

## **BIOTECHNOLOGY, LAW & THE SOUL**

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Recent developments in the field of biotechnology have led to heated debates in many areas, especially in the political realm. In particular, the science of reprognetics, the application of biotechnological discoveries to human reproduction, has caused a great deal of political uproar. A recent Center for Constructive Alternatives seminar at Hillsdale College brought together eight scientists, politicians, and philosophers to discuss the most pressing issue at hand: should the government regulate biotechnological research? It became evident, listening to the speakers, that there is indeed potential for harm in the further development of biotechnology. This science presents dangers to human life, property, and spirit, not because science and innovation are in themselves dangerous, but because human beings are not perfect and can, even without malicious intent, act destructively toward their fellow men, in whatever endeavors they pursue. However, the presence of a problem does not mean that the first solution we should jump to is that of government regulation. The only form of regulation which should be imposed upon biotechnology is Natural Law, which is innate to each man and does not need an external government to enforce it. Although biotechnology, like all human endeavors, has connected to it the potential for danger to human life and identity, this does not mean that the government should regulate the research and development of biotechnological science.

CCA speaker Larry Arnhart aptly defined biotechnology as "...the technical manipulation of living organisms to provide products or services that serve human desires."(Arnhart 4) As he pointed out, biotechnology "...has been employed throughout human history..." (Arnhart 4) beginning with such simple activities as agriculture. Domestic animal breeding, gardening, and any activity involving manipulation of nature is a part of biotechnology. Recently, though,

biotechnology has come to the attention of the public because of developments in the field of rerogenetics - the combination of genetic science and reproductive science. According to CCA speaker Eric Parens, rerogenetics is "...the field of research and application that involves the creation, use, manipulation, or storage of gametes and embryos." (Parens S4) Reprogenetics has become a controversial topic for two reasons. One is that it involves research on embryos which many people consider to be human beings, with all the rights of human beings, especially the right to life. There are objections to the killing of such embryos which necessarily occurs in some types of rerogenetic research. The second reason is that (at least in theory) it involves the idea that parents can "genetically enhance" their children before birth, whether this involves sex selection, disease immunity, or other genetic enhancements. It is important to remember when discussing biotechnology that while some of the capabilities referred to (such as prenatal sex selection) are in some form possible, many others (such as prenatal intelligence enhancement) are hopes which are not yet and may never be actualized. As Larry Arnhart put it, "...our power over nature will always be limited by... nature itself." (Arnhart 6) However, there has been enough progress in the biotechnology field that the topic of government regulation for this area of science has come into public discussion.

One of the main points brought up in favor of allowing government regulation on biotechnology is the idea of "fairness." Many proponents of government regulation argue that, left to the market, distribution of biotechnological advantages would not be equal for all. As Eric Parens put it, "...there is reason to worry that parents who already purchase social advantages will be able... to purchase genetic capacities... increasing the gap between the haves and have-nots." (Parens S7) He is absolutely correct. Biological advantages, like advantages currently

available to children in the form of better schools and living environments, would not be distributed equally. Parents with greater resources would be able to provide their children with more genetic enhancements than would parents with lesser resources. However, the fact that life is not fair does not mean that government should attempt to make it so through artificial means. It is not appropriate to put the government in charge of allocating resources of any type. No government, however benevolent, can effectively divide resources in a “fair” manner. Since a completely equal distribution would not be possible, the government would face the problem of deciding who really deserved genetic enhancements. Ought those with less intelligence be genetically enhanced to become more intelligent? Or should those who are already highly intelligent become more intelligent, with their “superintelligence” benefitting society through as of yet unthought-of scientific advances, etc.? While it is true that genetic enhancements could not be equally distributed to all humans under a market system, it does not follow that the government should attempt to equalize the distribution.

Another argument brought up in favor of government regulation of biotechnology is that measures must be taken to prevent the potential destruction of countless embryos which would be created for rerogenetic research, only to be terminated as they were no longer “needed.” While it is certainly arguable that the destruction of embryos during research is unethical, it does not follow that the government need step in and take a hand in guiding scientists’ actions. Eric Parens argues that “...safety concerns warrant government oversight,” (Parens S14) but he is incorrect. There exists in the world another and stronger form of law than that which man has created. This law, commonly called Natural Law, is innate to each man and does not need outside enforcement; indeed, outside enforcement encourages men to ignore the dictates of

Natural Law and place responsibility for their actions on the government. The decision of what actions are acceptable in biotechnology should be left up to each scientist's individual conscience. The many proponents of government control are reluctant to trust the ethical sensibilities of scientists because they fail to understand that individuals are not without morality. Natural Law, by its very definition, is innate to human beings. Specifically, Natural Law dictates human actions, as Alfonso Gomez-Lobo puts it, "...[on] the principle that what's good should be pursued and what's bad should be avoided." (Gomez-Lobo 9) No one is unaware of the concept that killing another human being is bad, if only because it destroys societal structure and those principles which allow men to live peacefully with one another. Therefore, Natural Law dictates that killing another human being is to be avoided. No one needs manmade law to tell him this. As speaker Larry Arnhart says, "Human morality is natural..." (Arnhart 12) Because of this standard of behavior which is innate in each human being, legislation governing such complex activities as biotechnological research and development is unnecessary.

Certainly, we must not disregard concerns relating to biotechnological development; in science, as always, it is important for thinking men to seriously consider the potential consequences of their actions, as well as the potential benefits to be gained from them. The questions of human equality and the right to life are certainly relevant to this debate. However, government regulation is not a cure-all for social problems. The fact that all men will not necessarily act in precisely the same way if left to their own devices does not mean that they must be forcibly compelled to comply with a societal standard. The solution to the potential threats of biotechnology and rerogenetics is not government regulation, but personal ethical vigilance, in accordance with the standards set by Natural Law.