

Cultural and bioethical analysis of anonymous sperm donation

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Abstract

Anonymous sperm donation is one of several approaches that help people with fertility problems conceive a baby. However, it has led to paternity crises. In traditional African religions, anonymous sperm donation presents a complex dilemma when African values of kinship, family lineage, and paternity meet modern reproductive technologies. The dilemma extends beyond biological aspects, having social, ethical, and cultural implications. From philosophical analysis, this study argues that anonymous sperm donation is beneficial for protecting the privacy and confidentiality of donors but has led to a paternity crisis. Change is needed to remove the fiat from the human identity of accidental offspring and concludes that policymakers should implement paternity ethics for the assessments of the sperm gift register to enable children of accidental offspring to know the true identity of their parents.

Keywords: Gift giving. Identity crisis. Bioethics.

Resumo

Análise cultural e bioética da doação anônima de esperma

A doação anônima de esperma é uma das várias abordagens que ajudam pessoas com problemas de fertilidade a conceber um filho. No entanto, isso tem levado a crises de paternidade. Em religiões tradicionais africanas, a doação anônima de esperma apresenta um dilema complexo quando os valores africanos de parentesco, linhagem familiar e paternidade se encontram com as tecnologias reprodutivas modernas. O dilema se estende além do ato biológico, abordando implicações sociais, éticas e culturais. Utilizando o método de análise filosófica, este estudo argumenta que a doação anônima de esperma é benéfica para a proteção da privacidade e da confidencialidade do doador, mas levou a uma crise de paternidade. Este estudo argumenta que uma alteração é necessária para remover a ética da identidade humana de descendentes acidentais e conclui que os formuladores de políticas devem implementar a ética da paternidade nas avaliações do registro de doações de esperma, a fim de permitir que filhos de descendentes acidentais conheçam a verdadeira identidade de seus pais.

Palavras-chave: Doação. Crise de identidade. Bioética.

Resumen

Análisis cultural y bioético de la donación anónima de esperma

La donación anónima de esperma es uno de los diversos enfoques que ayudan a las personas con problemas de fertilidad a tener un hijo. Sin embargo, ha provocado crisis de paternidad. En religiones tradicionales africanas, la donación anónima de esperma presenta un dilema complejo cuando los valores africanos de parentesco, linaje familiar y paternidad se combinan con las tecnologías reproductivas modernas. El dilema trasciende el acto biológico y abarca implicaciones sociales, éticas y culturales. Mediante el método del análisis filosófico, este estudio argumenta que la donación anónima de esperma es beneficiosa para proteger la privacidad y la confidencialidad del donante, pero ha provocado una crisis de paternidad. Este estudio argumenta que es necesario un cambio para eliminar la autoridad de la identidad humana de los hijos accidentales y concluye que los responsables políticos deberían implementar la ética de la paternidad en las evaluaciones del registro de donaciones de esperma para que los hijos de hijos accidentales puedan conocer la verdadera identidad de sus padres.

Palabras clave: Donación. Crisis de identidad. Bioética.

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In many African cultures, the concept of paternity is deeply intertwined with ideas of lineage, inheritance, and social identity¹. Children are seen not just as the offspring of their biological parents but as bearers of the family name, heritage, and future². Paternity is not just a biological fact, it carries significant social and cultural weight, as the father is often viewed as the provider, protector, and link through which the family lineage is preserved².

Given this context, when a child is born through anonymous donation, it creates tension in communities in which knowing one's lineage is crucial for social standing and identity. Sperm donation serves to solve the problem of infertility, since, in Africa, about 35% of women reach menopause without bearing a child, leading to serious psychological and social problems³. The adverse effects of childlessness can lead to a higher risk of physical and psychological disorders, including post-traumatic stress disorder (PTSD), feelings of anger, self-blame, sleeplessness, lack of energy, depression, substance abuse, and suicide⁴.

