

Human Cloning in Muslim Ethics

BY EBRAHIM MOOSA

A recent call-in program on cloning on the popular Qatar-based Arabic television station al-Jazeera attracted a flood of irate calls. Some callers alleged that cloning was a conspiracy through which developed nations were trying to take control of less developed nations and deform humanity, especially Muslims. That was at a popular level. In the more sedate environs of international conferences and gatherings of Islamic religious scholars and medical experts, debates on cloning have also taken place, but with a different tone.

The first gathering to address the issue of human cloning on a multilateral level among Muslim states and communities was the ninth Islamic law and medicine conference, held under the auspices of the Kuwait-based Islamic Organization for Medical Sciences (IOMS) in Casablanca, Morocco, in 1997. The Casablanca conference produced a landmark five-point declaration, whose recommendations included the prevention of human cloning and the prohibition of all situations in which a third person invades a marital relationship.

Since then, various bodies of Muslim scholars and medical associations in Asia, Africa, North America and Europe have debated the Casablanca Declaration and endorsed it partially or fully. Most notably, the Islamic Law Academy, which is the ethics committee of the Jeddah-based Organization of the Islamic Conference (OIC) and provides nonbinding ethical guidelines for communities in the OIC's fifty-five member states, debated the declaration together with its own research papers to arrive at its own resolutions, which followed the Casablanca Declaration in letter and spirit.¹ While the OIC ethics committee is not fully inclusive of the intellectual diversity among contemporary Muslim communities, it does consist of some of the most distinguished traditional jurists and clerical scholars of the contemporary Islamic world, and its members have an excellent rapport with medical and scientific experts. The OIC ethics committee was also involved, along with the IOMS and the regional office of the World Health Organization, in another conference in Kuwait in 1998 at which genetics, genetic engineering and the Human Genome Project were discussed.

THEOLOGICAL AND ETHICAL CONCERNS

The debates generated within the various ethics com-

mittees on the subject of cloning address two different but related sets of concerns: theological and ethical. The theological arguments centre on two questions, human dignity and Satan's pledge to distort and change humanity, which both have their origins in the Muslim story of genesis. The Qur'anic narrative insists that human beings are the best of creation, and the children of Adam have been singled out for a specific privilege of honour and dignity (*takrim*).² All human beings were endowed with the inalienable moral attribute of human dignity (*karama*) at creation. Satan, in his standoff with God over his refusal to honour Adam by bowing, vowed in pre-eternity to take revenge on all humans by seducing them to sin to the point that "they will corrupt God's creation."³

Corruption, or disfiguring God's creation, a key word in the lexicon of Muslim theologians and ethicists, is a concern raised by human cloning and even by procedures such as organ transplantation. Many scholars view cloning as a violation of human dignity, primarily because it may lead to scientific interventions that may effectively disfigure God's creation, changing our relationship to the body and our human personality as we know it. Traditional Muslim scholars, especially in the India-Pakistan subcontinent, remain reluctant to authorize organ transplantation, and the advent of cloning and genetic engineering only fulfils their worst fears of crossing theological red lines.

In terms of ethics, Muslim authorities consider the transmission of reproductive material between persons who are not legally married to be a major violation of Islamic law. This sensitivity stems from the fact that Islamic law has a strict taboo on sexual relations outside wedlock (*zina*). The taboo is designed to protect paternity (i.e. family), which is designated as one of the five goals of Islamic law, the others being the protection of religion, life, property and reason. Those Islamic authorities who permit organ transplantation are less sensitive to the sexual taboo, for they allow the transplantation of body parts between sexes, which technically amounts to exchanging body parts between unmarried couples. Nevertheless, there is still a heightened sensitivity towards the transplantation of genetic material — which is at the core of procreation — between unknown and legally unrelated persons. In the case of cloning-to-produce-children (reproductive cloning), the procedure known as somatic cell nuclear transfer (SCNT) involves the

transmission of core genetic elements. In this perspective, cloning violates the sexual taboo. Even if the violation occurs in an abstract and disembodied manner or at the DNA level, there are still concerns that it may threaten legal paternity.

Paternity and the control over sexuality in Muslim ethics are designed to sustain family life by ensuring reproduction within a legal and moral framework. Questions of succession and inheritance in Islamic law are based on intricate webs of paternity between heirs. In addition, many Muslim ethicists who have reservations about cloning agonize about a world in which there will be numerous cloned and genetically engineered individuals without family, kin and loved ones.

