Cloning: a response

These articles provide the reader with a fine example of what Triggle calls the broad clash of cultures between what are essentially secular and religious (particularly Christian) views. Moreover, I think that he is probably correct in his claim that ‘… no secular-religious compromise is likely ever to be reached on this subject…’ The primary reason for this, it seems to me, is that, as every student of religious ethics knows, each religious tradition is informed by its own distinctive metaphysical views when making decisions on moral issues. Often, this is not problematic since the judgement of those who incorporate the metaphysic into their moral reasoning and that of those who do not ends up being the same. Thankfully, this concurrence is sufficiently common that people who hold metaphysical beliefs that are incompatible on many points can, nevertheless, live together in relative harmony. Sometimes, however, distinctive metaphysical differences can put those who accept them at odds with those who do not, and that is what we witness on the issue of cloning.

Russell B Connors Jr.’s treatment of cloning is directed primarily at a Roman Catholic audience. He therefore appeals to principles that most of his readers will already accept, e.g. that Christians are the stewards of God, commanded to fill and subdue the earth and have dominion over all the living things that move upon it, remembering that what is entrusted to their charge is not their possession. He also emphasises that the Roman Catholic Church’s position on the relationship between reason and faith is that they should not conflict. As instruments of God’s creation, Christians can use their rationality and creativity to promote a new creation. Such use has, however, to be compatible with reverence for life.

Many secularists would not be uncomfortable with the idea that we are rational and creative stewards of the earth. Many would also be comfortable with some version of the reverence for life principle, i.e. would grant full moral status to all human beings and some form of moral status to non-human life. They would, however, reject the idea of ‘co-creation’ since they would not accept the existence of a god who could partner humanity in the new creation project. Even so, there is, in principle, a basis for moral consensus here. The Roman Catholic position on cloning is, however, based on a quite distinctive interpretation of the broad principles. This interpretation is to be found, states Connors, in the Vatican’s Instruction on Respect for Human Life in its Origin and on the Dignity of Procreation (1987). There, we are told that human life begins with the fertilisation of egg by sperm and that all human lives have the status of persons. The implication of this for cloning is clear: if it involves the use of embryos then it can only be countenanced if the embryos are treated as the moral equals of mature people. What Devolder calls ‘cloning for research and therapy’ would be prohibited since cloned embryos would not be treated as ends in themselves, as persons are, but as means to other ends.

Another section of the Instruction condemns as immoral ‘attempts or hypotheses for obtaining a human being without any connection with sexuality’ in the context of marriage. Thus cloning from mature cells is also deemed immoral, even if it is for the purpose of creating an embryo that will develop into an adult person. For the RC Church, then, all cloning is immoral. Is all cloning therefore irrational? If faith (i.e. the teachings of the RC Church) and reason should not conflict, the implication is that cloning is irrational. If, on the other hand, a rational case can be made in favour of cloning then perhaps the RC Church needs to reassess its teachings in this area. Here, because of limitations on space, I want to ‘jump the gun’ a little and assume that a rational case can be made for both research/therapeutic and reproductive human cloning and go on to argue that there are very
good reasons for thinking that at least one element in the RC Church's teaching in this area is untenable and in need of reassessment: the ascription of personhood to embryos.

The reasonableness of denying personhood to embryos can be appreciated through reflection on the arguments of two moral philosophers: Mary Anne Warren and Jeffrey Reiman. Neither writer approaches the task by seeking to extrapolate from the principles laid down by a particular moral theory such as deontology or utilitarianism. Rather, they seem to be reasoning from many of our considered moral intuitions, though they draw upon moral theory where it seems appropriate.

**Warren’s view** derives from what she calls a multi-criterion approach to the determination of moral status. The first part of her book, *Moral Status* (1997), is devoted mainly to demonstrating that moral status cannot be adequately determined by reference to just one criterion, such as life, sentience or being embedded in a certain kind of relationship network. Rather, she claims, one needs to refer to a range of criteria if one's ascription of moral status is to comply with the requirements of all our relevant intuitions. In her book Warren presents three intrinsic and four relational principles that she regards as relevant to the process of ascribing moral status to entities.