How can we solve the problem of infertility? Childlessness after marriage can often result in divorce, men taking another wife, or extramarital relationships, which has been attributed to cultural norms that mandate procreation⁵. Such norms frame polygamy and extramarital affairs as culturally and normatively required, automatic, and normal solutions for fertility problems, and downplay people's accountability for these practices. These accounts and constructions seem to facilitate engagement in affairs and polygamy when people face fertility problems, which seems problematic from a health and gender perspective⁵.

In Africa, infertile men and women visit traditional healers much more often than modern hospitals, and the explanations for infertility that infertile women give often originate from traditional healers rather than hospital staff. The ethical cost of withholding and identifying parental information (donor children) has led to an identity crisis. The effects of this identity crisis include PTSD, reawakening traumatic memories,

creating depression, anxiety, and is linked to identity crises⁶.

From a Kantian perspective, respect for autonomy is central⁷. The donor's decision to remain anonymous exercises personal autonomy, as identity deals with existential freedom, authenticity, and an undetermined identity crisis. Self-identity is thus the realization of the authenticity of the natural⁷.

In a country like Nigeria, sperm donation may lead to offspring with paternity dilemmas, such as paternity fraud, which occurs when a man falsely claims to be the biological father of a child. This deception often stems motivations that include anonymous sperm donations, financial gain, social status, or concealing infidelity⁸. Paternity fraud shatters trust within relationships, especially when children discover their paternity on their own, but a child should be told.

Keeping family secrets is not as easy as it used to, as deoxyribonucleic acid (DNA) paternity tests are unraveling many buried family secrets. Just one DNA test could change everything in family terms⁸. Paternity revelations can lead to identity crises, emotional trauma, and strained relationships⁸. Legal battles over paternity may also arise, causing financial strain, including child support or custody disputes, which can be emotionally taxing for parents and children⁸. Children victim of paternity fraud could face social stigma or discrimination from peers and society, affecting their self-esteem and social relationships.

Philosophical foundations of anonymous sperm donation

In the prehistoric period (3,500 BC–500 AD), Vedic literature presented a clear understanding of artificial insemination as experimental philosophy. This included manually injecting semen into women's reproductive tracts, similarly magic concoctions can be traced back to the sages who helped the queens of childless kings become pregnant⁹.

The European Renaissance quickly connected the Middle Ages to the history of scientific advancements in modern medicine, particularly in the treatment of infertility through *in vitro* fertilization⁹. Lazzaro Spallanzani, an Italian priest and scientist, revealed the necessity of spermatozoa for fertilization in 1779 by demonstrating that a spermatozoon contains a nucleus and cytoplasm in a laboratory experiment⁹. For the first time, it has been proven that physical contact between the egg and sperm is what causes the embryo to develop. Spallanzani was able to effectively inseminate dogs because of this novel discovery; he also conducted a test to demonstrate that spermatozoa could be frozen and then used later. These discoveries were the foundation of sperm donation⁹.

Sperm donation can be direct and anonymous. Anonymous donation has been available as a treatment for infertility for decades, but the lack of access to donor data has caused paternity dilemmas¹⁰. Anonymous sperm donation helps to address infertility issues and can be referred to as “non-directed” (i.e., the sperm is intended for an unnamed or unspecified individual)¹¹. Other used terms include “unspecified,” “community,” “good Samaritan,” and “altruistic sperm donation”¹².

Ethical issues in anonymous sperm donation

The bioethical principles of autonomy, beneficence, nonmaleficence, and justice provide a comprehensive framework for addressing the ethical dilemmas that arise from anonymous sperm donation and healthcare practices¹³.

Beneficence is the principle of promoting the well-being of individuals. When it comes to sperm donation, beneficence includes ensuring that donors are fully informed about its potential risks and benefits, as well as providing appropriate medical and psychological support throughout the process. Nonmaleficence, on the other hand, requires healthcare providers to do no harm to donors, recipients, or offspring involved in sperm donation practices¹³. This involves minimizing any potential risks or harms associated with

sperm donation and ensuring that all parties are protected from harm.

