Human embryos are human beings. Thus, embryonic stem cell research (called therapeutic cloning), which involves "harvesting" stem cells and killing the embryo, destroys human life. This research thus violates a principle of the Nuremburg Code—that there should be no experimentation on a human subject when death or disabling injury will result. The term "therapeutic cloning" was created to confuse the public and present the technology as something beneficial, when in reality, it actually kills people. The same obfuscation was used by the Nazis to justify their experiments, which, though ostensibly designed to protect people, destroyed the human test subject.

On February 13, 2002, President George W. Bush's Council on Bioethics (which was established to advise the president on bioethical issues that may emerge as a consequence of advances in biomedical science and technology) held its second round of meetings. The topic was cloning. The principal witness was Irving L. Weissman, MD. Professor Weissman teaches biology at Stanford University and is a prominent researcher (using adult stem cells). He is also the main author of a recent report published by the National Academy of Sciences on human cloning. The report came to two conclusions: Firstly, "Human reproductive cloning should not now be practiced. It is dangerous, and likely to fail." Weissman himself refers to bringing a cloned human being through the embryonic and fetal stages to live birth as "reproductive cloning." For our present purpose I will refer to this as "live-birth cloning." Secondly, "The scientific and medical considerations that justify a ban on human reproductive cloning at this time are not applicable to nuclear transplantation to produce stem cells [often called therapeutic cloning]." I will refer to this form of cloning as "experimental cloning." Here a human embryo is created from whom stem cells are "harvested," resulting in the death of the embryo.

Nazi research vs. experimental cloning

During questioning by members of the Council, Professor Weissman stated that he opposed "live-birth" cloning because to support such cloning would violate the Nuremburg Code. The Nuremberg Code is, of course, a body of ethical norms enunciated by the Nuremberg Tribunal which, following World War Two, had the responsibility of judging the actions of the Nazis and their allies. The point of the Code was to restate and apply the established ethical norms of the civilized world. It is universally accepted today.

As we know, the Nazis killed from six to nine million people, most of them Jews, in extermination or "death" camps. Nazi laws had "defined" Jews and other "undesirables" as non-persons. Eventually, these undesirables were sent to the camps for extermination. However, before the killing in the camps began, the Nazis had engaged in an extensive campaign of euthanasia against the mentally and physically handicapped, which not only foreshadowed but also prepared the way for the extermination camps. Robert Jay Lifton, in his book, the Nazi Doctors draws our attention to a book written during the campaign entitled, The Permission to Destroy Life Unworthy of Life:

[It was] published in 1920 and written jointly by two ... German professors: the jurist Karl Binding ... and Alfred Hoche, professor of psychiatry at the University of Freiburg. Carefully
argued in the numbered-paragraph form of the traditional philosophical treatise, the book included as 'unworthy life' not only the incurably ill but large segments of the mentally ill, the feebleminded, and retarded and deformed children.... [T]he authors professionalized and medicalized the entire concept; destroying life unworthy of life is 'purely a healing treatment' and a 'healing' work.

Nazi officials announced that "under the direction of specialists," "all therapeutic possibilities will be administered according to the latest scientific knowledge." The result of this therapeutic treatment of "inferior" lives was that, "Eventually a network of some thirty killing areas within existing institutions was set up throughout Germany and in Austria and Poland." Essentially the Nazis were determined to "cleanse" the genetic pool simply to produce "better" Aryans. In their book, The Nazi Doctors and The Nuremburg Code, George J. Annas and A. Grodin reveal that:

At the same time that forced sterilization and abortion were instituted for individuals of 'inferior' genetic stock, sterilization and abortion for healthy German women were declared illegal and punishable (in some cases by death) as a 'crime against the German body.' As one might imagine, Jews and others deemed racially suspect were exempted from these restrictions. On November 10, 1938 a Luneberg court legalized abortion for Jews. A decree of June 23, 1943 allowed for abortions for Polish workers, but only if they were not judged 'racially valuable.'

Later, the Nazis created the extermination camps for the Jews and other "inferior" races. In the camps, Nazi doctors engaged in inexplicably cruel experiments on the Jews, gypsies, Poles, and others. They exposed them to extreme cold to determine the temperature at which death would occur. They injected them with poisons to see how quickly certain elements (lethal to the subject) moved through the circulatory system. They subjected twins to all manner of disabling and brutal experiments to determine how genetically identical persons reacted to different conditions.

