunks." *The Basics of Philosophy: A Huge Subject Broken down into Manageable Chunks*. N.p., n.d. Web. 09 Mar. 2016.

⁹⁸ Aristotle, and Martin Ostwald. *Nicomachean Ethics*. Indianapolis: Bobbs-Merrill, 1962. Print.

⁹⁹ Anscombe, G.E.M. "Modern Moral Philosophy."

Application to Egg Donation

In this section, I hope to provide a different way of thinking of egg donation by employing Rosalind Hursthouse's method from her paper "Virtue Theory and Abortion." Hursthouse uses the case of abortion to show how virtue theory works in full motion. Instead of arguing that abortion is morally wrong or right because it violates women's rights or is considered murder, she solves the problem by dissolving it.¹⁰⁰ She begins her argument by presenting the different ways humans think about abortion and the motivations behind having an abortion. With each thought/motivation she explains how it does not cultivate virtue and instead promotes a vice. Thus, she assesses the intention before she deems the action morally wrong or right. Similar to Hursthouse, I hope to present an argument for thinking about egg donation by assessing the intentions and motivations driving the act.

Current biological facts and *in vitro* technology show that an *in vitro* oocyte has the potential to become fertilized in a lab. Once the oocyte is fertilized it becomes an embryo. An embryo, once implanted into a woman's womb and carried to term, is a human life. Although an oocyte in isolation does not have any relevance, when thought of as part of the biological blueprint of a future child the oocyte becomes relevant. In the egg donation business, an oocyte is thought of in this way, the other half of a future child. Although no one mentions this explicitly, their actions reveal this truth. For example, couples that cannot conceive a child seek out an egg donor with the intention and hope that the donor's eggs are the future genes of their child. Also, women who donate their eggs are explicitly told that they are donating their eggs to help another person have a child. Fertility clinics and agencies treat an oocyte as the key to a future child by

¹⁰⁰ Hursthouse, Rosalind. "Virtue Theory and Abortion." 233

emphasizing how human eggs help others fulfill their dreams of having a child. Additionally, the legal steps involved in egg donation assume the intention that the donated eggs can become a child. The legal process makes egg donors waive parental rights forever and requires that all children born from the donated eggs be legally recognized as the legitimate children of the infertile couple.¹⁰¹ Thus, the intention for the donated egg to become a person is one of the driving forces of the egg donation industry. I would argue that infertile couples would not pay as much money if the human egg were not of value to them. This same argument applies to the egg donor, doctors, and agencies. Donor agencies place a monetary price on human eggs because they are valuable.

Just as Hursthouse argues with abortion, that biological facts show a fetus has the potential to become a human life in nine months, and that we must attach the same seriousness to the fetus as we would in matters of human life and relationships, applies here.¹⁰² Therefore, we should treat egg donation with the same seriousness as we would in matters of human life and relationships because in the egg donation business the end of the egg is to become a person. We should not treat an oocyte as a physical object that can be purchased. For people to reduce a human egg to nothing but a consumer product contradicts the value placed on it in the first place as one of the key ingredients to human life. We would never tell a child, he or she is the product of a business transaction. Placing a price on a human egg ignores the biological fact that the human egg, if fertilized, has the potential to become a person. Ignoring the original intentions of egg donation is to do something light-minded and callous. Additionally, allowing people to buy and sell human eggs does not cultivate virtue and instead promotes vices such as

¹⁰¹ Todd, Nivid. "Donor Eggs in Fertility Treatments." *WebMD*. WebMD, n.d. Web.

¹⁰² Hursthouse, Rosalind. "Virtue Theory and Abortion." 238

greediness and selfishness. To have the wrong attitude about egg donation is to have the wrong attitude about human life. We would never place a price on a human life because it reduces the value of life to a monetary amount and is dehumanizing. Likewise, we should not place a price on a human egg because it gives people the wrong attitude about human life—it can be manipulated, bought, and sold as a commodity.