Justice is the principle of fairness and equality in the distribution of benefits and burdens. In the context of sperm donation, this principle requires ensuring that all individuals involved in the process are treated fairly and equitably. This includes addressing issues of access to sperm donation services, and ensuring that donors, recipients, and offspring are not discriminated against based on their genetic or family background¹⁴.

By upholding bioethical principles, healthcare providers can ensure that the rights and well-being of all individuals involved in sperm donation practices are respected and protected¹³. Safeguarding the confidentiality and privacy of donors and recipients is also necessary, particularly anonymous donation cases¹⁵.

Autonomy extends beyond medical decision-making to encompass respect for individuals' privacy, confidentiality, and the right to refuse treatment. Challenges to autonomy may arise in cases involving cognitive impairment, cultural differences, or conflicts between patient preferences and medical recommendations. Beneficence pertains to the obligation to act in the best interest of patients, promoting their well-being and preventing harm¹³.

Healthcare professionals strive to maximize the benefits of sperm donation and minimize risks when providing care, aiming to enhance patient health outcomes while considering their values and priorities¹⁶. Nonmaleficence dictates the imperative to do no harm, emphasizing the ethical obligation to avoid causing unnecessary suffering or injury to patients, including the offspring of anonymous sperm donation¹³.

Justice pertains to the fair distribution of resources, opportunities, and access to healthcare services, ensuring equitable treatment for all individuals. Navigating these cultural differences carefully is crucial when addressing paternity ethics in the context of sperm donation. This involves understanding and respecting the diverse perspectives and values that shape individuals' beliefs about fatherhood. By promoting open and honest communication

and considering the cultural context, we can work towards ensuring that the ethical considerations surrounding sperm donation are addressed in a just and respectful manner¹⁷.

In the African context, bioethical questions arise around the rights of the child, the responsibilities of the biological father, and the societal impact of anonymous sperm donation. One of the central ethical dilemmas in anonymous sperm donation revolves around the child's right to know their genetic origins¹⁸. Philosophers such as John Rawls, with his theory of justice as fairness, might argue that withholding information about a child's biological parent is unjust because it denies them a piece of their identity, which could be considered a vital interest¹⁹.

Although the philosophy of narrative identity, associated with philosophers like Paul Ricoeur, suggests that individuals construct their identity through stories about their lives, knowing one's genetic origins can be a crucial part of this narrative²⁰. Ricoeur's argument would lead to the question: do children conceived through sperm donation have the right to know their biological father?

In many African cultures, knowing one's roots is essential, and anonymous sperm donation might deprive the child of this knowledge²¹. This could lead to identity issues and social stigma, especially in communities where lineage is significant⁶. In African cultures, fatherhood is not just about providing genetic material, social and economic responsibilities are also involved²².

An anonymous sperm donor might be seen as shirking these responsibilities, leading to ethical concerns about the fairness of such arrangements. There could be questions about whether the donor should be held accountable for the child's upbringing, even if he remains anonymous. The introduction of anonymous sperm donation could disrupt traditional family structures. For example, if a woman uses sperm donation without her partner's consent or in a community where this practice is frowned upon, it could lead to social conflict within families. This raises questions about the social consequences of

introducing such technologies into societies with strong traditional values.

African cultures place a high value on community and collective responsibility. Decisions about paternity and family often involve not just the parents but the extended family and even the broader community. In this context, the use of anonymous sperm donation introduces a new dynamic that may be at odds with these values. The principle of autonomy, which is central to Western bioethics, may clash with African values that emphasize communal decision-making.

For instance, in many African cultures, decisions about marriage and children are not made by individuals alone but involve input from family elders²³. In some cases, religious teachings might oppose sperm donation, viewing it as unnatural or morally wrong. This study is concerned with the moral fraud of paternity due to anonymous sperm donation, and the gaps could be closed by the adoption and implementation of paternity ethics to determine paternity by unraveling the donor register to avoid an identity crisis.

Paternity ethics

In recent years, individuals anonymously donating to sperm banks has gained traction. Complex ethical questions can be raised from this practice, particularly concerning paternity. The emergence of paternity ethics in sperm donation underscores the need for careful consideration and clear communication of right and wrong among all parties involved²⁴.