Were these experiments "inexplicable"? After all, some of the experiments were designed to preserve life—albeit, not of the subject, but of, for example, pilots who were forced to parachute into freezing ocean waters. The purpose of such experiments, in other words, was to yield a human good. The end justified the means.

Professor Weissman undoubtedly does not believe his views have anything in common with those of the Nazis. Indeed, he would doubtlessly be offended at the suggestion that they might. But do they?

If human embryos are human beings, then human embryonic stem cell research (during which the stems cells of embryos are "harvested" and the embryos are killed) violates one of the cardinal principles of the Nuremberg Code—there is to be no experimentation on a human subject when it is known a priori that death or disabling injury will result. Likewise, experimental cloning, which creates embryonic human beings but destroys them in the process of removing their stem cells, violates the Nuremburg Code. Regardless of the good that might be produced by such experiments, the experiments are of their very nature an immoral use of human beings, and justify the opprobrium of the civilized world. We should not use the results of such experiments anymore than we would use the results of the Nazi experiments on the Jews, gypsies, and others. To hold otherwise is, effectively, to repudiate the Nuremburg Code, the very standard upon which Professor Weissman and the National Academy of Sciences rely to reject live-birth cloning (which they judge to be too dangerous for the cloned subject).
The only way that Professor Weissman can attempt to distinguish the two cases—Nazi research and experimental cloning—is to maintain that experimental cloning does not destroy human beings. Is that persuasive?

The debate over the status of the human embryo

Not at all. It does not take an advanced scientific degree to know when human life begins. It begins in one of two ways—either, in the normal way, sexually, that is, when a female oocyte, or egg, is fertilized by a male sperm cell; or, as with cloning, asexually, that is, when the nucleus of an oocyte is removed and is replaced with a nucleus from another cell, after which an electrical stimulus is applied. In either case, from that moment forward, there is a new human organism. It is genetically complete. From the first moment, the new single-cell organism directs its own integral functioning and development. It will proceed through every stage of human development until one day, it looks like we do. It will grow and develop, and it will change. But it will undergo no change in its nature. In other words, there is no chance it will grow up to become a cow or a fish. It is a living human being—its nature is determined—from the first moment of its existence. As the renowned ethicist Paul Ramsey observed, "The embryo's subsequent development may be described as a process of becoming what he already is from the moment of conception."

This is the fundamental scientific truth upon which all our moral analysis must be built. If we obscure this fact, it is impossible to think clearly about these issues. Sadly, many proponents of cloning and stem cell research are engaged in an enterprise to do just that—to obscure the fact that the human being begins as a single cell zygote, grows through the embryonic stage, through the fetal stage, is born and grows through the infant stage, through childhood, and through adulthood, until death. It was the same being at every stage, though it looks different at each stage. Professor Weissman admitted as much when testifying before the President's Council on Bioethics. Councilmember Robert P. George asked: "Would it be fair to say that before [the adult stage and before the adolescent stage and before the fetal stage] Dr. Kass was in the blastocyst stage?" To which Dr. Weissman replied: "For sure." Think of your own "baby pictures"—you don't look like that today. But you are still the same person. As Dr. John Harvey from the Georgetown Medical School's Center for Clinical Bioethics observed, "a human being is unchangeable and complete only at the moment of death!"

Nevertheless, Weissman and others pretend that the embryo prior to implantation in the mother's womb is somehow fundamentally different, different in its very nature, from the embryo after implantation. In doing so, they continue a long and unhappy chapter in which, I am sad to report, ethicists, scientists and medical doctors played a role. It started with abortion.

Development of the term "pre-embryo" to undermine human life

In 1970, California Medicine, the then-official journal of the California Medical Association, argued in an editorial titled, "A New Ethic for Medicine and Society," that in order to advance abortion, it was necessary to change traditional Western ethics. The article acknowledged this was a difficult task, and argued that "semantic gymnastics" were necessary—"The result [of separating the idea of abortion
from the idea of killing] has been a curious avoidance of the scientific fact, which everyone really
knows, that human life begins at conception and is continuous whether intro- or extra-uterine until
death." In other words, the principal strategy to advance abortion was, from the beginning, to deny the
basic scientific facts about when life begins.