A rebuttal to the above argument that Dr. David Resnik presents is that selling gametes is not the same as selling zygotes. He argues that “gametes are not even potential persons,” but zygotes are, thus we must not sell future persons.¹⁰³ However, I am not convinced by his argument because through the use of virtue ethics we take into account the true intentions involved in the egg donation business. And, as I outlined above, the people involved in the fertility industry buy eggs for the primary intention and motivation to create a human. Agencies’ and doctors’ advertisements usually promote something along the lines of “help another woman’s dream come true.” Ads like these imply that a donor’s eggs will help create a person. Therefore, because the *telos* of the human eggs in the egg donation industry are to create a human life, we should not place a price on human eggs.

An argument for egg donation appealing to women’s rights is “it’s her body, she can do whatever she wants with it.”¹⁰⁴ Although it is generally true that doing something to prevent a woman from exercising her rights is usually morally wrong, we should consider the egg donor’s motivations and attitudes in this situation.¹⁰⁵ If the egg donor disregards the fact that her eggs will become her biological child, then she is doing

¹⁰³ Resnik, D. B. "The Commodification of Human Reproductive Materials." *Journal of Medical Ethics* 24.6 (1998): 388-93. Web.

¹⁰⁴ Hursthouse, Rosalind. "Virtue Theory and Abortion." 241

¹⁰⁵ *ibid*

something selfish. She is intentionally depriving her biological child from knowing his or her biological mother and is mainly donating her eggs to benefit herself. Most egg donors receive up to \$8,000 in compensation and never meet their biological child.¹⁰⁶ In a longitudinal research study of 20,000 children conducted by Princeton University, the results provide evidence that children who grow up with both of their biological parents thrive more socially, academically, and emotionally.¹⁰⁷ Given these findings, when egg donors sell their eggs for profit, they are potentially diminishing their child's opportunity to thrive.

In a similar vein, if the egg donor says that receiving money for her eggs makes her happy, then we must ask what "true happiness or *eudaimonia* is."¹⁰⁸ Similar to Hursthouse's abortion example, in the context of egg donation we should bring in thoughts about human and family life. Hursthouse argues that "familiar facts" show us that motherhood and raising a child are "intrinsically worthwhile."¹⁰⁹ Parenthood is usually thought of as a part of a "flourishing human life."¹¹⁰ For an egg donor to opt out of being a mother to her biological child for a short-term gratification (money) is materialistic and selfish. Even if an egg donor possesses pure, altruistic motivations to help an infertile couple without receiving any compensation, her action of ignoring the fact that her potential genetic child will not grow up with their biological family is light-minded and should be considered wrong. The altruistic "helping others have children"

¹⁰⁶ Poore, Michael. "Selling Her Body, a Few Eggs at a Time."

¹⁰⁷ Amato, Paul R. "The Impact of Family Formation Change on the Cognitive, Social, and Emotional Well-Being of the Next Generation." *Marriage and Child Wellbeing* 15.2 (2005): n. pag. *The Future of Children*. Princeton University. Web. 1 Mar. 2016.

¹⁰⁸ Hursthouse, Rosalind. "Virtue Theory and Abortion" 241

¹⁰⁹ *ibid*

¹¹⁰ Hursthouse, Rosalind. "Virtue Theory and Abortion" 241

slogan masks the reality of the action. From the perspective of the egg donor, egg donation does not cultivate a virtue and should be considered morally wrong.

An argument that may challenge the two above points may be that this train of thought would also make adoption morally wrong. However, the key difference between giving up one's child for adoption and egg donation is that in egg donation a woman is primarily selling her eggs to make a profit. Perhaps both acts may be seen as selfish because in one case a woman gives up her child for adoption as she is not ready to be a mother, and in the other case a woman sells her eggs to pay for her tuition. But in the case of egg donation, the intentions and motivations involved before the egg donor's genetic child is even born, diminish the future child's chances of ever meeting his or her biological family. Since all three parties (egg donor, agency, and infertile couple) involved are creating a child knowing that it will be difficult for him or her to meet his or her biological family is morally wrong as it potentially hinders the child from thriving and reaching *eudaimonia*. In adoption the biological mother is not purposefully conceiving the child with the knowledge and intention that she will give up her child for adoption to benefit herself.

