

Student Essay on Ethics of Posthumous Sperm Use

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Essay

The request for retrieval of posthumous sperm is on the rise. Usually, the request is made by the wives of the deceased husbands. Ms. Nebel-Taylor was one of those women, who after her husband's death insisted that the couple had been hoping for a child since before the illness. Mr. Taylor was hospitalized at New York Hospital when symptoms of what seemed to be a cold turned into severe shortness of breath and ultimate lung failure.

Nebel-Taylor claims she asked her husband, who was not ill then, what she should do if faced with such a dilemma. He responded for her to perform the procedure. When he later fell into a coma on a ventilator, Nebel-Taylor contacted Dr. Schlegel of the New York Hospital-Cornell Medical Center. She informed him of the situation, including the couple's efforts to have a child and Mr. Taylor's comment on sperm retrieval. Shortly after his death in 1995, a sperm specimen was removed from Taylor's testicle by Dr. Schlegel, who in most cases refuses to perform this procedure. Ms. Nebel-Taylor proceeded with in vitro fertilization during the year 2001, unlike most other women who never actually use the retrieved sperm. However, Taylor's sperm was not viable. The only case of a child being conceived using posthumous sperm in the US was in 1999.

Currently, there is no legal precedent regarding postmortem sperm retrieval. While some doctors believe in fulfilling the wishes of the wife upon grounds that the couple had been trying for a child, others hesitate when faced with arising ethical issues. As with Ms. Nebel-Taylor, physicians may call for thorough documentation proving the husband's wishes for a child. However, most healthy young men rarely even address this issue. Problems may also arise if the man's family opposes sperm retrieval, or if his parents request it instead of the wife in hopes of a grandchild. The child will also have to be raised by single parent and grow to question his or her own birth. Many women, nevertheless, believe that it is their right to decide whether to raise a child in this manner. In any case, bioethicists encourage family members to present documentation clearly stating the man's wishes for a child, similar to that required for organ donation after death.