This same strategy has long been evident in the debate over the status of the human embryo. A few
decades ago, the idea of the "pre-embryo" was advanced. This is a very odd term, since an embryo is
an embryo from the first day of its single-cell existence. Of course, before implantation, one might say
the embryo was "pre-implantation". But, does implantation in the womb, which provides the tiny
embryo with a safe home and nutrition, effect a change in the nature of the thing that implants?
Experts in embryology are agreed that it does not. For instance, renowned authority on embryology,
Ronan O'Rahilly notes, "The term 'pre-embryo' is not used ... for ... it may convey the erroneous idea
that a new human organism is formed at only some considerable time after fertilization." So why was
the term "pre-embryo" used (one might say, "invented")? O'Rahilly provides the answer, "[The term]
was introduced in 1986 largely for public policy reasons."

Biologist Lee Silver of Princeton University notes:

The term pre-embryo has been embraced wholeheartedly by IVF [in vitro fertilization]
practitioners for reasons that are political, not scientific. The new term is used to provide the
illusion that there is something profoundly different between a six-day embryo and a 16 day-
old embryo. The term is useful in the political arena—where decisions are made about
whether to allow early embryo experimentation—as well as in the confines of a doctor's office
where it can be used to ally moral concerns that might be expressed by IVF patients.

Thus, we can see in the history of the term "pre-embryo" that it was developed and used largely, if not
exclusively, to mislead; to hide scientific facts about the beginning, and unity, of human life; to bolster
support for a new reproductive technology; and to gain funding for experiments on human embryos.

Though the term "pre-embryo" is dead and gone, its "spirit", one might say, lives on. We find it today in
the cloning debate, as we found it a few months ago in the debate over human embryonic stem cell
research.

**Semantic gymnastics aside, cloning is cloning**

As the debate began over human embryonic stem cell research, proponents claimed they did not wish
for human embryos to be created in order to be destroyed during experimental cloning (called, "special
creation"). Rather, they wanted to extract stem cells from "excess embryos", those locked in freezers
in IVF clinics with little likelihood of being implanted in a woman's womb. Today, those who wish to
subject newly created cloned human embryos to destructive experimentation must confront their prior
claim. If they meant what they said during the stem cell debate and did not wish to create embryos
specially to destroy them, they can not support experimental cloning, for that is exactly what
experimental cloning does.

What, then, did the cloning proponents do? First, they claimed a difference between "therapeutic
cloning" and "reproductive cloning." As we saw above, however, all cloning—by producing
a new human embryo—is reproductive. "Therapeutic cloning" is the very opposite of therapeutic. If it were "therapeutic", it would, by definition, have to be, in some way, beneficial, or potentially beneficial, to the subject of the experiment. However, since "therapeutic cloning" results—every time—in the death of the cloned human being who is the subject of the experiment, it is the very opposite of "therapeutic". It is, indeed, non-therapeutic.

Cloning proponents, who had hoped that the use of the adjective "therapeutic" would confuse the public, were disappointed when public opinion polling demonstrated that the public rejected cloning, for whatever reason and despite the adjectival modifier. So, what did they do? They shifted tactics. Since the public did not like "cloning," cloning proponents decided, with breathtaking audacity, simply to call it something else. At first, they re-named it "somatic cell nuclear transfer," hoping no one would notice that "somatic cell nuclear transfer" was the very definition of cloning. Of course, it was noticed; so they shifted again. Now they call cloning "nuclear transplantation to produce stem cells." Notice how dishonest this is. Cloning involves a process by which the nucleus of an egg cell is removed and a nucleus from another cell in the human body (a somatic cell) is transferred into the egg. Again, as with "somatic cell nuclear transfer," nuclear transplantation—i.e., the transfer of a nucleus from a somatic cell into the enucleated egg cell—is simply another name for cloning. To pretend that the term "nuclear transplantation" involves something different from cloning—when the process results, and is intended to result, in a new, living human embryo who is the genetic duplicate of another—is simply dishonest. Worse, cloning proponents added the modifier "for the purpose of producing stem cells". But, as shown above, the purpose is irrelevant—the process produces a cloned human embryo. Stem cells will only be "produced" by the subsequent and deliberate destruction of that embryo.

