

Findings



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Cloning Humans

What's Wrong with Creating Human Life?

By Daniel R. Heimbach, Ph.D.

When the National Bioethics Advisory Commission announced that human cloning will be “very difficult if not impossible to try to stop,” public alarm about the ethics of cloning humans ratcheted even higher than it had risen in the wake of Ian Wilmut’s success with sheep in Scotland.¹ The critical problem raised by cloning is the ethics of using the procedure to clone human beings. Mark Sauer, chief of reproductive endocrinology at Columbia-Presbyterian Medical Center in New York, stated the issue for many when he said: “There’s little question that [cloning humans] can be done. The question is, should it be done and, if so, under what conditions.”²

Background

Most have reacted to the prospect of cloning humans with alarm. Governments have either banned, or have been strongly urged to ban, the cloning of humans, claiming it is “contrary to human dignity and thus constitutes a misuse of biology and medicine.”³ But, while a strong sense of alarm is shared by many, confidence about the immorality of human cloning is not shared by all. In her recently published book, Gina Kolata suggests that public alarm may be greater than warranted and world leaders are in danger of overreacting.⁴ While Kolata is careful to respect moral objections, others have been less cautious. An editorial in *Business Week* called readers to “embrace the biological revolution, not cringe from it,”⁵ and the International Academy of Humanists has issued a statement welcoming the prospect of human cloning.⁶

While opposition to human cloning has

been strong in a visceral sense, reasoned arguments supporting opposition have not been expressed nearly as well. Indeed, Ezekiel K. Emanuel, who served as a member of the National Bioethics Advisory Commission, noted a mismatch. After observing how the content of testimony heard by the Commission had not seemed to match the emotional power expressed in statements of opposition, he nonetheless went on to say he thought a ban was warranted simply because “strong public reaction suggest [the existence of] a strong argument.”⁷

In other words, absent reasoned arguments, strong feelings might be accepted to substitute. But, this cannot be right. Feelings, apart from reasoned justification, are never adequate to substantiate a

moral position, however strong those feelings may be. If reasoned arguments against human cloning are either not founded or are not well articulated, then feelings will be dismissed as irrelevant, and general opposition will subside. We have to ask whether initial alarm over human cloning is supported by anything other than feeling, and if defensible reasons do exist, we must identify what they are.

Ruth Macklin of Albert Einstein College of Medicine has called for more rational thinking, but in a somewhat different fashion. Macklin challenges anyone who, like the nineteen signatories of the European Treaty, thinks a ban prohibiting human cloning is warranted simply because it violates “human dignity.”⁸ She observes that “dignity” is a notoriously “fuzzy concept,” the meaning of which depends on

moral principles more basic than itself.⁹ The term is not self-defining. Thus, unless we can say what “human dignity” is, or unless we can identify fundamental moral norms that give it meaning, Macklin questions how anyone can be sure it is violated by cloning. This is a fair challenge.

In order to address the need touched by Emanuel and Macklin, this article will try to untangle some of issues involved in opposing the cloning of human life. I will argue that opposition is based on good reasons, reasons that can be arranged on a scale of ascending importance. Cloning

human life involves enormous dangers, and these dangers are of a kind so significant that the risk is impossible to justify.

For the purpose of evaluation, we will sort the dangers of cloning human life into three categories according to

the nature of risk involved: health risks, socio-political risks and moral risks.

Health Risks

One category of obvious danger is the hazard that human cloning creates for human health and welfare. While this risk cannot be exactly measured in advance, that such dangers exist is surely beyond doubt. By reducing diversity in the human gene pool, cloning will weaken a natural barrier that helps protect human bodies from attack by infectious diseases (like malaria) which constantly mutate to find vulnerabilities in the host. As David Stipp puts it, “without sex, we’d soon be toast for germs.”¹⁰ Stipp’s expression may be exaggerated, but he identifies a serious issue.

The risk to clones from mutating infectious diseases will grow over time.

“There is little question that cloning humans can be done. The question is, should it be done and, if so, under what conditions.”

That is, a group of clones will be more likely to die from a single disease than a comparable group of persons who possess a more random distribution of genes. This danger is even more significant when the corporate impact is added to the risk of individuals. Cloning will make the entire human race more vulnerable to mutating infectious diseases, and the size of this danger will grow exponentially in relation to the rate at which human cloning actually reduces diversity in the gene pool for the race as a whole.

Other risks that cloning may pose to human health are raised by questions about cell aging and increased vulnerability to the possibility of birth defects. Many health risks, like the risk of cancer, increase with biological age. Will the genes of a clone continue on the same age trajectory as genes in the body from which they were taken? Or, will the genes of cloned cells behave in a regenerated manner despite the age of their DNA arrangement? If genes of cloned cells do not perform in a fully regenerated manner, a clonally generated baby may not have long to live and could suffer degenerative conditions prematurely. Human cloning could also increase the risk of birth defects if cloned individuals begin marrying nearly identical genetic relatives, a danger that will be hard to avoid in second and third generations.

