Engl 116: Writing Seminars 2
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By submitting this essay, I attest that it is my own work, completed in accordance with University regulations. —Lindsay Gellman

"The Moral Meaning of a Pause": Ethics Committees and the Cloning Debate

by Lindsay Gellman

The initial responses of the U.S. government and the public to the cloning of Dolly the sheep in 1997 suggested that an absolutist moral judgment would soon be made regarding the related issue of human cloning. In January 1997, the geneticist Ian Wilmut published in *Nature* the results of his successful cloning of a sheep, the first mammal to be cloned from an adult somatic cell. Public discourse was amplified by the media, and soon stirred up hysteria surrounding the possibility of human cloning as the logical extension to the successful cloning of other mammals. For example, a March 1997 *Nature* article called the cloning of Dolly "an irreversible development of breathtaking implications," while a *New York Times* article of the same month bore the headline "Cloning for Good or Evil." A *Time Magazine* headline asked: "Will we follow the Sheep?"[1] In his March 4, 1997 speech, "Remarks Announcing the Prohibition on Federal Funding for Cloning of Human Beings," President Clinton said that because this recent development in cloning "carries burdens as well as benefits," he had "asked our National Bioethics Advisory Commission…to conduct a thorough review of the legal and the ethical issues raised by this new cloning discovery and to recommend possible actions to prevent

[1] *Nature,* "Human cloning requires a moratorium, not a ban," 386 no. 6620 (1997): 1.

its abuse." Clinton requested that the Commission report back to him in 90 days.[2] He said that the results of the Commission's investigation into the "profound ethical implications of the latest advances" would be crucial to gaining a "fuller understanding of this technology."[3] By ordering that the Commission gather information so that its members would be able to effectively evaluate the ethics of human cloning technology, Clinton made clear that he expected the Commission to make an objective moral judgment on the issue.

However, it can be argued that in some cases ethics committees serve primarily to pause the funding process for scientific developments until the public moral framework shifts to accommodate the previously controversial advancement. In 1997, Steve Jones, professor of genetics at University College London, said: " 'The public is not frightened of progress but of rapid progress'… the job of ethics committees…is to act as a 'brake,' slowing the application of technology to a speed acceptable to the public."[4] In this vein, Gilbert Meilaender encourages individuals to contemplate "the moral meaning of a pause" in his February 2009 article "Progress without Pause."[5] A close examination of U.S. federal legislation, United Nations declarations, and media coverage regarding human cloning in the wake of Dolly reveals that, in practice, ethics committees have delayed the making of moral decisions rather than issued such judgments on human cloning.

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[2] William J. Clinton, "Remarks announcing the prohibition on federal funding for cloning of human beings and an exchange with reporters," *Weekly Compilation of Presidential Documents* 33 no. 10 (1997): 278.
[3] Ibid.
[4] quoted in Declan Butler and Meredith Wadman, "Calls for cloning sell science short," *Nature* 386, no. 6620 (1997).
[5] Gilbert Meilaender, "Progress without pause," *First Things: A Monthly Journal of Religion and Public Life,* February 1, 2009, http://findarticles.com/p/articles/mi_hb6383/is_200902/ai_n31276975/.

Although government officials may depend on ethics committees for definitive moral judgments and expect them to make objective evaluations, the framework in which the officials, perhaps unintentionally, allow the committees to operate reinforces the notion of a time gap as an alternative to, rather than a means of, achieving a moral decision. For example, by creating a timetable involving a 90-day review period, the Clinton administration emphasized the power of the pause itself, perhaps above any ethical conclusions that might have been drawn during the evaluation process. In addition to this time delay in reaching a decision regarding federal funding, Clinton requested a voluntary moratorium on even the private application of cloning technologies. In his remarks on human cloning, Clinton said:

> "Science often moves faster than our ability to understand its implications. That is why we have a responsibility to move with caution and care to harness the powerful forces of science and technology….I'm asking for a voluntary moratorium on the cloning of human beings until our Bioethics Advisory Commission and our entire Nation have had a real chance to understand and debate the profound ethical implications of the latest advances."[6]

Clinton's words represent the reinforcement of a "pause-for-the-sake-of-pausing" framework in that he emphasizes the rapid pace of science and the need to slow this pace so that the public can come to terms with recent developments. His statement implies that understanding a new technology is equivalent to accepting it as morally permissible; he focuses on pausing for comprehension and nationwide debate rather than for the issuing of an ultimate decision. By specifically mentioning his administration's intention to harness scientific power, Clinton seems to indicate that the U.S. government is sympathetic to most new technological developments, and that cloning, like all science we come to understand, will inevitably become acceptable.