Ethical Dilemmas and Virtue Theory

The examples in the section above illustrate how one could begin to think about the concept of egg donation in light of virtue theory. The examples take into account the motivations and reasons behind egg donation and evaluate its virtue. In this next section, I hope to apply these similar concepts to the initial ethical dilemmas I outlined in chapter one.

A. *The Egg Donation Business is Coercive to Women*

Egg donation agencies market primarily to financially burdened college students.¹¹¹ Companies know that this population is more likely to donate their eggs because they have large debts and can be easily persuaded.¹¹² Although the compensation of \$5,000 is not life changing, selling one's eggs may be viewed as an easy way to make a lot of cash.¹¹³ Thus, enticing naïve, college female students, who are in need of money, with financial rewards for their eggs, is coercive.

The virtue ethicist would first look at the intention of the ads on college campuses. After assessing the purpose of the ads, the virtue ethicist might argue that the ads' overarching goal is to retrieve eggs from a woman at all costs in order to generate money from selling the eggs to an infertile couple. The monetary rewards on the ads geared toward college women could be seen as a form of pressure. This according to virtue theory is cruel and should be considered morally wrong. Furthermore, Julia Annas, a virtue ethicist, says living a virtuous life is living in accord with human reason.¹¹⁴ When the ads emphasize the large monetary compensations to young, college women, they place them into coercive situations that hinder them from thinking rationally and potentially prevent them from living a virtuous life.

B. *The Egg Donation Business is Deceitful to Women*

Many times egg donation agencies and fertility clinics do not convey the seriousness of the health risks associated with egg donation. The ads do not mention

¹¹¹ *Eggsplotation*. Dir. Jennifer Lahl

¹¹² *ibid*

¹¹³ Belkin, Lisa. "An Egg Donor Responds." Web blog post. *Parenting.blogs.nytimes.com*. The New York Times, 22 July 2011. Web. 13 Mar. 2016.

¹¹⁴ Annas, Julia. *Intelligent Virtue*. Oxford: Oxford UP, 2011. Print. 6

health risks or the length of the process.¹¹⁵ Furthermore, the fertility industry in the United States does not have any research studies to support that there are no long-term health effects of egg donation on women.¹¹⁶ Most of the time, egg donors do not realize what they are getting themselves into and end up donating their eggs because the fertility clinic reminds them that egg donation is amazing.¹¹⁷ However, they hide the negative consequences associated with the process and do not provide proper informed consent.

In this case, the virtue ethicist would deem the intentions of the egg donation business as selfish since the industry places more value on receiving money than on the donor's life.¹¹⁸ Instead of ensuring that the process is safe for women, they make sure the eggs are retrieved safely before they think about the donor. To place material things (money) before a human life is to do something callous and should be considered morally wrong.

C. *The Egg Donation Business Results in the Commodification of Human Life*

This part is similar to the argument in the previous section, that when talking about egg donation we should attach the same importance as we would to matters of human life and relationships. If we reduce oocytes to a material product, it implies that we have the wrong idea about human life. Placing a price on human eggs can lead to a "slippery slope" argument. For example, Thomas Murray argues that if we can sell human eggs, what is stopping someone from making a business to sell fertilized oocytes (aka embryos).¹¹⁹ A businessperson can buy eggs and sperm to create the best embryos

¹¹⁵ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 4

¹¹⁶ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 4

¹¹⁷ Poore, Michael. "Selling Her Body, a Few Eggs at a Time."

¹¹⁸ Schneider, Jennifer. "Fatal Colon Cancer in a Young Egg Donor." 4

¹¹⁹ Murray, Thomas H. "Embryo Sales: Been (Nearly) There, Done (Almost) That." *Bioethics Forum*. The Hastings Center, 11 Jan. 2007. Web.