Those who adopt a more accommodating view of cloning and genetic engineering point out that adultery is a stigma attached to embodied human beings, whose act of sexuality outside wedlock is substantially different from the mere transfer of genetic material between donor and recipient. In the adulterous sexual act, the transmission of genetic materials is incidental to the act, not its purpose. Ayatullah Muhammad Ali Tashkiri of Iran, who takes perhaps the most accommodating view of cloning, has urged colleagues to carefully examine some of the presumptions they make before they hasten to outlaw it. For instance, he openly raises the question of whether the serious threats of punishment made in the religious literature regarding adultery do not point to something more solemn than merely depositing sperm in an unlawful womb.

Indeed, cloning in theory undermines all the conventional ways of reproduction hitherto known to us and reduces it to a question of disembodied DNA. The logic pursued by Muslim ethicists, for whom the sex taboo boils down to a question of reproductive genetic material, uncannily resembles the reductionist thinking of the scientists. However, the writings of some of the traditional Muslim ethicists make clear that the question of genetic material is linked to larger issues. Their concern with DNA cannot be easily dismissed as absurd, because genetic materials are the only concrete goods on which the conventional Muslim understanding of family, offspring, identity and the network of kinship relations is based and from which concomitant rights and duties are derived.

WHY CLONING IS DISCONCERTING

Opposition to cloning among Muslim ethicists is not generally based on a belief that the embryo in its earliest stages is the equivalent of a human person. Disposing of fertilized embryos if they are used responsibly for re-

search and not transferred into other humans is morally permissible. Although some ethicists do acknowledge that a certain form of life begins at conception, serious moral concerns only set in at the ensoulment of the fetus after 120 days. The primary fears are that biogenetic technology can radically transform human identity, and thereby pervert current moral and ethical practices.

There is some consensus within the OIC committee as to what the most disconcerting aspects of cloning are. In the view of the leading Syrian jurist Dr. Wahba al-Zuhayli, cloning is certainly not tantamount to the wilful distortion and disfigurement of natural creation, as some of his colleagues have claimed. In fact, he sees cloning as rather the reconstruction or repetition of creation. Humans are thus not trying to interfere in God's sovereign work of creation, but rather to repeat what already occurs in nature based on their knowledge of reproduction. Islam prizes and values knowledge of science, he adds. However, as Shaykh Mustafa Tarzi points out, knowledge must contribute to human happiness if it is to be deemed beneficial.

What Dr. Zuhayli finds most disconcerting is that cloning disrupts the balance and symmetry that occur in nature. Everything in nature exists in a very finely tuned ecosystem that is sensitive to balance and harmony, from which humans profit. With cloning this harmony is disturbed. Anxieties increase with scientists' claims that they can create an endless number of humans who are identical in form and image and possibly similar in potential — something they have achieved with some success in plants, and less so in animals. Even more dangerous, says Dr. Zuhayli, is the prediction made by scientists that it will be possible to reproduce humans without the need for a womb and thereby bypass the process of natural reproduction.

Another concern that he raises, and in this several other ethicists join him, is that cloning or its pursuit is something "frivolous" (*abath*). In their view, scientists are obsessed with creating identical and similar humans without providing any convincing reason or rationale as to why such identical reproduction is desirable and what function it serves. To many Muslim ethicists human cloning is pursued in order to celebrate the hubris of science and scientists. And in Zuhayli's view, cloning not only is dangerous but also challenges every conceivable aspect of what we know about human life.

Shaykh Abdullah Mani` puts it even more strongly. Cloning, he states, is nothing but "frivolity on the part of those who have no moral character and no

goals, save to collaborate and support Satan, in order to realize his [Satan's] goal and promise to distort the creation of God." Sweeping as this comment may appear, it epitomizes a contemporary Muslim critique of a perceived moral depravity in certain practices of science. Predictions made by some scientists about a future with bionic humans, along with other sensationalist pronouncements, only increase alarm among devout people and religious communities. By making such pronouncements, scientists themselves help diminish their achievements and undermine the potentially productive and far-reaching therapeutic benefits that cloning and biogenetic technology may hold.