The U.S. federal pause widened into a significant time gap as the United Nations sought to pass international laws prohibiting human cloning, while individual countries continued to

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[6] Clinton.

disagree over whether to ban all forms of human cloning or to allow research in therapeutic cloning. A 2004 *Economist* article comments on the time lag between scientific development and potential funding created by this disagreement:

> "The United Nations has spent the past three years trying to draft an international convention banning human cloning, but the only thing upon which the UN General Assembly has managed to agree is to discuss the issue again this year….In the meantime, countries should not use delays at the UN as an excuse to avoid passing their own national legislation."[7]

The *Economist*'s comment underscores the seemingly excessive amount of time the United Nations, and in turn the legislative bodies of individual countries, allow for debate on human cloning legislation. Furthermore, the article taps into the public frustration with the disproportionately low number of decisions reached for the time spent.

The United Nations, however, appeared to reach a decision on the issue in August 2005. While it can be argued that the decision, released as the United Nations Declaration on Human Cloning, represents a definitive moral judgment on the issue of human cloning, the document instead leaves the door open for further debate on the issue. The majority opinion, a ban on all forms of human cloning, was decided as the result of a vote in which 84 nations were in favor of the ban, 34 were against it, and 37 abstained. The press release announcing the decision explains this lack of unanimity as due to the fundamental disagreement over the morality of therapeutic cloning.[8] The press release notes: "The representative of Mexico…said that those negotiating the Declaration had had to take into account uncertainty over new scientific advances, as well as its ethical, cultural and religious implications….Regretfully, it had not been possible to achieve a

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[7] Ibid.
[8] United Nations, "General Assembly Adopts United Nations Declaration on Human Cloning by Vote of 84-34-37" (2005).

consensus."[9] Because of the high level of dissent among diplomats, as well as the discussion of opposing viewpoints within the press release announcing the decision, it seems as though this United Nations Declaration represents the perpetuation of, rather than an end to, the pause in the cloning debate.

This delay in U.S. and international decisions regarding research funding suggests that funding for scientific developments depends on the ability of government executives—and therefore of the public who elect them—to become comfortable with a new idea. In March 2009, President Barack Obama issued an executive order lifting the heavy restrictions on embryonic stem cell funding put in place by former President George W. Bush. The order would urge Congress to increase funding to research on new stem cell lines in the hopes of treating and curing Parkinson's, diabetes, and heart disease, among other medical conditions.[10] This goal is extremely similar to that of therapeutic cloning, which would aim to use cloned embryos as a source of these stem cells. Although President Obama denounced human cloning in his remarks about the executive order, his request for federal embryonic stem cell funding represents a decisive step towards the acceptance of human-cell-based genetic technologies that drew widespread skepticism and criticism in the initial cloning debate.

Indeed, the recent history of the cloning debate suggests not only that government executives have warmed up to the idea of cloning, but so too have the general public and the overall tone of much related media coverage. For example, cloning was received by the media as a morally acceptable procedure, although one that is perhaps governed by strange motivations, when it was applied to "man's best friend" in June 2008. At that time, BioArts International, a

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[9] Ibid.
[10] Sheryl Gay Stolberg, "Obama Lifts Bush's Strict Limits on Stem Cell Research," *The New York Times,* March 9, 2009.

genetic technology company, held an essay contest for dog owners; the winner won the opportunity to have his or her dog cloned for free, thus prolonging the life of the beloved dog's genetic characteristics, if not that of the original dog.[11] BioArts typically offers cloning services in the $100,000 price range, but because it was overwhelmed by demand from "passionate dog owners who are upset that they cannot afford to participate," the company decided to give away one procedure.[12] The high demand for dog cloning, combined with the outpouring of newspaper articles publicizing the contest and those owners who paid for dog cloning to a curious audience, is a testament to the way in which acceptance of cloning seeped into the public moral framework in the years between Dolly's cloning and the *Economist*'s call to action. Instead of echoing the anxious tone of 1997 article headlines, CNN.com's headline about owners of a cloned dog gushed: "Couple loves cloned best friend."[13] This dramatic shift in the tone, taken as one measure of the public response to cloning, represents a social trend in increased habituation to this technology.

