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Constitutional Issues of “Preimplantation Genetic Diagnosis”

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Abstract

A healthy baby is not a granted wish for parents especially for those suffering from congenital/inherited disorders themselves. In the past, amniocentesis or chorionic villus sampling has been done at 16 wk- or 10 wk- fetus for prenatal diagnosis. From the end of last century to the beginning of this century, timing of performing this type of early diagnosis was pushed further forward by the development of “preimplantation genetic diagnosis (PGD)”. This means that parents can choose “healthy” embryos even before they implanted into a uterus. From the view of eugenics, it is a big progress. However, if people abuse this new technology, it may lead to a horrifying situation: everybody can play God’s role—to choose or even order “desired” embryos which maybe healthier, with the right sex, or even with more pleasant or intelligent characters, instead of letting them go through “natural selection” process. Moreover, this human selection process would create unprecedented and very difficult ethical issues of human dignity, fetal rights to life, and maternal rights for controlling conception, which extends the areas of religions, ethics, medicine, and law.

This article will focus on constitutional issues resulted from “preimplantation genetic diagnosis”, including the legal status of embryos, and the fetal and maternal rights which should be protected by the constitution. In addition, the author will

ponder on the concept of making “preimplantation genetic diagnosis” and offer counter opinions of using it, and finally propose a conclusion.

Keywords: Preimplantation Genetic Diagnosis (PGD), Rescue Baby, Embryos in Vitro, Human Dignity, Right to Life, Right to Control Conception, Eugenics, Playing God