The Ethics of Human Cloning and the Sprout of Human Life

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Abstract

In 1998, the Council for Science and Technology established the Bioethics Committee and asked its members to examine the ethical and legal aspects of human cloning. The Committee concluded in 1999 that human cloning should be prohibited, and, based on the report, the government presented a bill for the regulation of human cloning in 2000. After a debate in the Diet, the original bill was slightly modified and issued on December 6, 2000. In this paper, I take a closer look at this process and discuss some of the ethical problems that were debated. Also, I make a brief analysis of the concept "**the sprout of human life**." Not only people who object to human cloning, but also many of those who seek to promote research on human cloning admit that a human embryo is the sprout of human life and, hence, it should be highly respected. I also discuss the function of the **language of utilitarianism**, the **language of skepticism**, and **religious language** appeared in the discussion of human cloning in Japan.

*Page numbers in the original are marked by *[(preceding page) / (following page)]*.

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1. Introduction

The birth of Dolly, the first mammal cloned from a somatic cell, attracted wide public attention in Japan, and the words “cloned human being” became a popular notion. However, the “public debate” on the ethics of human cloning was considerably less heated than that relating to brain death and organ transplantation. Scientists and commentators repeatedly stated that while the cloning of a sheep was acceptable, human cloning should be prohibited. A well-known female scientist said that she could not imagine a scientist who would try to clone a human being.

In 1998, the Council for Science and Technology established the Bioethics Committee and asked its members to examine the ethical and legal aspects of human cloning. The Committee concluded, in 1999, that human cloning should be prohibited, and, based on the report, the government presented a bill for the regulation of human cloning in 2000. After a debate in the Diet, the original bill was slightly modified and issued on December 6, 2000. *[1/2]*

In the following chapters, I take a closer look at this process and discuss some of the ethical problems that were debated. Also, I make a brief analysis of the concept “the sprout of human life.”

2. The Report of the Sub-committee on Cloning

In 1998, a sub-committee on cloning was established within the Bioethics Committee. The sub-committee published its report *Fundamental Thoughts on the Production of a Human Being by Cloning Technology* (1) on November 17, 1999. This was the first report to deal with human cloning and its regulation.

The report highlighted two problems, namely, the “violation of human dignity” and the “safety problem.” With regard to the “violation of human dignity”, it makes two points: 1) Human cloning techniques may open the floodgates for the creation of people with a particular ability in order to attain a particular goal (“breeding of human beings”) and for regarding people as a means or a tool with which to attain a particular goal (“human beings as means or tools”). 2) While a cloned individual has a separate personhood from the donor of a somatic cell, he or she is constantly forced to be aware of his/her relationship to that donor. This is a violation of human rights, both for the cloned individual and for the donor. This problem, together with the “breeding of human beings” and “human beings as means or tools,” leads to a

violation of respect for an individual's free will and existence. It is totally against constitutional principles ("violation of respect for an individual"). 3) Human cloning is asexual reproduction. It deviates altogether from our basic understanding of human reproduction, and it is expected to cause confusion of the familial order, such as, e.g., the parent-child relationship.

With regard to the "safety problem," the report concluded that present cloning techniques cannot guarantee the safe production of a human clone individual.

In the light of these problems, the report concluded that the production of a human clone individual must be legally prohibited. Concerning research on human somatic clone embryos, the report stated that this should be permissible within certain limitations if a justifiable ground is to be found, because it may bring great benefit to humans in the field of medicine. But at the same time, the report stressed that a human somatic clone embryo has significance as the "sprout of human life" (hito no seimei no hōga), like a human embryo, and should therefore be handled with the utmost care. *[2/3]*

Based on this report, the Bioethics Committee of the Council for Science and Technology announced that the production of a clone individual, together with chimeric/hybrid human individuals, must be legally penalised, and that research on human somatic clone embryos should be regulated in some way (December 21, 1999). This announcement signalised the government's decision to legally regulate the production of a clone human individual and other chimeric/hybrid human individuals but not "therapeutic cloning" and other research. In other words, the government had abandoned the idea of establishing a comprehensive law dealing with assisted reproductive technology and research on human germline cells.

