

this crucial moral boundary—that of creating human life solely as a resource for research. A moratorium would allow time for other areas of stem cell research, both adult and embryonic, to proceed. It would allow time for those who believe that cloning-for-biomedical-research can never ethically be pursued to make their case, and for those who disagree to design a responsible system of regulation and public oversight.

A national moratorium would also allow the debate on the question of research on cloned embryos to be taken up in the larger context, where it belongs, the context of embryo research generally, and of the future possibilities of genetic engineering of human life. Pending such debate, the majority of the council held that no law should now be enacted that approves or authorizes *any* human cloning.

With the Senate, now in recess, having failed to act on the cloning legislation, we find these questions still before us and likely to return for legislative consideration. Yet, even as we speak, Italian embryologist Severino Antinori claims that a clonal pregnancy is in the works and that the first cloned child may be born soon.

I think it behooves us as human beings and citizens to step forward and urge our legislative representatives to act when they next convene, and to continue to think about the deepest human and social implications of the biotechnology revolution now underway.

## Slavery plus abortion

DIANA SCHAUB

**O**N the cover of *Human Cloning and Human Dignity: The Report of the President's Council on Bioethics* is the image of a fingerprint. It's an inspired choice, for the fingerprint, as Leon Kass's "Foreword" says, "has rich biological and moral significance." The fingerprint is at once emblematic of our common humanity and our individual uniqueness. No two are alike; even identical twins have distinct fingerprints. Presumably a cloned human being also, as a sort of delayed-entry twin, would not be a perfect repeat, at least not all the way down to the tips of her fingers. DNA is not the whole of our nature. It is, however, a good deal of it, and the question raised by recent scientific developments is whether and how

much we ought to stick our fingers in it. Ought we to put our own impress upon the means by which human beings come to be? As Kass points out, fingerprints are the marks left by our grasp on things—a grasp that is sometimes illicit. This is why the police know as much about fingerprints as scientists do. And it is why the decisions to be made about cloning are properly political decisions. It belongs to citizens and legislators to police the bounds of the human grasp, to determine what may be manipulated, manhandled, and doctored, and in what ways. While the liberty of the mind is by right absolute, actions may, with justification, be restricted or forbidden.

Let me suggest another metaphoric image that came to mind while reading the report: not the fingerprint but the navel and especially the exercise referred to as “contemplating your navel.” Now before anyone mistakes this for a criticism, uncivilly expressed, let me hasten to say that I am using the expression rather unidiomatically. “Contemplating your navel” usually means to relax and withdraw from the world, to zone out, waste time, and daydream. I don’t mean that. I mean that the council has meditated on the human core and that it has deepened our self-understanding by reflecting on matters often overlooked. In *Brave New World*, the inhabitants of the World State are “hatched” and “decanted” rather than born; I surmise that Huxley’s Betas, Deltas, and Epsilons, manufactured in uniform batches by “Bokanovsky’s process,” are entirely without bellybuttons. So, while we still have them, we might do well to contemplate them.

**I**N effect, that is what the council’s report does. It explores the meaning of procreation and the human significance of sexual reproduction. It articulates the links between sexual reproduction and the ground and purpose of the human family, the continuity of the generations, the formation of individual identity, and the bearing of our freedom and our mortality. The report enables us to understand all that is at stake in the advent of asexual reproduction. Cloning is a form of generation that would confound the generations—a woman who had herself cloned would be both mother and identical twin sister to her clone. She would in effect have become the mother of herself. To aim to be the mother of oneself is the height of hubris and despotism. It is the crime of incest—the begetting of one’s own upon one’s own—scientifically perfected. The cloning of human beings would be the triumph of

the Machiavellian project to conquer fortune and bring everything within the power of human choice and calculation.

**B**Y raising serious doubts about that modern project, *Human Cloning and Human Dignity* offers a vindication of the element of chance in human life. It shows how human dignity is bound up with the lottery of nature and how the ground of human dignity could be imperiled by the attempt to extend human control over the human essence. The counsel of wisdom and prudence is to stick with our old-fashioned, erotic, and happy-go-lucky mode of generation rather than embracing the new science of solitary self-genesis. We should remain true to the bellybutton—the bellybutton that reminds us of our indebtedness to our origins, but that also bespeaks our directness toward a self-standing existence.

In its combination of profound reflection on human nature with immediate policy concerns and decisions, the council's report is reminiscent of *The Federalist Papers*, a work which Jefferson—himself no Federalist—judged to be “the best commentary on the principles of government, which ever was written.” I predict a similar authoritative status for this publication in the sphere of bioethics. In a sense, the council's report is even more remarkable than *The Federalist Papers*, inasmuch as *The Federalist Papers* had a partisan, and even propagandistic, purpose. Imagine if we instead had a document called *The Constitution Papers*, a joint product of Federalists and Anti-Federalists, laying out for the citizenry the full panoply of argument and counter-argument. That is what this report is like. Even when it gives expression to the council's unanimous opposition to cloning-to-produce-children, it details the arguments that might be mustered in support of such cloning. More especially when the topic is cloning-for-biomedical-research, where the council was itself split, the report, with a united voice, carefully delineates both the majority and minority views, and seeks to bring them into conversation with one another. This dialectical approach is so rare one hardly knows how to respond.