Of course, it is important that we not overstate the case by exaggerating health risks associated with human cloning. The point here is not to raise alarm, but simply to recognize that legitimate reasons for concern do

exist, and they are not insignificant. Even if risk to human health is the only danger associated with cloning human life, it would at least warrant delay until more can be learned from animal research. Alone, risk to human health may not be sufficient to warrant a permanent ban. But this is not the only danger.

Socio-Political Risks

A second danger posed by human cloning involves risks that are social or political in nature. These are risks having to do with misuse should human cloning ever fall into the wrong hands. Indeed, the danger of misuse is already well-publicized,

since the idea of misused human cloning gripped the imagination of science-fiction writers long before it ever became scientifically possible. Crazy scientists could try to combine cloning technology with genetic engineering to generate humanoid monsters such as Mary Shelley's *Frankenstein*.¹¹

Criminals could create doppelgangers, or they could use cloning to produce duplications of themselves so exact they would be able to throw detectives off their trails by using cloned identities to establish a basis for plausible deniability.¹² Dictators could try to immortalize themselves or may try to raise an army of "terminators" with which to conquer the world.¹³ Finally, social engineers with maniacal dreams could seek total authoritarian control by using reproductive oppression and mass cloning on a scale similar to the brave new world Aldous Huxley imagined.¹⁴

Such dangers are not trivial just because they were first imagined by writers of science-fiction; and, now that Ian Wilmut has proven it is possible to clone adult mammals, they are no longer impossibly fictitious. More than any other danger associated with cloning humans, the danger of misuse should help us comprehend the importance of erecting reliable safeguards well before anyone ventures into such territory. Again, more than any other danger

associated with cloning humans, the enormously negative consequences of misuse show where the burden of proof must lie when political and legal decisions are debated concerning that valuation of human cloning.

In fact, the danger of misuse is so large and readily compre-

hended that no further explanation is needed to expose the foolishness of delaying a decision on a ban. A ban is needed immediately, and the burden of proof must be on those who think it unnecessary, not on those satisfied with conditions already free of the dangers human cloning will introduce.

Moral Risks

A third danger, less well considered but perhaps most threatening of all, is the way cloning humans will provoke a variety of immoral consequences. I turn here to the danger of immoral effects likely to arise even if protections are in place to guard against the risk to human health and the

danger of misuse. Immoral consequences provoked by human cloning can be divided into four subcategories: (1) trivialization of human worth and dignity; (2) erosion of human freedom; (3) new opportunity for invidious discrimination; and (4) commercialization of human life.

Trivialization of Human Worth and Dignity

The first immoral consequence is the trivialization of human worth and dignity. Such trivializing is immoral because it involves attitudes that regard human beings as less significant, less meaningful, and therefore less worthy of respectful treatment than they are in fact due as human beings. Human cloning, if permitted, raises the specter of trivialized worth and dignity by diminishing the value we recognize in individuals and perhaps confusing (at least in perception) the meaning and significance of human selfhood. Both are pillars or moral valuation essential to a civilized social order.¹⁵

While some may argue that clonal production of human life will be no more hazardous to individuality and selfhood than the natural birth of identical twins, this issue focuses not on twins as they presently occur but on the impact a radical rise in the number of genetically identical persons will have on public thinking. It arises out of the heretofore unprecedented possibility of salting the human race with large numbers of people each genetically identical to persons who have lived before—persons with pre-established histories, reputations and followings.

Beyond the threat of identity confusion, human cloning will threaten to trivialize human worth and dignity in other, more ominous ways. Many already discuss the idea that cloning might offer parents grieving a lost child the possibility of "replacing" that child by producing a clone from a cell obtained from the deceased.

Trivialized valuation of human life is also present in the idea that clones could be a source of replacement body parts when age or accident damages components of the human original. Interest in these ideas is ominous because it demonstrates a willingness to lower moral objections against treating human beings as means rather than ends. They reveal pressures that toleration of human cloning will inspire, pressures that will seek policies and laws allowing non-volitional, instrumental, and detrimental (hence immoral) use of one segment of the race for goals or desires set by or serving the benefit of persons other than themselves.

Erosion of Human Freedom

The second immoral consequence is the erosion of human freedom. Cloning technology will tempt scientists and politicians to manage or shape the human gene pool. Experts in human biology and political officials will be attracted to the possibility of breeding for the purpose of multiplying desired strains of human life. But the temptation to do so runs exactly contrary to, and hence threatens, basic human freedom.¹⁶ Even if it is never fully realized, just having the possibility within reach will make the idea of cloning humans “familiar.” Then it will look more and more “reasonable.”