3. The Establishment of the Law

The government presented the bill *The Law Concerning Regulation Relating to Human Cloning Techniques and Other Similar Techniques* (2) to the Diet on April 4, 2000. It was discussed in the Commission for Science and Technology but failed to pass during that session. On November 7, 2000, two different bills were presented to the Diet, one by the government, which was similar to the first one, and the other by the Democratic Party of Japan, which was fundamentally different on some points. The most important parts of the government's bill are presented below.

The Law Concerning Regulation Relating to Human Cloning Techniques and Other Similar Techniques (Original Version, November 7, 2000)

Article 1 (Purpose of the law) The cloning techniques and other similar techniques ….. could have a severe influence on preservation of **human dignity**, **safety** for human life and body, and maintenance of **social order**. Based upon these understandings, the purpose of this law is to prevent and restrain **creation of a human clone individual** and an amphimictic individual, and to regulate artificial creation of individuals similar to such individuals set forth herein, by means of **prohibiting transfer of embryos** produced by the cloning techniques or the Specific Fusion/Aggregation Techniques into a human or an animal uterus, by means of regulating production, assignment and import of such embryos, and by means of taking *[3/4]* other necessary measures to secure appropriate handling of such embryos.

Article 3 (Prohibited Acts) No person shall transfer **a human somatic clone embryo**, **a human-animal amphimictic embryo**, **a human-animal hybrid embryo** or **a human-animal chimeric embryo** into a uterus of a human or an animal.

Article 4.....the Minister of Education, Culture, Sports, Science and Technology shall prescribe **guidelines** in relation to handling of **Specified Embryos** (*See *Table 1* p.7).

Supplementary Provisions

Article 2 (Study and Examination) The Government shall, within five years of enforcement of this Law, take necessary measures in accordance with the results of its study and examination of the system of handling Specified Embryos with consideration to the circumstances in which this Law is enforced or to any change of the situation surrounding the cloning techniques and other similar techniques.

* (Translation by the government, except Supplementary Provisions Article 2. Emphases added by Morioka)

The main characteristic of this bill was that it prohibited only the "transfer" of four types of Specified Embryos, including a human somatic clone embryo, into the uterus of a human or an animal. The reason for this prohibition was that the transfer of these embryos leads to the production of an individual with the same genetic structure as another specific individual (in the case of a human somatic clone embryo) or an embryo belonging to a subspecies of humans (in the case of the other three embryos). The bill put the consideration of the "production" of these embryos into future guidelines. It is also worth noting that the bill imposed the penalty of "imprisonment" for violation.

The bill presented by the Democratic Party of Japan, *The Bill Concerning Regulation Relating to the Production and the Use of a Human Clone Embryo and other Embryos* (3) , showed some important differences, especially in the following articles. *Article 1-1* declares that the bill deals with the regulation of a "human embryo" and an "embryo that has *[4/5]* characteristics specific to humans." This stipulation covers larger areas than the government's bill, which only deals with Specified Embryos. Article 1-1 refers to "preservation of human dignity" and "safety for human life and body," but does not mention "maintenance of social order." Article 1-3, Article 2-1-1, Article 3-1, Article 7-1 are as follows.

> *Article 1-3* (Basic Ideas)
>
> 1) A human embryo is a "**sprout of human life**" (hito no seimei no hōga). No person shall produce or use it without permission.
>
> 2) When handling a human embryo, a person must **handle it honestly and carefully** so as not to violate **human dignity**.
>
> 3) The production and use of an embryo that has characteristics specific to humans must not lead to the production of an individual.
>
> *Article 2-1* (Prohibited Acts on a Human Embryo)
>
> 1) **No person shall produce a human embryo** outside a human uterus. However, the production for the purpose of **assisted reproductive medicine** or **medical research on assisted reproductive medicine**

(hereinafter referred to as “research on assisted reproductive medicine”) can be an exception.

2),3),4),5) omitted.

Article 3-1 (Prohibited Acts on an Embryo that has Characteristics Specific to Humans)

1) No person shall transfer an embryo that has characteristics specific to humans into the uterus of a human or an animal.

2), 3) omitted.