Articles looking back on the cloning debate imply that, in retrospect, the expansion of the commercial cloning industry, and thus of the tolerance of cloning, was inevitable. The U.K.'s *Times Online* reported in August 2008 that five clones were created from the pit bull terrier Booger, who saved his owner's life when she was attacked by another dog. The article noted: "The cloning of Booger [realizes] a commercial dream that began more than ten years ago."[14] This choice of language frames the decade-long development of a pet cloning industry as the

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[11] *United Press International,* "Odd News: Company offers dog clone to contest winner," June 23, 2008, http://www.upi.com/odd_news/2008/06/23/company-offers-dog-clone-to-contest-winner/UPI-85101214253181.
[12] Ibid.
[13] Rich Phillips, "Couple Loves Cloned Best Friend," *CNN.com*, February 6, 2008, http://www.cnn.com/2009/LIVING/02/06/cloned.puppy/index.html#cnnSTCText.
[14] Leo Lewis, "Puppies of hero pit bull Booger are World's first Commercial Clones," *Times Online,* August 6, 2008, http://www.timesonline.co.uk/tol/news/world/asia/article4462922.ece.

logical extension of the cloning of Dolly, a conclusion completely at odds with the generally adverse public reactions cloning incited in 1997. Because, as the *Economist* article laments, no convincing legislative or definitive moral decisions regarding human cloning were made during this time span, the increased public acceptance of issues related to human cloning can be viewed as mainly the result of the eleven-year pause.

Although critics of human cloning make a clear ethical distinction between the cloning of non-human animals and that of human beings, the public's moral shift toward accepting human cloning is rendered plain by the motivation driving many of the dog owners interested in cloning their pets: the pet owner feels that his or her dog possesses particularly heroic or anthropomorphic qualities. For example, many pet owners, particularly those devoted enough to pay large sums to have their original pets cloned, regard their dogs with respect typically reserved for other human beings. Edgar and Nina Otto, who paid $155,00 to have their late dog Sir Lancelot cloned in January 2009, said that he made his decision mainly because of the dog's human-like personality traits: "Sir Lancelot was the most human of any dog we've ever had."[15] This industry for the cloning of beloved pets who remind their owners of human beings was rapidly developing as the United Nations, as well as the legislatures of individual countries, squabbled over the ethics of cloning, thus indicating not only that many people had become accustomed to the technology of cloning during the time lag, but that they might soon feel comfortable with cloning human beings.

Like their entrepreneurial counterparts, many scientists are also sensitive to the ethical climate surrounding their research, and attempt to gauge the opportune time to debut their

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[15] BioArts International, "Press Release – First Commercially Cloned Dog Delivered to Florida Family: Labrador Puppy Clone Delivered to Edgar and Nina Otto," January 26, 2009, http://www.bioarts.com/downloads/bai_lancelot_press_release_1-26-09.pdf.

findings in order to receive a favorable impression from government officials and the public. For example, Derek Burke, a microbiologist interested in research on cloning, said: "We should not move on [research into] human cloning; society is not ready for it."[16] The words of scientists such as Burke suggest that timing seems to carry as much weight as, if not more than, any moral analysis actually taking place within the committees. The pause itself contributes significantly to the manner in which the ethical problem is resolved: either the issue remains unacceptable despite the pause, or the public becomes accustomed to the issue at hand. The latter case represents a hallmark of the philosophy of moral relativism, which, according to contemporary philosopher Simon Blackburn, states that there is no absolute or objective morality, but instead the moral intuitions we share happen to be arbitrary results of our evolutionary development, and are therefore subject to debate and criticism.[17] If a bioethics committee functions primarily to stall for time, it fails to meet the standard expectation of society that it will synthesize current knowledge about a subject and draw an ethical conclusion, rather than wait for the public voice to fill the void. More disturbingly, there are some notions we should never get used to, and others we must accept quickly before it is too late—the typical committee pause allows for failure on both counts. The same energy with which we question the validity of our morals must be applied to reevaluating both the "moral meaning of a pause" and the role of bioethics committees in national and international decisions.[18]

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[16] Butler and Wadman, 8.
[17] Simon Blackburn, *Being Good: A short introduction to ethics* (New York: Oxford University Press, 2001), 19.
[18] Meilaender.

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