

Yes, Human Cloning should be Permitted

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Patricia Baird's discussion of human cloning (*Annals RCPSC*, June 2000) challenges the prospect of nuclear-transfer cloning for the purposes of human reproduction. Baird reviews a long list of familiar worries about human cloning, but the most striking feature of her discussion is its frankness in placing the onus of justification on the shoulders of those who would permit human cloning. The reasons for permitting cloning, she argues, are "insufficiently compelling," so cloning should be prohibited. The implication is that any new technology should be forbidden unless and until enough justification can be found for allowing its use.

Baird is to be commended for her frankness. But the onus is misplaced, or at least too severe. One need not be a single-minded defender of liberty to think that, contrary to Baird's implication, we need good reasons to limit the actions of others, particularly when those actions do no clear and specific harm. The fact that a portion of society – even a majority – finds an activity distasteful is insufficient grounds for passing a law forbidding it. For example, it is presumably true that at one point, roughly 90 per cent of the public (the same proportion that Baird says is against human cloning) was opposed to homosexuality. Does (or did) this justify action on the part of government to ban homosexual lifestyles? Surely not.

There may be a flaw in my analogy. Human cloning, according to critics, has harmful effects (or at least risks). Indeed, Baird suggests that the arguments regarding potential physical and psychological harm to clones have been "well delineated." In fact, a convincing case has yet to be made for the claim that the physical and psychological risks to clones are more severe than, or different in kind from, those faced by children produced in more traditional ways. Identical twins live with the psychological "burden" of not being genetically unique. Children born to women over 35 are at an increased risk of genetic illness. Children resulting from in-vitro fertilization or other reproductive technologies live with the knowledge that their origins were unusual. They may even live with the knowledge that their genetic profile has been manipulated (for example, through pre-implantation selection of embryos). Human cloning for reproductive purposes is another novel – and as yet untested – medical technology. As such, it should be approached with caution. Thorough animal trials should be completed before attempts on humans are contemplated. But this is true of any new medical technology.

Baird worries about the shift that human cloning might provoke in the way that we view children. This in turn would

change the type of community that we are. The central worry is that human cloning "commodifies" children (i.e. that cloning may make us think of children as a commodity or product to be bought and sold). Why would cloning have this effect? Is it simply because it is likely to be expensive, so that it costs money to have children? Surely this is insufficient to worry us. Raising children already costs money — the statistics show us how many hundreds of thousands of dollars it costs to raise a child through to adulthood. Yet no one has suggested that we see our children as products, or love them any less. (In the mid 1940s – before publicly funded health care – my grandparents sold their car to pay the hospital bill related to my father's birth, so "purchasing" the birth of a child is nothing new!)

Baird argues that an "important part of human identity is the sense of arising from a maternal and a paternal line while at the same time being a unique individual." Yet without supporting evidence, this sounds like pop psychology. And we can reply in kind: most people I know do not identify with both their maternal and paternal lineages. One of my friends, who was raised by a single mother, identifies with her maternal eastern European heritage, and not with the French paternal heritage implied by her surname. Another friend identifies with his father's black heritage, rather than with his maternal Chinese lineage, despite his Asian physical features. Such patterns are not unusual. Dual heritage may be normal, but it hardly seems central to our conception of ourselves as humans. And identical twins seem none the worse for the knowledge that they are not genetically unique individuals. Claims about challenges to what makes us "human" may be powerful rhetorical devices, but they must be substantiated if they are to be convincing.

Baird is correct to exhort us to look beyond harms to identifiable individuals, to the social implications that human cloning might have. As a comparison, think of fetal sex selection. Most of us think that sex selection is a bad thing – not because of any purported harm to the child, but because we worry about the social implications of valuing children of one sex over those of another. So Baird rightly reminds us that focusing on potential harms to individuals constitutes a "dangerously incomplete framing" of the problem. Furthermore, cloning (and genetic technology in general) is sufficiently new – and its im-

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plications sufficiently poorly understood – to warrant a healthy respect, and even the allowance of a margin of safety. But this does not suggest the need for the ban that Baird (with others) proposes. What these worries suggest is a need for caution, for discussion, and for regulation. For instance, laws limiting the number of clones that might be created from one individual, restricting the combination of cloning with genetic modification, and defining lines of parental obligation, would alleviate many of the concerns associated with human cloning. (Françoise Baylis argues that cloning is so likely to be used in combination with gene transfer that we should think of cloning as an enhancement technology rather than as a reproductive technology, in her article “Human cloning: three mistakes and a solution,” which has been accepted for publication in the *Journal of Medicine and Philosophy*.)

What I have said here should not be taken as an absolute defence of human cloning in all circumstances. (Indeed, there may be only a few circumstances in which cloning is appropriate.) Nor have I suggested that public monies should be spent on cloning research. All I have suggested is that a ban on research leading toward human cloning is unwarranted by the arguments raised thus far. Caution and discretion are warranted; a ban is not.

Finally, I worry that Baird’s point of view exemplifies the way in which human reproductive cloning is being singled out, among cloning-related techniques, as a bogeyman. Almost in chorus, scientists are pleading with regulators not to place restrictions on cloning experimentation per se. At the same time, most scientists seem to be more than willing to swear off reproductive cloning, and indeed to wring their hands over the moral implications of its use. Yet this has the air of a too-hasty concession. The scientific community seems to be too willing to condemn one unpopular application of cloning technology, on the basis of too little convincing argumentation, to appease those who oppose cloning technology in general. But human cloning for reproductive purposes has legitimate, morally acceptable applications – for example, for infertile couples, and for gay couples. And none of the criticisms have been convincingly made. We should not let reproductive human cloning be abandoned as the moral sacrificial lamb of the cloning debate.

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