The semantic gymnastics of the cloning proponents is not a new tactic. In another context, George Orwell, the author of 1984 and Animal Farm, spoke about this kind of deliberate obfuscation in his essay, "Politics and the English Language,"

In our time, political speech and writing are largely the defense of the indefensible.... [P]olitical language has to consist largely of euphemism, question-begging and sheer cloudy vagueness. Defenseless villages are bombarded from the air, the inhabitants driven out into the countryside, the cattle machine-gunned, the huts set on fire with incendiary bullets: this is called pacification. Millions of peasants are robbed of their farms and sent trudging along the roads with no more than they can carry: this is called transfer of population or rectification of frontiers. People imprisoned for years without trial, or shot in the back of the neck or sent to die of scurvy in Arctic lumber camps: this is called elimination of unreliable elements. Such phraseology is needed if one wants to name things without calling up mental pictures of them.

I submit that this "defense of the indefensible" through misleading euphemism is precisely what cloning proponents are engaged in. Recall how the Nazis subverted the meaning of the word "healing". Recall how they used the term "therapeutic" to describe not the helping of suffering people but the killing of them. Can we be blind to the parallel use of "therapeutic" to describe the deliberate killing of embryonic human beings today? Does it matter that cloning is undertaken for a "greater good, " to cure illnesses or infirmities? Recall that the Nazis eliminated those "unworthy of life" in order to improve the genetic stock of Germany. Recall how the Nazis undertook lethal experiments on concentration camp inmates in order, in some cases, to find ways to preserve the lives of others. Nevertheless, would anyone deny that such actions were absolutely unethical? Suppose a cure for cancer had been discovered by those lethal experiments in the death camps. Would anyone assert that the experiments were therefore justified?
Is there any essential difference between these Nazi experiments and "therapeutic" or experimental cloning? As we have shown, each case involves a living human being. Cloning proponents might try to distinguish the two cases by saying that the cloned human being has no "potential". But what "potential" had the inmates of the Nazi death camps, each already marked for extermination? Did that make them less human? Of course, almost miraculously, many of the inmates did survive the camps when the allies rescued them. Equally miraculously, frozen embryos, which some claim are destined to be discarded, have been implanted in a woman's womb and brought to live (and healthy) birth.

Every embryo is, as we have shown, not merely "potentially" a life, but is a human being from the first moment of existence. Furthermore, any living human embryo has the inherent "potential" to develop into a healthy baby. How disingenuous it is for some supporters of cloning to claim the cloned human embryo is only "potential life" because they will mandate by law that it be destroyed before it can come to birth. (For that is what the Hatch-Specter bill S.2439 would do.) Regardless of its location, the human embryo, by its nature, is full of potential, unless the actions of adult human beings deprive it of the opportunity to realize that potential.

It is easy to think of the Nazis as evil, as demonic, as not really human. It is easy to think of the Nazis as if they were somehow different, different in their very essence, from us. But that is to miss the one essential point.

Alexander Solzenitsyn, a man who chronicled and suffered under another ideology that denied the dignity of each and every human being observed that "The line between good and evil is not between people. The line runs though every human heart, and it shifts back and forth." Communist Russia killed perhaps as many innocent people as did Nazi Germany. However, Solzenitsyn did not regard the perpetrators as inhuman monsters. Rather, he saw the essential truth—they were human beings, engaged in immoral acts. They engaged in those acts by de-humanizing the persons on whom their brutality was inflicted, and they did so in the name of (perhaps in the passionate belief in) a greater good. But Solzenitsyn reminds us that, unless we are willing to admit that for the best as well for the worst motives, we are also capable of inhuman acts, we will have no guard against committing them.

This is the lesson to be drawn from the gulags and the concentration camps. No one is safe from brutality so long as we think that it is only inhuman others who are capable of inhuman acts. Rather, we will be secure when we are willing to look honestly at the objective reality of our acts, while realizing that we, too, are capable of acts that violate the inherent dignity of another, and refuse to engage in such acts despite the good we believe would result from doing otherwise. In the debate over the cloning and destruction of embryonic human beings, this essential truth must be our guide.

Further Readings

Books


**Periodicals**


- Thomas A. Shannon. "The Rush to Clone: It Is Unethical to Apply This Unproven Research to


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