(*Translation and Emphases by Morioka)

The Democratic Party’s bill had some important characteristics. First, it places “basic ideas” in Article 1, and in this provision it is stressed that a human embryo is a “sprout of human life.” The bill sought to put a special value on a human embryo, which was not found in the government’s bill. (The words “sprout of human life” first appeared in the report of the sub-committee on cloning in 1999, mentioned in section 2 of this *[5/6]* paper, and reappeared in the government report on human embryo research in March 2000.) Second, the bill prohibits the “production” of a human embryo except for the purpose of assisted reproductive medicine ormedical research on assisted reproductive medicine. This means that the production of a human clone embryo for assisted reproductive medicine can be allowed, but the production of cloned ES cells or cloned organs for transplantation is prohibited. Anyway, the basic idea was that a human embryo is a valuable and precious sprout of human life, hence it should be exploited as little as possible. Third, the bill prohibits the transfer of an embryo that has characteristics specific to humans into the uterus of a human or an animal. This means that the transfer of the animal embryo in which human genes or cells are inserted is prohibited and, consequently, that xenotransplantation without the rejection of an organ transplant becomes impossible.

After a series of debates in the Diet, the government’s bill was slightly revised and passed the Diet on November 30, 2000. The Democratic Party of Japan finally agreed to the government’s revised bill. The phrase “within five

years" from Supplementary Provisions Article 2 was revised to "within three years," and the new words "the sprout of human life" (hito no seimei no hōga), which the Democratic Party had stressed in their bill, were inserted.

Accordingly, the revised article was as follows:

> *Supplementary Provisions*
>
> *Article2* (Study and Examination) The Government shall, within three years of enforcement of this Law, take necessary measures in accordance with the results of its study and examination of the provisions under this law, on the basis of the results of the study and examination by the Council for Science and Technology Policy, Cabinet Office concerning the method of handling of a human fertilised embryo as the sprout of human life with consideration to the circumstances in which this Law is enforced or to any change of the situation surrounding the cloning techniques and other similar techniques.
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> (*The translation of the words "hito no seimei no hōga" by the government was "the beginning of a human life," but I believe this translation loses subtle nuances that are present in the literal translation "the sprout of human life." In the above translation I have used the latter.) *[6/7]*

Article 4 of this law stipulated that the Minister of Education, Culture, Sports, Science and Technology shall prescribe guidelines in relation to the handling of Specified Embryos. In response to this article, the Ministry began to establish guidelines concerning specific embryos. After a heated debate in a committee, the Ministry announced *The Guidelines for the Handling of a Specific Embryo* (4) on December 5, 2001. Important parts of the guidelines are as follows.

> *The Guidelines for Handling of a Specific Embryo* (December 5, 2001)
>
> *Article 1* Production of a Specified Embryo shall be allowed only when the following requirements are satisfied:

1) Scientific knowledge, which cannot be acquired from research with only animal embryos or other research without Specific Embryos, is acquired from production of such a Specified Embryo

2) omitted.

Article 2

1) Regardless of the provision in Article 1 above, only an animal-human chimeric embryo shall be allowed to be produced among nine categories of Specified Embryos, and the purpose of its production shall be limited to the research concerning production of human cell-derived organs translatable to a human being.

2) A Producer shall not use any human fertilised embryos or human unfertilised eggs in order to produce an animal-human chimeric embryo. *[7/8]*

Article 9

Specified Embryos, except for ones prescribed in Article 3 of 'the Law Concerning Regulation Relating Human Cloning Techniques and Other Similar Techniques (Law No. 146, 2000)' (hereinafter referred to as "the law"), shall not be transferred into the uterus of a human or animal for the present.

(*Translation by the Ministry of Education, Culture, Sports, Science and Technology)

List of Specified Embryos	**Transfer** prohibited by the **law**	**Transfer** prohibited by the **guidelines**	**Research** prohibited by the **law**	**Research** prohibited by the **guidelines**
Human somatic clone embryo	prohibited			prohibited
Human-animal amphimictic embryo	prohibited			prohibited

Human-animal chimeric embryo	prohibited			prohibited
Human-animal hybrid embryo	prohibited			prohibited
Human split embryo		prohibited		prohibited
Human embryonic clone embryo		prohibited		prohibited
Human-human chimeric embryo		prohibited		prohibited
Animal-human hybrid embryo		prohibited		prohibited
Animal-human chimeric embryo		prohibited		**approved**

Table 1

The controversy over the legal regulation of human cloning was settled by the establishment of the law and the guidelines. However, the content of the regulation is very complicated and hard to understand, even for specialists. Below is a table showing the variation of regulations.