Certainly, one comes away with new respect for the potential of reasoned discourse within a democracy. Moreover, I at least came away with the conviction that if one were, with an open mind, to read the whole of the book, including the appendix of personal statements, one would be persuaded of the rightness of banning all human cloning, whether for the purpose of children or research. In the

pageant of arguments, some of them looked distinctly thin and weak. And yet, dampening one's hope that truth will emerge the winner is the fact that the participants themselves, despite their respectful listening to one another, did not achieve agreement. Well, they did and they didn't. On the question of cloning-to-produce-children, there was welcome unanimity. However, on the question of cloning-for-biomedical-research, there was a deadlock, with seven members for permitting it, seven for banning it, and three in the middle in favor of a moratorium. For the rest of my time, I would like to talk about the meaning of that deadlock and what it portends for the future.

**I**N the end, the seven in favor of a permanent ban were willing to join with the three in favor of a temporary ban in order to produce a majority recommending a moratorium. From what we have seen so far in Congress, the deadlock is being repeated there, though with less prospect of a policy compromise emerging. Indeed, the deadlock over cloning-for-biomedical-research may make any sort of legislative action unlikely, even a ban on cloning-to-produce-children (despite the near universal opposition to such cloning). The division over cloning-for-biomedical-research is a division not so much over cloning as over the status of the human embryo, cloned or not. Until that larger issue—with its implications for embryo research in general, as well as for the current practice of in vitro fertilization, and of course for abortion—is resolved, we risk ending up with a laissez-faire policy on cloning that very few Americans want.

I did find it tremendously heartening that the split within the council was not between scientists and humanists. For instance, four of the six M.D.s voted for the moratorium on research cloning, and in some cases clearly favored strengthening that to a ban. It seemed, indeed, that those who knew most about embryology spoke most persuasively about the unsustainability of the claim that 14-day-old and younger embryos might be treated with less than full human respect—because less than fully human. Stanford University biologist William Hurlbut, for instance, both in his detailed responses on the subjects of gastrulation and twinning, and in his general explanation of potentiality and organismal unity, showed how the evidence of science supports the claim that the early embryo has an inviolable moral status.

KASS reminds us in the "Foreword" that "reasonable and morally serious people can differ about fundamental issues," but I take it that this unique experiment in clarifying the differences is undertaken in the hope that such clarification will lead to the concord of truth. In other words, this is not a matter about which we can just agree to disagree. There is an imperative to continue reasoning with one another, which implies, I think, that there is reason with a capital R out there somewhere, and that reasonable people, were they perfectly reasonable, or even just sufficiently reasonable to the occasion, would arrive at it. As Lincoln said of the slavery controversy: "Whenever the issue can be distinctly made, and all extraneous matter thrown out so that men can fairly see the real difference between the parties, this controversy will soon be settled, and it will be done peaceably too."

Now, maybe the cloning controversy is not like the slavery controversy. Certainly, there is no looming prospect of civil war should the division of opinion continue. Kass suggests there is another difference as well. In the "Foreword," he says that

with slavery or despotism, it is easy to identify evil as evil, and the challenge is rather to figure out how best to combat it. But in the realm of bioethics, the evils we face (if indeed they are evils) are intertwined with the goods we so keenly seek: cures for disease, relief of suffering, and preservation of life. When good and bad are so intermixed, distinguishing between them is often extremely difficult.

In talking of the complexity and difficulty of the bioethical enterprise, Kass was perhaps being diplomatic. This remark could be in the same vein as the "reasonable people can differ" statement, inasmuch as it gives further reason for why they might differ.

Nonetheless, with considerable trepidation, I feel I must take issue with the statement. The trepidation arises because Leon Kass was my teacher at the University of Chicago and because I believe the nation at large is now blessed in having him as a teacher. At the risk both of seeming ungrateful, and of being wrong, I would only point out that it was not at all easy to bring men to see slavery as evil, particularly not once the practice of slavery was well-established in the life of the nation. Moreover, in the controversy over slavery, as Lincoln himself admitted, there were legitimate goods at stake for the slaveholding South, among them security, self-preservation and the preservation of their way of life, states' rights, specific

constitutional guarantees, and a certain kind of honor. Lincoln's acknowledgement, however, of the weightiness of the South's legitimate concerns didn't stop him from declaring slavery an evil and insisting that one cannot attain those real human goods by the route of perpetuating slavery. There is a difference between granting credence to the goods sought by one's opponents and granting credence to their arguments or plans.

We are armed now with this invaluable report, and so the time has come to frame the issue more sharply. Cloning is an evil; and cloning for the purpose of research actually exacerbates the evil by countenancing the willful destruction of nascent human life. Moreover, it proposes doing this on a mass scale, as an institutionalized and routinized undertaking to extract medical benefits for those who have greater power. It is slavery plus abortion.

Of my teacher I would ask: Is it either incorrect or misleading or unhelpful to see the dispute over cloning as of a piece with the slavery crisis and the abortion debate? And further, if the example of Lincoln is pertinent, then does talk of moral complexity and the intertwinedness of good and evil and the intractability of the issues make it harder to identify evil as evil and more likely that we will end up in *Brave New World*, where despotism masquerades as a conception of the good? The motto of the World State with which Huxley's novel opens is "COMMUNITY, IDENTITY, STABILITY." I suspect our own path to biomedical despotism will be guided by the words "PROGRESS, COMPASSION, AND CHOICE."

## **An opportunity lost**

CHARLES MURRAY

**I**T is customary when making critical remarks to start out by saying nice things about the person one is criticizing, and I want to do that now, but not pro forma. The report of the President's Council on Bioethics is superb. It embodies the kind of reasoned discourse that you wish were used for all public issues and almost never is. Furthermore, Leon Kass was the best possible person to head up this effort. I can think of no one else who brings to this difficult subject such moral seriousness, power of intellect, and generosity of spirit.