Ethics of Secret Sterilization in a Monogamous Marriage Context

Ashley R. Chadwick (Margaret Battin)
Department of Philosophy
University of Utah

Men and women who desire a permanent form of birth control undergo sterilization procedures. Nearly 70% of women aged 40-44 rely on their own or their partner's sterilization to avoid pregnancy. Current sterilization techniques can include quick procedures, minimal post-operative complications, little to no side effects, and an ability quickly to resume intercourse, but carry uncertain to no reversal prospects. Considering the issue in a marriage context provides an environment to probe the personal autonomy rights of one partner with the reproductive rights of the other. This paper explores the circumstances and ethics regarding secret sterilization.

Currently in the United States, one spouse may become sterilized without the consent or knowledge of the other. Despite this, becoming sterilized may permanently end the other spouse's reproductive future within the marriage. This fact appears to implicate the US Supreme Court's ruling in Skinner v. Oklahoma that there is a fundamental right to procreate. To what extent does that right merge with one's partner's rights? What is personal autonomy over one's body more important than the reproductive rights of one's partner? Does a wife, who undergoes potentially permanent physical changes and substantial medical risks during gestation, have more of a right to decide that the couple will not procreate than her husband has to procreate within that marriage? Does either have a right secretly and unilaterally to decide the couple's procreative future? While statistical data on the frequency of secret sterilization does not currently exist, this paper explores the ethical issues of secret sterilization within a marriage, compares surgical and nonsurgical birth control procedures with emphasis on the ease of deception, and discusses potential solutions to the problems posed by the competing rights to bodily autonomy and procreation.