The only approved way of handling Specified Embryos is, at present, research on animal-human chimeric embryos, that is to say, research on an embryo produced by unification as a result of 1) inserting human somatic cells into an animal embryo, 2) inserting embryonic cells of a human fertilised embryo into an animal embryo, or 3) inserting embryonic cells of other Specified Embryos into an animal embryo. This means that the insertion of human ES cells into an animal embryo (in order to create transplantable organs) is considered to be approved in Japan. *[8/9]*

The most striking feature of the Japanese regulation is that it is governed by a two-layered system, consisting of the law and the guidelines. One of the implications is that the guidelines can be "swiftly" altered when the circumstances surrounding human cloning technologies greatly change. For example, if a company in a foreign country begins to make tremendous profits from data acquired from research using human somatic clone embryos in a laboratory, the Ministry of Education, Culture, Sports, Science and

Technology may revise the guidelines and lift the ban on research on human somatic clone embryos without a long drawn-out debate in the Diet. The extraction of ES cells from a human somatic clone embryo is currently prohibited, but if many countries begin to do research on therapeutic cloning of this kind, the Ministry may revise the guidelines "swiftly" and allow researchers to study ES cells acquired from a human somatic clone embryo. It is also possible for the Ministry to lift the ban on the transfer of a human-human chimeric embryo into a uterus, leading to the creation of a human individual made of two (or more than two) different human embryos.

4. Debate on Human Cloning

There was not much "public" discussion of human cloning after the establishment of the law. The public response was indifferent, reflecting general disinterest in the legal regulation of human cloning. People believed that the government would support their conviction that the creation of a cloned human individual should be prohibited.

The Prime Minister's Office conducted an opinion survey on cloning in 1998, the year in which the Sub-committee on cloning was established within the Council for Science and Technology. Respondents were scholars, journalists, physicians, researchers and so on (N = 2,114). The result was considered to reflect the general Japanese attitude toward human cloning. 92.3% had an interest in cloning, and more than 93.5% thought that the creation of a cloned individual was questionable in terms of bioethics. The reasons were:

- Human cloning should not be allowed in terms of **human dignity**, because humans should be conceived by the involvement of both sexes. 67.7%

- The cloned individual will be regarded as a **means** for attaining a predefined goal, not as a free individual. 43.6% *[9/10]*

- It should not be allowed to **intentionally determine** the characteristics of a human being in advance. 29.8%

- The creation of an individual endowed with specific **excellent characteristics** might be preferred in the future society. 26.1%

- A cloned individual may be exposed to social **discrimination**. 14.9%

- It is not guaranteed that the cloned individual can grow up **in safety**. 10%

(* Emphases added by Morioka)

The words “human dignity,” “means,” “intentional determination,” “preference of excellent characteristics” were used as reasons to prohibit the creation of a cloned individual. These ideas were reflected in the report of the Sub-committee on cloning.

More than 90% of the respondents were against the creation of a cloned individual, an attitude shared by the government. This is the main reason why a heated public debate on human cloning has not occurred up hitherto. Of course, there were a series of discussions in the Diet, but a compromise was soon reached between the government and the Democratic Party of Japan; the discussion has never grown into a public debate.

However, after the establishment of the law and the guidelines, the topic has been fiercely debated between scientists who wish to promote “regenerative medicine” and specialists who want to put the brakes on the rapid advance of scientific technology. The central point of the debate is whether to remove the ban on “therapeutic human cloning” to acquire ES cells from a human clone embryo.

Junji Kayukawa, a journalist specialising in human reproductive technology, urges us to pay attention to the fact that “regenerative medicine” was included as one of the major topics of the Japanese government’s “Millennium Project,” announced in 1999, together with other advanced technologies in the field of information science, medicine, and environmental science. This Millennium Project was launched to facilitate technological innovation for a new industry, and the government spent 250 billion yen on research in these technologies in the fiscal year 2000 (5). This implies that research on regenerative medicine is strongly supported by the Japanese government, medical researchers, and the industry sector (San, Kan, Gaku, in Japanese).

