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The New Culture of Life: Promoting Responsible and Appropriate Medical Research

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For more than a year, the U.S. Senate has been grappling with legislation to determine what direction our national moral compass will point for the future course of medical and scientific research.¹

The issue of human embryonic cloning has been the subject of rigorous debate in Congress, within the medical, legal, patient advocacy, and bioethics communities, and on the pages and airwaves of the local and national media. Unfortunately, much of this debate has been characterized as an absolute choice between, on the one hand, medical science and the hope for cures, and, on the other hand, ethical restraint.

This is a gross oversimplification that completely ignores the clinical, philosophical, moral, and legal complexities underlying this very profound discussion. As a member of the bipartisan Senate Biotechnology Caucus, I strongly support the advancement of science, and have voted for enhanced federal funding for basic and clinical research within the National Institutes of Health (NIH) that will help lead to life-saving therapies for such diseases and conditions as Alzheimers, Parkinsons, diabetes, cancer, and spinal cord injuries.

But I have many reservations and concerns regarding the real-life consequences of human cloning. The hypothetical benefits of permitting human embryonic cloning to go forward are

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far outweighed by the monumental ethical, safety, and legal considerations involved. And judging from recent history, I am very concerned that the "limits" that cloning advocates assure would guide their desired cloning research today will not remain fixed and absolute into the future. For these reasons I have joined as a co-sponsor to the bipartisan Human Cloning Prohibition Act introduced by Senators Mary Landrieu (LA) and Sam Brownback (KS), legislation that would put in place a comprehensive legal ban on all forms of human cloning. The House of Representatives passed similar legislation last summer by more than 100 votes, and President Bush has stated his support for this bill, as well.

Bear in mind this debate is not about banning embryonic stem cell research. President Bush last year announced his administration’s support for federal funding of existing embryonic stem cell lines. The NIH have allocated research grants to pursue this type of research. And it will continue to move forward, along with proven and further developed avenues of medical research—such as alternatives using adult and other post-natal stem cells—that are non-controversial and are actually helping save and improve the lives of patients across the country.

But the fundamental question we must ask ourselves in the human embryonic cloning discussion boils down to this: Are we as a society willing to devalue and commodify members of our human family?

**A Year Later: Moral Lines Have Been Crossed**

What a difference a year makes. Many Americans may recall that on August 9, 2001, President Bush announced in a nationally televised address that his Administration would allow for the first time using federal tax dollars to support limited research on human embryonic stem cells. These embryonic stem cells, which are derived by destroying a human embryo, have been widely touted by the scientific community as possibly holding the key to developing life-saving cures, even though this speculative claim has yet to produce its desired results (even in animal experiments).

In the same address, the President also announced that he would issue an executive order to create a new President’s Council on Bioethics, chaired by Dr. Leon Kass, an expert in biomedical ethics and a professor at the University of Chicago, to study

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2. S. 1899.
the human and moral ramifications of developments in biomedical and behavioral science and technology. The Council has been at work now for more than six months and has studied and deliberated such issues as embryo and stem cell research, assisted reproduction, cloning, genetic screening, gene therapy, euthanasia, psychoactive drugs, and brain implants.

Although I commend the President for opposing the destruction of future human embryos, and believe his policy is a good-faith attempt to deal with a very difficult issue, I respectfully disagree with any government funding for scientific research that involves the destruction of human embryos or that is based on the prior destruction of human life.

Last year around the time of the President’s policy announcement, proponents of embryonic stem cell research asserted that there would be plenty of “surplus” embryos from in vitro fertilization (IVF) clinics on which embryonic stem cell experiments might be performed. Moreover, supporters of embryonic stem cell research denounced the idea of “creating” human embryonic clones for the specific purpose of their destruction for experimentation.

But a significant change took place over the course of a year. The advocates of embryonic stem cell research discovered that they faced tissue rejection of the embryonic stem cells, rendering the scientific theory impractical and ineffective for developing the cures they promised.

So what was once abhorred only a year ago is now embraced as medically necessary. A significant ethical line was crossed, and embryonic stem cell supporters have gone to great lengths to develop euphemisms and employ rhetorical sleights of hand to describe their policy position of the day. They distinguish between what they call “research” cloning versus “reproductive” cloning. They cite that their intention is not to produce a cloned child but to grow a cloned embryo long enough to dismember it for its useful scientific parts. (Cloning advocates have also employed the terms “somatic cell nuclear transfer,” “DNA regenerative medicine” and “nuclear transplantation.”)