and market them to infertile couples. Many people oppose the sale of human zygotes because the zygote possesses the potential to become a person. However, why is paying more for certain eggs not seen as morally wrong? Perhaps it is because many people view eggs as a commodity. But as I outlined in the previous section, since the intention of the egg donation business is to create a child from the donated egg, we cannot treat the human egg as a commodity. Furthermore, paying more for “elite” eggs may present a slide to eugenics. In a recent study by the Hastings Center, researchers found that a 100-point increase in SAT scores correlated to an increase in compensation of \$2,350 to the egg donor.¹²⁰ People in favor of having a market for human eggs might argue that there is nothing wrong with selecting the future genes of one’s child because it is morally equivalent to selecting one’s spouse. However, I am not convinced by this argument because they possess two different intentions and are two different actions. In selecting a spouse, one is not doing it with the sole intention that he or she has “good genes” that will benefit their child. Most people marry each other because they love one another for many different reasons not just because they are intelligent or attractive. In egg donation though, infertile couples are willing to pay more for an attractive, athletic, and intelligent female’s eggs because they want their child to possess all those traits.

When speaking about the egg donation business we should not separate the feelings and attachments of human life from a human egg. A virtue ethicist might respond to these concerns by arguing that these actions of creating a market for human eggs and paying more for “elite” eggs ignores the original intention that the oocyte is being sold in the hopes of creating a human life. Ignoring this fact should be considered

¹²⁰ Pollnow, Audrey. "The Ethics of Egg Donation." *The Princeton Tory* 11 May 2011: n. pag. *Theprincetonotory.com*. Princeton University. Web.

morally wrong because it equates the idea of human life with money, and does not cultivate virtue. A virtue ethicist would add that human dignity is intrinsically valuable and that all humans have a purpose—to reach overflowing happiness. In order to reach human flourishing we must live a virtuous life; however, by treating egg donation as a commodity we promote a vice, greediness, and prevent people from achieving *eudaimonia*.

D. *The Egg Donation Business Deprives Children from an Inherent Right*

Most egg donation transactions ensure that there is no open egg donor policy.¹²¹ This means that a woman will not be able to contact her biological child or vice versa. Before the child is even born, the parties involved prevent the child from having access to their medical history, biological ancestry, or genetic mother. As mentioned previously, studies show that a child thrives more when their biological parents raise them. The virtue ethicist would argue that ignoring the fact that having an anonymous egg donor would prevent a child from having access to their biological family would be to do something selfish. The infertile couple is not thinking about their future child's needs and instead employs an anonymous egg donor to fulfill their desire to have a child.

Conclusion

Through the use of virtue ethics, we can deduce that the current egg donation business in the United States is morally wrong. The above examples are not meant to “downplay the emotional difficulties associated with infertility or question the intrinsic human dignity of those created via the [egg donation] process;” instead they seek to

¹²¹ *Eggsplotation*. Dir. Jennifer Lahl.

illustrate the ethical problems egg donation raises.¹²² Through this analysis, we can extrapolate that the egg donation business in the United States on the surface may depict virtue (i.e. donating eggs to help make someone's dream come true), but beneath its surface lie corrupt intentions. These selfish intentions may be appetites of the soul, desire for money and power, but they are not virtuous, and not in accordance with human reason. Perhaps one can even argue that allowing egg donation to be a for-profit-business hinders one from living a virtuous life as it skews people's reason as it places them into difficult situations and makes the market for human eggs seem like a cultural norm.

¹²² Kuebler, Daniel. "IVF, Designer Babies, and Commodifying Human Life." *Public Discourse*. The Witherspoon Institute, 07 Apr. 2016. Web.

Conclusion

Although egg donation can lead to the development of a new life, sometimes it can be at the cost of the egg donor's health. The previous chapters illustrate how egg donation works and how virtue ethics shows that the current egg donation process in the United States is morally wrong. The entire process seems to value a woman's eggs more than her life. This raises a final question: what steps can we take to make the process of egg donation more ethical?