The first meeting of the Japanese Society for Regenerative Medicine was held in 2002. The news media reported that members of the *[10/11]* Society objected strongly to the ban on "therapeutic human cloning" (6). In the second meeting held in 2003, Makoto Oohama, chairperson of the board of directors, Japan Spinal Cord Foundation, stressed that research on therapeutic human cloning should be allowed because it may lead to the regeneration of an injured spinal cord.

On the other hand, journalists and researchers who are sceptical about therapeutic human cloning and human ES cell research have published papers and books criticising the argument that aimed to promote these technologies.

Kumiko Ogoshi, research associate at NaraMedicalUniversity, calls the current law "Human Cloning Techniques Promotion Law" because it will result in encouraging research on therapeutic human cloning and ES cells, which may violate "human dignity" and "human rights." (7) She thinks that the most problematic point in this law is that it was established without sufficient discussion about the value of human life, and without hearing the voices of women, disabled people, and the general public. She laments that if the government had heard their voices, such an "inhumane" law would never have passed the Diet. The government, she stresses, should have discussed the problems arising from research on human female eggs, especially the problem of extracting eggs from a female body. She also says that the two-layered system consisting of the law and the guidelines was a "shrewd" way of regulating, because the government can mitigate the ban whenever it wishes, without revising the law itself (8).

Junji Kayukawa pointed out in his book that there are at least three fundamental ethical problems surrounding research on "therapeutic human cloning."(9) The first of these is that it may support, or sometimes promote, "eugenic ideas" that we all harbour deep down. By this, Kayukawa means our inclination to think that some people (e.g., healthy, talented, smart. etc.) are superior or preferable to others (e.g., disabled, mediocre, rude, etc.). He quoted the words of an American couple who wanted to have a cloned baby. In an interview, the wife said she did not wish to adopt a child whose parent might be a killer, and that her own parents had a strong gene, but if her baby was to be born disabled, she would abort it. Kayukawa detects "eugenic ideas" in her words. He also detects them in the opinion that human cloning should not be allowed because a cloned baby is going to have a severe "disability."

Kayukawa's conclusion is that "eugenic ideas" shape our attitudes toward human cloning, or even therapeutic human cloning, and hence, these techniques are problematic in terms of ethics. *[11/12]*

The second problem is that there has not been enough discussion about how we obtain human eggs for therapeutic human cloning. The extraction of eggs puts extreme physical and psychological pressure on the female donor. And while therapeutic human cloning imposes a severe burden on females, the leaders in regenerative medicine appear to be unaware of this kind of gender imbalance. For example, a research questionnaire by a self-help group for infertile women shows that fertility drugs produce various side-effects in more than half of the drug users. In this sense, therapeutic human cloning is considered to be a heavily gender-biased medicine. As Kayukawa and Ogoshi pointed out, this has not been sufficiently discussed.

The third problem is that research on therapeutic human cloning (and research on human embryos in general) is inevitably going to regard a woman's body as a mere "resource" to be exploited for scientific technology, and a woman's body is going to be treated as "material" to produce a profit, even if money is paid to her as donor. Kayukawa presents two different opinions: one is from a researcher who said "an ES cell is a mere cell," and the other is from an infertile woman who said "if we donate our surplus eggs for research, our eggs will become a mere 'instrument' for people." Kayukawa urges us to discuss the gap between these two opinions, or in other words, the gap between these two worldviews concerning human life.

In 2001, the Council for Science and Technology Policy, Cabinet Office, was established in the government, and the Expert Research Commission on Bioethics was established in the Council. Its mission was to comprehensively discuss the ethical issues concerning human cloning, ES cells, and other reproductive technologies. In November 2003, a member of the Commission, Susumu Shimazono, professor of religious studies at the University of Tokyo, published a paper in a popular magazine in which he severely criticised the discussion in the Commission (10).