CLONING AND GENETIC ENGINEERING

While the majority of Muslim ethicists on the OIC committee have expressed their reservations about and endorsed a ban on human cloning, some have advocated the partial use of genetic engineering for therapeutic purposes or cloning-for-biomedical-research. The OIC ethics committee has also declared a moratorium on issuing a ruling on the Human Genome Project until such time as the purpose and objectives of the science become clearer so that it can offer meaningful and practical guidelines. Furthermore, the committee permits research in animal and plant cloning, although certain members have questioned the rationale of this permission while prohibiting human cloning.

Many Muslim ethicists point out that the unnaturalness of cloning and biogenetic engineering should give pause to any attempts to advance this science. Scientists have admitted, for example, that mixing animal products in cattle feed has resulted in mad cow disease. Cloning could only further these unnatural practices and increase the risk to humans. Others have countered this argument, pointing out that all medications and interventions, even ones that are deemed safe, have side-effects, but that does not mean stopping their use. The deleterious side-effects of medicines only become known after extensive use and over a long time. One should give cloning and biogenetic technology the benefit of the doubt, cautious proponents of cloning argue, in order to determine their positive effects.

The ethical tension in proscribing cloning-to-produce-children while allowing genetic engineering, including cloning-for-biomedical-research, is apparent to the critical eye, although most Muslim ethicists do not see it. It is a question of scale. Limited forms of cloning, it appears, are ethically acceptable, especially when done at a remove to treat certain genetically transmitted diseases but not to totally reproduce a life.

Even Dr. Zuhayli, who has strong reservations about human cloning, permits genetic engineering, as does the OIC's ethics committee on the grounds of public benefit.

In the view of the more accommodating Ayatullah Taskhiri of Iran, the ethicist must start by self-reflexively exploring the presumptions adopted and then be consistent in applying them to the complex and challenging phenomenon of cloning. The fears that people have about the abuse of cloning technology, he argues, apply equally to the abuse of artificial insemination: if research in cloning is a challenge to God, the same should apply to artificial insemination, or all cutting-edge scientific research for that matter. Similarly, he argues, if the physical distortion or deformation of the human body is the manifestation of Satanic inspiration, as some scholars have suggested that cloning is, then it must necessitate a review of several existing practices. What, he asks, exempts changes done to the human body through rituals such as male circumcision and invasive medical surgery from being tantamount to distortion of creation? Few of his opponents have a good answer to this question. In his view, the distortion and deformity that Satan inspires in humans is more the perversion of moral character and does not imply physical changes.

PREEMPTIVE ETHICAL STRIKES

The debate on human cloning in Muslim ethics has in my view become susceptible to the widespread sensationalist apprehension about science, a situation that scientists have caused themselves, aided by the fecund imagination projected in science-fiction literature and Hollywood blockbuster films. But to be fair, there is also in my view more than just a hint of self-righteousness — which often parades as caution — in the responses of some members of the ethical and religious communities opposed to cloning. Science, like ethics, is vulnerable to trial and error and to good and bad decisions, as well as susceptible to correction. Overreaction on the part of religious communities, partly based on science fiction images, has resulted in some preemptive ethical strikes against the science of cloning. To outlaw research and the quest for human knowledge — all of which is subject to dual use in the service of both righteous and evil causes — is to ensure that illicit ways to circumvent the ban will prevail. Cloning-for-biomedical-research and cloning-to-produce-children must be given the same privilege and freedom of experimentation that all forms of knowledge enjoy.

Of course cloning in all its potential manifesta-

tions does profoundly challenge our inherited notions of self, being and society. But what is possibly more alarming is the failure of religious and ethical communities to produce an ethical framework compatible with the revolutionary challenge posed by scientific speculation on its way to becoming reality. For what must surely be taken into account is that cloning has not as yet proven to be successful in humans. In that sense, the ethicists' opposition is tantamount to combating a plague before it strikes. Ethical and religious communities are best at providing teachings and guidelines and disciplining the self to adopt beneficial ideals and values. Expending efforts in this area would, in my view, be the best antidote to the harmful and undesirable uses of human cloning. Ethicists have expended few efforts in the area of the formation of the self, while much energy and rhetoric is spent in paranoia and going to war with science. But in the end it is not science that must behave ethically; it is the users of the science who must do so.

¹ *Majallat al-Majma' al-Fiqh al-Islami* vol 10:3, 1418/1997, pp. 133-432. All references are taken from this extensive committee report.

² Qur'an, 17:70.

³ Qur'an, 4:118-119

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