To help us address this question, we can look at the case of "Big Tobacco" in the early nineties. The tobacco industry in the United States was a multi-billion dollar industry, similar to the Fertility Business. Nearly everyone from a young age smoked cigarettes. It was a cultural norm to smoke with friends, family, or between lunch breaks. The tobacco industry advertised to everyone as it was considered a universal activity. However, when a case report from London in the 1950s stated there was a correlation between smoking and lung cancer the tobacco industry ignored these studies.¹²³ The firms refused to conduct research to investigate the health risks of smoking tobacco, but eventually the attorney generals of 46 states created the largest class-action lawsuit against the four largest tobacco companies, which forced companies to investigate the public health risks of smoking.¹²⁴

This lawsuit resulted in the implementation of policies that forbade tobacco companies from marketing to the youth.¹²⁵ It also banned companies from advertising on

¹²³ Jones, Walter J., and Gerard A. Silvestri. "The Master Settlement Agreement and Its Impact on Tobacco Use 10 Years Later." *Chest* 137.3 (2010): 692-700. *PubMed*. Web.

¹²⁴ *ibid*

¹²⁵ "Master Settlement Agreement." *Master Settlement Agreement*. N.p., n.d. Web. 1 Apr. 2016.

billboards, media, branded merchandise, and free product samples.¹²⁶ Many campaigns instilled fear into people by saying that smoking lead to death.¹²⁷ Other efforts included protecting people from receiving second-hand smoke by creating laws that mandated smoke-free air.¹²⁸ Other laws included requiring tobacco companies to delineate the health risks on their cigarette boxes. All these efforts eventually led to the social stigmatization of smoking. By 2014, only 8% of teens smoked as opposed to 30%, 20 years earlier.¹²⁹ Thus, these laws and research studies helped stigmatize smoking cigarettes in the US and made it a less popular and sought after habit.

This case study can help us think about ways to change the attitude surrounding the egg donation business in the United States. For example, the way the media portrays egg donation, a beautiful experience for both the donor and the recipient, should be changed. There are not enough studies to conclude that the experience for the egg donor is as picturesque and rewarding as the egg donation ads portray it to be. Given this, as a society we should demand that scientists conduct research studies to show the long-term effects of egg donation on the donor, child, and recipient. Furthermore, agencies and fertility clinics should emphasize the potential known and unknown health risks of egg donation on their advertisements/websites and not focus heavily on the altruistic aspect. By making the process of egg donation seem like a gift to another person, it ignores the fact that egg donors can become a biological mother through this process. According to Dr. Almeling in her book *Sex Sells*, she notes that most sperm donors consider

¹²⁶ "Master Settlement Agreement." *Master Settlement Agreement*. N.p., n.d. Web. 1 Apr. 2016.

¹²⁷ Jones, Walter J., and Gerard A. Silvestri. "The Master Settlement Agreement and Its Impact on Tobacco Use 10 Years Later."

¹²⁸ *ibid*

¹²⁹ "Trends in Adolescent Tobacco Use." *Office of Adolescent Health*. U.S. Department of Health and Human Services, n.d. Web.

themselves fathers, but most egg donors do not think of themselves as mothers. She argues that perhaps these different attitudes are a result of the advertisement involved in both types of donations. For sperm donors there is no emphasis on altruism or “helping someone’s dreams come true,” but the egg donation business thrives on these types of slogans.¹³⁰ Therefore, we should strive to illustrate all of the realities involved in egg donation, including the possibility of becoming a mother. Even using the term “donation” disguises some of the true motivations driving the industry—money. It would be interesting to see if the change in our language surrounding this topic would decrease the number of women who become coerced by the title of egg “donation.” By simply changing the attitude surrounding egg donation, we would allow for more transparency. It would also help encourage people to think more carefully about the ethical issues surrounding egg donation before becoming involved in it.

Although changing the language of egg donation may not make the action morally right, it might create an atmosphere that allows people to think more rationally and make an informed ethical decision. Allowing humans to exercise their reason is in accord with exercising virtue. This type of environment, free from societal pressures and influences (i.e. media, money, and technology) would allow humans to reach their end goal—*eudaimonia*. Thus, “our actions should be guided not by what we *can* do, but rather what we *should* do.”¹³¹ In the case of egg donation, we *should* ensure the environment surrounding this issue allows people to think rationally about the moral and ethical concerns it creates for donor women, conceived children, and infertile couples.

¹³⁰ Almeling, Rene. "Rene Almeling's 'Sex Cells' Explores Marketing Of Reproductive Donation."

¹³¹ Loike, John D., "Ethical Considerations of Egg Donation."

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