Finally, scientists will try to persuade politicians that cloning without expert control is “irresponsible,” so managing the gene pool will then look very “necessary.” Real dangers will be identified and used to direct attention away from opposing dangers caused by putting human reproduction under regulatory government control. Should this happen, it could not take place without overriding many moral principles, obligations and rights that ought to be respected as inalienable—the individual freedom and personal obligations of self-reproduction; the sanctity and primacy of the family over the state in matters of human reproduction; the responsibility of begetter for the begotten; and the sanctity, independence and privacy of reproductive decisions.

New Opportunity for Invidious Discrimination

The third immoral consequence is new opportunity for invidious discrimination. Invidious discrimination is morally offensive because it entails the rendering of a morally significant value judgement about the worth or dignity of another human being, or class of human beings, on grounds that do not support moral judgement. Doing so is always wrong, and we are obligated not only to avoid making such judgements ourselves, but also keeping clear of circumstances that might stir others to make such judgements. Human cloning, once permitted, will invite discrimination in the form of valuing human life by whatever genetic features are thought especially desirable.

Of course, we can imagine a society that allows human cloning while making sure all its members refrain from judgements that value others based on a person’s clonal or sexual origin, or how many preferred genetic features one person has compared to another. But it is likely to stay imaginary. Separating discriminatory social pressures

from acceptance of human cloning will be hard. No, it is impossible. Indeed, staying clear of invidious discrimination will grow less and less likely as the number of cloned individuals grows larger. The threat this poses was made all too real in a comment by Ruth

Westheimer who, when asked what she thought about cloning human life, said: “I came out of Nazi Germany. If you could make people who were only Aryan, blond and blue-eyed, someone like me—Jewish and 4-foot 7 would not be here.”¹⁷ Her point is sobering because it is accurate. Decisions about who gets cloned might be screened against invidious discrimination, and screening might work for a time. But, for how long? Pressures to discriminate will tend to grow, and the more they grow the more relentless they will become.

Commercialization of Human Life

The fourth immoral consequence is the commercialization of human life—any traffic of human life, in part or in whole—for the purpose of economic gain. The immorality of this consequence is surely clear. Any traffic of human life can only be a shameful violation of human dignity, common human decency, the fair treatment of others and the sanctity of human life itself. Accommodating such interest led to the tragic institution of slavery. Yet, barriers guarding against such odious immorality are now strained, if not already breached, by granting patent rights to specific finds in the human genome and by court decisions that recognize claims of ownership for the purpose of marketing human cell lines.¹⁸

If our legal system already accepts commercial ownership of human cells and creates economic rights to mere knowledge of genetic patterns that already exist in every cell of every living human being, how will it respond to commercial interests demanding a right to economic gain from controlling the production of cloned humans? If our courts continue on their present course, human cloning will raise many moral (if not yet legal) questions to do with commercial interests trying to secure economic claims over human life.

Even if priority is given to an originating individual (the one from whom a genetic code is taken), would it be moral for

such a person to benefit commercially from the marketing of his or her genetic code? Would that not have moral parallels to the offense of producing children for a slave market? If genetic code marketing is allowed, should originating individuals be

allowed to continue a commercial claim on their code after new clonal persons are produced from that code? Should whole genetic codes be bought and sold to other parties? Should human organs produced by cloning human components be

bought and sold?

Such questions are odious precisely because they each, to some degree, accept the idea of owning human life for the purpose of economic gain. The questions touched here are no longer purely imaginary. They anticipate reality and mark a threshold that must be addressed by any society that has honored human dignity by opposing practices involving commercial treatment of human life.

Conclusion

In this article, I have argued that human cloning involves enormous dangers and that these dangers involve risks so significant human cloning can never be justified. Any society, government, or court of law—however independent of particular religious authorities—ought to oppose human cloning out of sober and realistic experience with human nature, out of respect for human dignity, and in order to affirm, protect, and uphold the integrity of essential human institutions such as marriage, parenthood, and childhood.

To close this analysis, we should consider the timeless relevance of warnings issued by two respected moral teachers—one contemporary and one ancient. First, we should recall the warning of Paul Ramsey who opposed cloning humans because “[m]an cannot endure if there is no creation beneath him, assumed in his being, on which he ought not to lay his indefinitely tampering hands.”¹⁹ Second, we should contemplate the words of Jesus in the Bible who warned against the allure of inordinate aspirations when He asked, “What good will it be for a man if he gains the whole world, yet forfeits his own soul.”²⁰ ¶

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Endnotes:

1. Usha Lee McFarling, "Bioethicists Warn that Human Cloning will be Difficult to Stop," *News & Observer* (Raleigh), November 18, 1998.
2. Rick Weiss, "Scientist Plans to Clone Humans; Anticipating Ban, Researcher Says He Has Assembled Doctors," *Volunteers, Washington Post*, January 7, 1998, A3.
3. This language was used to justify a treaty banning human cloning in Paris by 19 European nations on January 12, 1998. Joseph Schuman, "European Nations Reject Human Cloning," *News & Observer* (Raleigh), January 13, 1998, A6.
4. Gina Kolata, *Clone: The Road to Dolly, and the Path Ahead* (1998).
5. "Don't be Afraid of Genetic Research," *Business Week*, March 10, 1997, p. 126.
6. "Declaration in Defense of Cloning and the Integrity of Scientific Research," *Free Inquiry*, June 22, 1997, p. 11.
7. Kolata, *supra note* 3, p. 229.
8. Kolata, p. 20.
9. *Ibid.*
10. David Stipp, "The Real Biotech Revolution; Biotech's Real Power Lies in Reading the Book of Life, Not Blindly Copying It," *Fortune*, March 31, 1997, p. 54.
11. Mary W. Shelley, *Frankenstein* (1818).
12. See, e.g., Eric C. Higgins, *Doppelgänger* (1987).
13. See e.g., Ira Levin, *The Boys from Brazil* (1976). Levin has imagined someone with the ability to clone multiple copies of Hitler for the purpose of resurrecting a new, more powerful Third Reich. The novel was also the basis of a movie starring Gregory Peck and Laurence Olivier. *The Boys from Brazil* (CBS/Fox Video 1978).
14. Aldous Huxley, *Brave New World* (1932).
15. K.C. Cole, "In Our Own Image, Los Angeles Times, April 28, 1997, A1.
16. Paul Ramsey, *Fabricated Man: The Ethics of Genetic Control* (1970). Ramsey referring to the loss of freedom involved, says: "If this design does not exceed human wisdom, it certainly falls below the morally permissible." p. 74.
17. Carol M. Ostrom, "Why Cloning Changes Everything," *News & Observer* (Raleigh), March 2, 1997, A21.
18. For a discussion of marketing rights to human cell lines, see *Moore v. Regents of the University*

of Cal., 793 P.2d 479 (Cal. 1990). For a succinct debate on the morality of patent rights to human life, see Ted Peters, *Parenting Life: Yes, First Things*, May 1996, p. 18; Richard D. Land & C. Ben Mitchell, *Parenting Life: No, First Things*, May 1996, p. 20.

19. Ramsey, p. 125.

20. *Matthew 16:26* (NIV). The Greek text can just as well be translated to focus on collective rather than individual human identity. (Hence: "What good will be for the human race if it gains the whole world, but..."). Jesus did not exclude either rendering.

Editor's Note:

Due to space constraints, the North Carolina Family Policy Council could not reprint the author's paper in its entirety, but we did want to note some further ethical and theological arguments addressed by the author in the completed work.

The points addressed in this paper serve as an introduction to this complex public policy issue which indoubtably has far reaching implications for society. In the paper, the author addresses many serious hazards that will be caused by cloning humans—hazards to health, hazards that risk the future of the human race, hazards of misuse by criminal minds, mad dictators or crazed scientists, and hazards of immoral consequences that compromise human dignity and freedom and erode objection to invidious discrimination and commercial traffic in human life.

The author contends that engaging these dangers cannot be justified, on the basis of action or non-action. When the value or significance of what might be gained is compared to what must be risked, there is simply no comparison. Heimbach responds, "Not only is a venture into cloning humans unjustified under present circumstances, it will never be justified, and the permanence of this conclusion is established most clearly when human nature is matched with options for social regulation."

The author notes that human cloning is a genuinely immoral effort and concludes, "the actions and intentions involved in human cloning (however they may be safeguarded, and however the relative merits are weighed) are themselves inherently and unalterably immoral." Heimbach argues that, "Cloning humans negatively impacts all institutions and qualities of human existence that hedge and define the morality of this critically important dimension of life—marriage, parenthood, family, sex, human sexuality and even the continued existence of the human race. In connection with these institutions and qualities, any act of human cloning is inherently immoral and must be judged for at least seven reasons:

- 1) It is an act of species suicide;
- 2) It violates the moral institution of parenthood;
- 3) It violates the moral institution of marriage;
- 4) It denies and violates the moral meaning of procreating children;
- 5) It rejects the moral meaning and significance of human sexuality;
- 6) It de-humanizes human reproduction by severing it from life-giving love; and
- 7) It misappropriates ownership of the design rights to human life."

The author elaborates with one final thought, "...humanity is uniquely dignified, having been set above all other forms of created life because we alone are privileged to bear the image of God. The final reason cloning humans (the act itself) is inherently immoral is because the design and purpose of human life is not, never has been, and never will be, ours to change."

If you would like a copy of Dr. Daniel Heimbach's complete paper, as it appeared in the Valparaiso University Law Review, please contact the North Carolina Family Policy Council at 919-834-4090. ¶

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