



72. Sex selection using in vitro fertilization

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Background

Medical technology is advancing so rapidly that a gap is repeatedly created between the astonishing capabilities at our disposal and public opinion regarding their use. It is enough to recall the tremendous uproar and penetrating debate that arose in Israel and throughout the world around the birth of the cloned sheep, Dolly.

Suddenly there arose a primeval fear of a future, Orwellian world, in which cloned humanoids fill the streets.

The human race touched the Creator's throne on one hand and was filled with awe and fear on the other. It is not surprising that many societies, including Israel, hurriedly protected themselves with legislation intended to halt this frightening vision, even if fundamentally unsubstantiated.

We must now address an apparently "easier" issue, without intervention in the first act of creation, but "only" the pre-determination, by order, of the sex of the newborn. The technology of pre-implantation genetic diagnosis is already available in several medical centers in Israel. Is it permissible? Should we permit specialists to act freely in accordance with their professional capability, when by doing so we cross fundamental values of human society?

It is appropriate to clarify that the technology for determination of the sex of the newborn has been implemented for several years, with broad social agreement, in order to prevent genetic illnesses that exist in linkage with the sex chromosome. Any deviation from this reduced policy is liable to lead us to distant lands such as those of China and India, where fetuses are killed in the first months of pregnancy, after their sex is known, for economic or social reasons, crudely disrupting the demographic balance in those countries.

The Ministry of Health has recently published instructions that permit the selection of the sex of the newborn, for non-medical reasons. In accordance with these rules, permission is given only to married couples who have four joint children of the same sex and for whom the birth of an additional child of the same sex will constitute for them an insufferable mental burden that may cause "material and significant harm to their mental health".

In the debate held in the Ethics Board, the fundamental values of freedom of the individual and his natural right to determine how his life should be conducted vis-a-vis the good of society in general, and the fundamental values on which it is based, were discussed. In this fine balance, the members of the Ethics Board decided, similar to the ethical positions of large medical organizations in the western world, that the selection of the sex of the newborn is ethically permissible for medical reasons only. However, the members of the Ethics Board saw fit to limit this decision, exceptionally, to a fixed period of time of five



years, at the end of which time, the position shall be brought for renewed discussion.

Position paper

- The rapid advancement of medical technologies obligates constant re-evaluation of the fundamental values of society.
- Pre-implantation genetic diagnosis currently permits the determination of the sex of the fetus and the diagnosis of genetic illnesses.
- In vitro fertilization done for genetic diagnosis exposes the woman to medical treatments that involve suffering and risk to health and should therefore be used for appropriate purposes only.
- The selection of the sex of the fetus in in vitro fertilization when done for social, economic, or religious reasons is improper, and is consequently ethically wrong.
- This decision is limited to a period of five years. At the end of this time, it will be necessary to re-evaluate the medical capabilities of determination of the sex of the newborn, the long-term influences of this technology on the baby, and the positions of society and of the legislator in this matter.



Position Paper Update – Determining the Sex of the Newborn Using In Vitro Fertilization

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- The rapid advancement of medical technologies continuously necessitates a renewed examination of the core values of society.
- Preimplantation genetic diagnosis (PGD) now enables the determination of an embryo's sex in advance, as well as the detection of genetic diseases.
- In vitro fertilization (IVF), when performed for the purpose of genetic diagnosis, exposes the woman to medical treatments involving suffering and health risks, and should therefore be used only for a justified purpose.
- Sex selection of the newborn is ethically permissible when intended to prevent severe diseases.
- Choosing the sex of the embryo via IVF solely for social, economic, or religious reasons is ethically unacceptable and should only be permitted in exceptional cases, subject to individual case review and in accordance with state guidelines on the matter.



- Due to the rapid progress in genetic diagnosis, there is a need to periodically assess the scientific capabilities of sex determination, the long-term implications of this technology on the child, and the perspectives of society and the legislature on this issue.