



MEMORANDUM

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Cloning

The ACLJ is committed to the sanctity of human life and is opposed to any procedure, including cloning, that would jeopardize life and treat human beings as objects to be produced. God created man and woman in His image with the ability to reproduce. As we read in Jeremiah 1:5, God knows and cares for each of us before we are born: “Before I formed you in the womb I knew you, and before you were born I consecrated you.”

Medical science is developing rapidly, and it is essential that the law keep up with technological advances. Cloning, the process of creating a human being genetically identical to a person who already exists, bypasses the creation of an embryo from a male sperm and a female egg. Instead, an egg is taken from a female donor and the nucleus (containing half the chromosomes needed) is removed and replaced by a nucleus from a mature human cell (containing all the chromosomes). A chemical or electrical impulse is then used to stimulate the egg to begin the growth process. Both the traditional uniting of sperm and egg and the process of cloning result in a human embryo equipped with all the genetic information needed to direct its development through the various stages of human life.

The medical community has distinguished between two types of cloning: reproductive and therapeutic. Reproductive cloning attempts to result in the live birth of a human baby. Reproductive cloning has remained a morally questionable prospect to government

officials and to the general public. Many attempts have been made to make reproductive cloning illegal. *See, e.g.,* H.R. 110, 111th Cong. (2009). The ACLJ actively supports such a ban.

Therapeutic cloning, however, has been the subject of greater debate. Therapeutic cloning attempts to grow cells or organs to treat a sick patient, but at the cost of destroying the embryo. At first blush the intentions behind therapeutic cloning appear noble; however using a helpless and growing human life to harvest cells or organs so another may live is a brutal and immoral act. In reality, therapeutic cloning is the creation of human embryos for the very purpose of using those embryos for experimentation.

Even scientists who are in favor of therapeutic cloning acknowledge that a cloned embryo is as much a human life as a traditional embryo joined through the uniting of sperm and egg. Dr. John Gearhart of Johns Hopkins University, one of the scientists who discovered stem cells, is one such individual. In his testimony before the President's Council on Bioethics, he stated:

[S]cientists are beginning to argue about what is an embryo and what isn't an embryo. . . . [M]y own personal feeling is that anything that you construct at this point in time that has the properties of those structures to me is an embryo, and we should not be changing vocabulary at this point in time. It doesn't change some of the ethical issues involved.

Session 1: Stem Cells 1: Medical Promise of Embryonic Stem Cell Research (Present and Projected), President's Council on Bioethics (Apr. 25, 2002) (testimony of Dr. John Gearhart). While other scientists have attempted to obfuscate the moral issues in cloning by calling it "somatic cell transfer" or "regenerative medicine," Dr. Gearhart's candor in truthfully naming the cloned embryo a human life is admirable.

Congress has also specifically included the cloned human organism under its definition of an embryo. In 1996, Congress defined the early human embryo outside the womb as an "organism . . . that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells." Sec. 510 (b) of P.L. 107-116 (Labor/HHS/Education appropriations act for FY 2002).

In 1997, the National Bioethics Advisory Commission issued a report which stated, "The Commission began its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo, with the apparent potential to be implanted in utero and developed to term." *Cloning Human Beings:*

Report and Recommendations of the National Bioethics Advisory Commission, I (June, 1997). In other words, the cloned embryo is fully human.

There is a concerted effort on the part of those who support so-called “therapeutic” cloning to distinguish between cloning to grow an exact replica of a human being and cloning for the purpose of research. However, Dr. Amy Coxon, a biologist with the National Cancer Institute and the National Institute of Health, stated:

There is absolutely no difference in the scientific techniques used to accomplish – or the embryonic human beings produced – via therapeutic cloning or the cloning of a human being for other purposes . . . In the process of ‘therapeutic’ cloning, the transfer of diploid DNA from a somatic cell into an enucleated egg results in the egg cell being made diploid (becoming an embryo) and the initiation of the development of a human being.

Amy Coxon, *Therapeutic Cloning: An Oxymoron*, THE CENTER FOR BIOETHICS AND HUMAN DIGNITY (Mar. 13, 2001), <http://cbhd.org/content/therapeutic-cloning-oxymoron>.

Once human life has begun, either naturally or in a lab, it is essential to respect that life. Dr. Glen Scorgie, professor of theology at Bethel Seminary, San Diego, CA, and Dr. Claire Evens Jones, assistant professor of neuropharmacology at the Scripps Research Institute, La Jolla, CA have written that we must understand that God’s design for humanity is “premised on humanity’s value. True humanness builds on a recognition of the sanctity, the sacredness, of human life in all its forms and stages.” Glen Scorgie & Claire Evens Jones, *Human Life is Not Sheep: An Ethical Perspective On Cloning*, Journal of the Evangelical Theological Society (Dec. 1997).

Robert George, the McCormick Professor of Jurisprudence at Princeton University, tied the various stages of life together in a clear manner when he wrote:

The being that is now you or me is the same being that was once an adolescent, and before that a toddler, and before that an infant, and before that a fetus, and before that an embryo. To have destroyed the being that is you or me at any of these stages would have been to destroy you or me.

Robert P. George, *Stem Cell Research: A Debate; Don’t Destroy Human Life*, WALL ST. J. (Jul. 30, 2001).

The major ethical issue relating to “therapeutic” cloning is that it is creating a human life with the only purpose of destroying it for research. No matter how much good might come out of this process, it is not justifiable.

The ACLJ is actively involved in supporting a ban on human cloning, and the ACLJ’s Office of Governmental Affairs is doing all that it can to ensure that the federal government passes legislation banning human cloning.