Paternity ethics deals with the moral and ethical responsibilities of parenthood. This concept is often discussed in the context of reproductive ethics, parental responsibilities, and the rights and wrongs of parents in familyhood²⁵. Parents (and society) have a duty to ensure that children have access to all information that pertains to their well-being, including their genetic background, making it a deontological ethics in which duty and rules are central²⁶.

Paternity ethics help to justify behaviors that ought to be accepted or not in sperm donations, working as a moral analysis to identify the best ethical approach to address sperm donation, the distinctions between right and wrong, morally correct or incorrect, and duty and obligation^{26,27}. The discipline provides guidelines for sperm donation to avoid paternity crisis.

Determining the real paternity in clinical practice is necessary as childhood morality science is a consideration; we argue that “morality” can be appropriately defined on fundamental premises necessary for any empirical, secular, or philosophical discussion, and that societies can use scientific methods to provide answers to moral questions²⁸. The accidental offspring is a violation of human dignity because the essence of being is not society’s definition but the providential order of creation, which is the universal and unchangeable identity of the sperm donor’s offspring²².

Anonymous sperm donation is thus a product of positive law that governs an imperfect society. Moral or religious support for anonymous sperm donation increase the happiness of donors and infertile parents alike, but human values cannot be mistaken, nor can science limit itself to merely describing what people do in the name of morality. This emphasizes the importance of paternity information aligned with values and preferences²⁹.

Ethical paternity requires providing accurate and complete information to donors, recipients, and any resulting offspring about the process, potential risks, and implications of donor conception. Ethical considerations should also take into account the potential psychological and emotional impact on all parties involved in the sperm donation process³⁰. This includes the donor, the recipient, and any resulting offspring. Ensuring that all individuals are fully informed about the implications of their decisions and that their autonomy and well-being are respected throughout the process is necessary, and ethical considerations are crucial in the realm of sperm donation to uphold the dignity and rights of all individuals involved³¹.

By adhering to ethical principles and guidelines, we can ensure that the practice of sperm donation is conducted responsibly and respectfully. Although liberalism would support anonymous sperm donation to empower women (and other individuals) to make autonomous reproductive choices, especially in contexts where traditional forms of family-building are not accessible or desirable, deceiving or withholding information from children about their biological origins might be seen as contrary to these virtues.

However, anonymous sperm donation is ethically permissible as long as the child forms meaningful relationships with their social parents, as their genetic origins might be seen as less significant. The methodical investigation of human nature and relationships with others is a universal subject that has objective values and principles³². Focus on moral development and the skills necessary to become good people and make decisions in their lives, promoting justice and fairness in sperm donation²². This moral deontology does not confine itself to the science of morality or the universal standard for proving the paternity of children with anonymous sperm donors but the best and most advantageous order for the happiness of being because the real identity of the anonymous offspring is known³³.

Paternity ethics aims to ensure satisfaction for children with accidental identities. Natural justice opposes sperm commodification. The natural balance is to achieve practical outcomes and establish accurate human identity³⁴. The philosophy of natural order has been criticized as vague and unclear in sperm donation, but this argument was not based on observations of external facts. Such an assertion ignores that individual interests are not always aligned with the positive laws of society, which create identities for anonymous sperm donors.

Final considerations

Anonymous sperm donation at the intersection of bioethical principles raises

fundamental questions about identity, responsibility, and the role of culture in shaping human identity. This study maintains that clear communication is essential to navigate the paternity of the offspring in sperm donation and ensure the well-being and rights of

individuals, including the resulting children. This practical approach addresses the identity crisis. Policymakers in Nigeria must integrate paternity ethics into sperm donation discussions to help unveil the identity of sperm donors, aiming to prevent paternity fraud.

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Ikechukwu Monday Osebor participated in the original draft and writing of the manuscript. Friday John Mordi contributed with writing, reviewing, editing and the final revision of the manuscript.

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