Shimazono first pointed out that "*A Draft for Fundamental Thoughts on the Handling of Human Embryos* (11) , circulated in the Commission on August 23, 2003, sought to compare two values, namely, "the value of a human embryo on which human dignity is reflected" and "the value created by scientific technology." Two proposals, for and against promotion, were

formulated in the draft. In the case of both ES cells and therapeutic human cloning, the proposal says that the value created by scientific technology clearly surpasses that of a human embryo.

Shimazono insisted that the Commission had never discussed whether or not research on a human embryo and ES cells violates "human *[12/13]* dignity", and it had never discussed what "the sprout of human life" is and how it is different from "human life." He argued that the artificial creation of an "animal-human chimeric embryo" might violate "human dignity," but they had never discussed the ethical aspect of this handling. The draft uses the words "the sprout of human life" and "human dignity" many times, but the Commission had never considered the ethical and philosophical meaning of these terms in any depth. He laments the fact that the country, which seriously discussed the issue of brain death and organ transplantation, has not discussed this topic earnestly. He suspects that the consideration of economic aspects might have influenced the discussion in the Commission.

On December 26, 2003, the Commission published *Fundamental Principles on the Handling of Human Embryos, an Interim Report*. This report concluded that the production and use of cloned human embryos should not be completely prohibited, but the Commission members failed to reach consensus about whether a moratorium should be placed on research until further scientific knowledge is acquired. For more information about the Interim Report, see the chapter Cloning in Japan by Robert Horres, Hans Dieter Ölschleger, and Christian Steineck in this book. [*Important note: On Jun 23, 2004, the Commision decided to approve the production of cloned human embryos, however, at the same time, a moratorium was placed until sufficient conditions, such as the safety control of the embryos and the protection of female egg donors, are fulfilled. -- *Added on April, 2006*]

5. Discussion

One of the most interesting terms in the Japanese discussion on human cloning is "the sprout of human life" which appears in the Japanese law and many other materials. Not only people who object to human cloning, but also many of those who seek to promote research on human cloning admit that a human embryo is the sprout of human life and, hence, it should be highly respected.

The government translated the term as "the beginning of human life," but

this translation loses an important nuance. When they hear the words “the sprout of human life”, many Japanese feel some kind of vigorous energy moving inside the embryo. It might be biological energy, or it might be spiritual. This energy does not mean the mere “future possibility” of becoming a person. It is something that actually exists inside the embryo.

It is also interesting that the locus of human dignity is expressed as “sprout,” because this word means the bud of a “plant,” not an animal. However, Shizuka Shirakawa, a prominent linguist, insists that the Chinese character meaning “sprout” contains that of “fang”, and this means the sprout of a plant has a wild, animal-like energy (12). I presume that the *[13/14]* energy in the sprout of human life is probably something that is shared by plants, animals and humans. Hence, many Japanese feel that it should be respected as much as possible. This concept is reminiscent of Masao Maruyama’s well-known words, “tsugi tsugi ni nariyuku ikihohi” (flowing energy that transforms and develops itself one after another) to be found in the ancient layer of Japanese consciousness of history (13). Maruyama came upon this concept in *Kojiki*. In this sense, ancient Japanese writings and contemporary bioethics literature might share similar ideas on life and death.

Now let us turn our attention to “language” or “discourse.” People who wish to maintain the ban on therapeutic human cloning are journalists, feminists, and researchers critical of the “progress” of scientific technology. Their “language” is based on the “language of scepticism”: scepticism about the propaganda that the progress of science and medicine brings us “health and happiness.” They do not believe this kind of optimism. And they try to keep away from “religion” as much as possible, because in Japan “religious language” has not worked as an instrument of criticism. But precisely because of this, their arguments have not been as persuasive as they had anticipated.

By contrast, the “language of utilitarianism” used by the advocates of advanced medicine seems very powerful. Supporters of regenerative medicine emphasise the benefit of research to the general public, particularly patients with intractable diseases. Not only researchers but also patients themselves talk about their expectations from medical progress. Their language is simple, direct, and forceful. We see an echo of this utilitarianism in the Commission’s Interim Report.

It is striking that we encounter no important comments or opinions on this topic in the religious sector. In its Interim Report, the Commission reported

that they could find no important opinions in Japanese Buddhism, Shinto, or Japanese Christianity. My own impression is similar. To my knowledge, they have published no reports on human cloning or other related topics. I can offer no explanation for their silence on human cloning research.