Lest there be any misunderstanding or confusion, the fusing of a “somatic” cell (or genetic material, such as from the skin) with an egg cell that has had its nucleus removed is precisely how a clone is created. That is how Dolly the sheep was created. Many scientific authorities, NIH, President Clinton’s bioethics panel, and leading cloning researchers, have all confirmed that somatic cell nuclear transfer is indeed “cloning” and will indeed produce a “human embryo,” that can develop into an infant.
TWO BILLS: ONLY ONE BAN ON CLONING

There are essentially two bills before the Senate that will decide to what extent U.S. law will sanction human embryonic cloning. The bipartisan Landrieu-Brownback legislation\textsuperscript{4} that I support would put in place a comprehensive ban on all human cloning. But the legislation would preserve valuable research on genetic techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.

An alternative "research" cloning bill\textsuperscript{5} would allow and encourage the creation of cloned human embryos, and then mandate that they be destroyed to derive stem cells, in the hope that these stem cells can regenerate diseased or damaged tissues or organs. In other words, the "research cloning" bill would not ban cloning at all, but rather ban any effort to allow cloned human embryos to survive. Allowing the creation of human cloned embryos but banning their implantation into a mother’s womb would make it a crime \textit{not} to destroy a given cloned embryo. This is a very curious bioethical proposition, and would confer upon our society a very utilitarian construct: the creation of human embryonic clones solely for their exploitation and destruction.

Moreover, there are other problematic questions raised by the "research" cloning bill. For instance, the U.S. Department of Justice recently testified before Congress that a "research" cloning bill would be virtually impossible to enforce. If a pregnancy were established (as doctors are seeking to do right now in Italy), any government-directed attempt to terminate a cloned embryo in utero would create legal enforcement quandaries that are enormous and complex.

In addition, there are serious issues with respect to the cloning process’ effect on women’s health. What are the safety factors for the super-ovulating drugs that women are given in order to provide the eggs for embryo cloning, as well as the numerous hormone treatments given to ease egg extraction? What about the risks to women from egg donation, which include a potential link to ovarian cysts and cancers and other disorders?

For these and other reasons, a whole host of ideologically varied interest groups have joined in support of a comprehensive ban on human cloning, including environmentalists, women advocates, and other typically left-of-center organizations. They

\textsuperscript{4} S. 1899.  
\textsuperscript{5} S. 2439.
see cloning as a precursor to genetic engineering that might lead to produce "improved" humans, or merely as a critical question of whether these most noble ends justify any means.

**The Bioethics Council Speaks**

The President's Council on Bioethics issued its first report in July, 2002, on the subject of human cloning, and recommended a permanent ban on "reproductive" cloning, as well as a moratorium on "research" or "therapeutic" cloning. I am pleased that the council has at least endorsed a temporary ban on all human cloning. If approved by Congress, I believe a temporary ban would give the country an important opportunity to further debate the issue of human cloning along with its ultimate impact on humanity.

However, I am also concerned about other recommendations in the bioethics council's report. In particular, I do not believe that we can separate the issue of human cloning into two different categories by making policy recommendations based on the intentions of the researcher. Ultimately, all human cloning is reproductive. Any attempt to draw a distinction based on whether or not the researchers purposely kill the embryo for scientific experimentation, or whether they try to implant the embryo in a woman's uterus for live birth, is nothing more than an attempt to legitimize human cloning under certain pre-defined circumstances.

**Fighting a Brave New World**

America has never been a nation of strict utilitarianism. History is replete with examples—perhaps the most notable and memorable being the Nuremberg war crime trials—where humankind has paused to consider certain ethical boundaries that should govern scientific and medical research. As one who supports responsible and appropriate medical research, I believe that the manufacture and destruction of human embryos for the sole purpose of scientific inquiry is wrong and crosses a line that we very much need to protect. And this is why I hope that the Senate will join the House of Representatives and the President in enacting a comprehensive ban on all human cloning.

I am anxious for this dialogue to progress, and that policymakers and the public will reconsider the profound issues at stake in the cloning debate. This important discussion, however, ought not divert time and resources from our continued investments in proven and non-controversial areas of biotech research such as adult and other post-natal stem cells. Human cloning
represents a profound moral issue for this country and the rest of the world. And it is critical that we seek a responsible policy framework that will protect and enhance human dignity.