**The three intrinsic principles are:**

1. **The Respect for Life Principle:** Living organisms are not to be killed or otherwise harmed, without good reasons that do not violate principles 2-7.
2. **The Anti-Cruelty Principle:** Sentient beings are not to be killed or subjected to pain or suffering, unless there is no other feasible way of furthering goals that are (1) consistent with principles 3-7; and (2) important to human beings, or other entities that have a stronger moral status than can be based on sentience alone.
3. **The Agent’s Rights Principle:** Moral agents have full and equal basic moral rights, including the rights to life and liberty.

**The four relational principles are:**

4. **The Human Rights Principle:** Within the limits of their own capacities and of principle 3, human beings who are capable of sentience but not of moral agency have the same moral rights as do moral agents.
5. **The Ecological Principle:** Living things that are not moral agents, but are important to the ecosystems of which they are part, have, within the limits of principles 1-4, a stronger moral status than could be based on their intrinsic properties alone; ecologically important entities that are not themselves alive, such as species and habitats, may also legitimately be accorded a stronger moral status than their intrinsic properties would indicate.
6. **The Interspecific Principle:** Within the limits of principles 1-5, non-human members of mixed social communities have a stronger moral status than could be based on their intrinsic properties alone.
7. **The Transivity of Respect Principle:** Within the limits of principles 1-6, and to the extent that it is feasible and morally permissible, moral agents should respect one another’s attributions of moral status.

The embryo, as a living – though highly dependent – organism, is not a moral agent and thus lacks full moral rights. It does, however, possess some of the characteristics that bestow moral status, and these increase in number as it develops. All embryos are alive in the basic sense of the word. Therefore, they have moral status under the respect for life principle. They also gain moral status from the transivity of respect principle. As the embryo develops it meets more of the criteria. At some point it acquires sentience, the capacity to experience pleasure and pain. So at that point the human rights principle might come into play.

This analysis attempts to bring all our moral intuitions together in making a judgment about
the status of embryos and reveals that some of them differentiate embryos from persons.

To grant personhood to embryos is to ignore or dismiss a number of our relevant intuitions, and unless the RC Church can provide good reasons for doing so its position on personhood would seem to be unreasonable.

Reiman takes a rather different approach. For him the crucial principle to understand when seeking to determine the moral status of an embryo is what he calls ‘the asymmetric valuing of human life.’ A symmetric valuing of something allows for it to be replaced by another one. If I damage your CD I can replace it with another and all is well. The same would apply to wild animals, though there would obviously be cruelty issues to address in that case. We do not, claims Reiman, value human lives symmetrically. Humans are not replaceable. Because of this, humans are what Reiman calls ‘vulnerable to murder.’ A being is ‘vulnerable to murder,’ he states, ‘if, all things being equal, intentionally killing it or causing it to die would be roughly as morally wrong as killing a human child or adult.’ What then, is the basis of our asymmetrical valuing of human lives?

Unique genetic constitution (i.e. distinctive individuality) might be thought to be the basis of asymmetric valuing, but it isn't, argues Reiman, because ‘there is no reason to prefer one particular embryo over another particular one.’ Nor can a combination of features each bestowing some element of moral status generate asymmetric value, for any other identical combination would have the same value. Rather, Reiman claims, ‘the object of the asymmetric valuing of human life is the subjective value that ongoing life has to the one whose life it is,’ though this alone will not yield what he calls ‘asymmetric moral value,’ i.e. an asymmetric value that all people recognize. For that recognition, ‘we need to consider how people generally might value that beings who consciously care about the continuation of their lives get to go on living.’

Reiman's consideration of this issue leads him to conclude that ‘once conscious caring has come onto the scene, the ending of a life that is cared about causes a loss to the one whose life it is that cannot be made good by replacing that life with another living.’ In short, our asymmetric valuing of human life is rooted in autobiography, the person's awareness of their own existence and their valuing of it.

Damage to an embryo, or even abortion at any stage, does not deprive a being of this kind of life and, therefore, embryos and foetuses are not vulnerable to murder. They do not possess asymmetric moral value. They may be ascribed some moral status along the lines offered by Warren’s multi-criterion approach but that status can never grant what Warren’s human rights principle might be seen to grant, namely the basic human rights.

Even if these arguments are not compelling they are surely reasonable, and if faith and reason are not to conflict the RC Church must be able to accommodate them. The simplest way to make that accommodation would be to amend its ascription of personhood to embryos.

References