Interestingly, both supporters and opponents use the words "human rights" and "human dignity." They do not debate these concepts because they accept their importance. Instead, the debate is between the "language of utilitarianism" and the "language of scepticism." And the "language of religion" remains silent. Even disabled people seem to be torn between support and opposition. We should be aware of the fact that many Japanese disabled people have been critical of the "progress" of *[14/15]* medical technology and of "eugenic ideas" (see my paper "Disability Movement and Inner Eugenic Thought." (14)) At the same time, however, there are disabled people's groups that look forward to the development of new technology (e.g., Japan Spinal Cord Foundation). This is the rough sketch of the Japanese discourse on research on human cloning.

My personal view is that a stronger argument is needed for protecting the value of the human embryo, including a cloned human embryo, especially in Japan where the "language of religion" has little clout in the discussion. Instead of religious language, we need "philosophical language" to affirm the value of a human embryo or "the sprout of human life."

What is it we wish to protect when we use the word "the sprout of human life"? The answer would be "a vigorous energy to develop and transform itself" that we once were, that we came from, and that we still have at the basis of our existence. This is what we have to protect, even if its destruction would be beneficial to the progress of medicine. Why then should we protect it? The answer would be that its destruction means the destruction of something very important which we actually "share" at the basis of our lives; hence, its destruction might lead to the destruction of ourselves. The ultimate danger of research on human embryo is that in the long run it might erode something very important inside us in the name of social welfare and the progress of medicine. We need "philosophical language" to explain the core meaning of the words "something very important" in a way that can be easily understood by the general public. In this sense, we need a new "philosophy of life," or "life studies,"(15) which will give us the wisdom to protect

"something very important" from our own selfish desire to live a long and healthy life.

Notes

1) Kurōn Gijutsu ni yoru Hito Kotai no Sansei Tou ni kansuru Kihonteki Kangaekata, published by Kagaku Gijutsu Kaigi Seimei Rinri Iinkai, Kurōn Shō Iinkai.

2) Hito ni Kansuru Kurōn Gujutsu Tou ni Kansuru Hōritsu.

3) Hito Hai Tou no Sakusei Oyobi Riyō ni Kansuru Hōritsu An.

4) Hito ES Saibō no Juritsu Oyobi Siyō ni Kansuru Shishin.

5) Junji kayukawa, *Kurōn Ningen*. Kōbunsha Shinsho, 2003, p.133.

6) Mainichi Shimbun, April 18, 2002; Yomiuri Shimbun, July 29, 2002.

7) Kumiko Ogoshi, "Hajimeni," in Ogoshi et al. *HitoKurōn Gijutsu wa Yurusareru ka.* Ryoku Fū Shuppan, 2001, p. 4.

8) Kumiko Ogoshi, "Hito Kurōn Kisei Hō Dokkai," in Ogoshi et al. *HitoKurōn Gijutsu wa Yurusareru ka.* Ryoku Fū Shuppan, 2001, pp. 40-43. *[15/16]*

9) Junji kayukawa, *Kurōn Ningen*. Kōbunsha Shinsho, 2003.

10) Susumu Shimazono, "How to discuss the ethics of advanced life sciences?," *Sekai*, December, 2003, pp. 134-143.

11) Hito Hai no Toriatsukai ni Kansuru Kihonteki Kangaekata no Soan.

12) Shizuka Shirakawa, *Jōyō Jikai*. Heibon Sha, 2003.

13) Masao Maruyama, "Rekishi Ishiki no Kosō," in Masao Maruyama, Chūsei to Hangyaku. Chikuma Shobō, 1992, p. 334.

14) Masahiro Morioka, “Disability Movement and Inner Eugenic Thought: A Philosophical Aspect of Independent Living and Bioethics,” *Eubios Journal of Asian and International Bioethics* 12 (May 2002), 94-97. http://www.lifestudies.org/disability01.html.

15) About “life studies” and “philosophy of life,” see my website *International Network for Life Studies*: http://www.lifestudies.org.

URL:
http://www.lifestudies.org/cloning01.html