

Women, Egg Donation & Ethics: Women's Rights in Somatic Cell Nuclear Transfer (SCNT) Research

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Abstract

Ethicists primarily focus on the moral status of the embryo when dealing with egg donation and ignore other related ethical issues. For example, ethical considerations about egg donations are absent in Woo-Suk Hwang's case. In this paper, I examine the ethical debates concerning egg donation on SCNT. Exploitation of women is an ever present possibility when dealing with egg donations. This is no less true with egg donations on SCNT research. Therefore, it is imperative that we address, not only the moral status of the embryo, but also the issue of women's rights. I present here a critique of the scandal surrounding Hwang's research from a Korean woman's perspective. Using ethno-

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graphy, I examine the concept of “voluntariness” as it pertained to Korean women. I will also locate the experience of women involved in the Hwang scandal within the larger discussion of women and their bodies in Korean society through a nexus of a narrative and Korean radical feminist analysis, which calls for an aggressive legal protection of women’s health in its critique of patriarchal society.

- Keywords: SCNT research, Women’s egg donation, Women’s right, Radical life feminist, Human dignity.

I. Introduction

In the field of stem cell research many scientists focus on NT-hESC because NT-hESC research holds an immense potential to cure previously incurable diseases - like Alzheimer's disease –without risking a rejection by the immune system. Nevertheless, NT-hESC research raises ethical issues regarding the moral status of embryo and egg donation.

Most of the ethical debates on NT-hESC have recently focused on the moral status of embryos¹ because one must artificially make and destroy embryos in order to get stem cells. And how we define the moral status of embryo determines how we justify the destruction of embryo. However, ethical considerations on egg donation have been neglected, which was shown clearly in Woo-Suk Hwang's case², a representative research of NT-hESC.

In this paper, I will focus on egg donation issues neglected in stem cell research in analyzing Hwang's case. I will present the Hwang

¹ See Ivo Kwon, kyongjin Ahn. 2007. Recent NT-hESC (Nuclear transfer –human embryonic stem cell) research and ethical guidelines. *Bioethics policy study* 1(1). In this article, I introduce ongoing SCNT researches in the U.K. and the U.S. By examining current researches, I would like to find the ethical problems that current researches raise. Also from these researches, I examine the ethical debate concerning the moral status of embryo of both religious and secular scholars. The moral status of embryos is the ethical issues in NT-hESC research because the research results in destroying embryos in the middle of obtaining stem cells from blastocysts. In other words, a person's perspective on the moral status of embryos and her definition of the beginning of human life are determinant factors of the ethical implications.

² W. S. Hwang et al. 2005. Patient-Specific embryonic stem cells derived from human SCNT blastocysts. *Science* 308: 1777–1783.

scandal from a Korean perspective, using ethnography to critique the concept of “Voluntariness” as it pertains to the involvement of Korean women in Hwang’s research. Also I will further put the Hwang scandal into context by describing women’s particular bodily experiences in South Korea through a narrative approach, combined with Korean radical feminist analysis.

II. Egg donation in NT- hESC research and women’s right

In a paper in *Science*, May 2005, Dr. Woo Suk Hwang and his co-authors stated, “Eleven hESC lines were established by somatic cell nuclear transfer (SCNT) of skin cells from patients with disease or injury into donated oocytes. These lines, nuclear transfer (NT)-hESC, grown on human feeders from the same NT donor or from generically unrelated individuals, were established at high rates, regardless of NT donor sex or age.”³ Hwang’s research was supported by both the Korean government and many private donors. Many people thought that it was the first step towards therapeutic cloning. However, Hwang’s research paper in 2005 in *Science* turned out to be a result of fabricated research. Korean investigators did not find any evidence that Hwang and his colleagues ever derived pluripotent stem cell lines from cloned human blastocysts.⁴

³ Ibid., 1777-1783.

⁴ D. Kennedy. 2006. Editorial Retraction. *Science* 311: 335

In Hwang's case, the procuring of eggs was a controversial issue that brought some attention to the often-ignored women who provided their eggs.⁵ In this section, I would like to focus on the issue of egg donation issue since it directly pertains to the discussion of women's right and human dignity. People failed to recognize that in order to get human embryonic stem cells, researchers needed women's eggs, retrieved from their bodies through a sometimes painful and risky procedure. If we consider the principles of justice and respect for people as indispensable to public health policy, we have to consider the issue of egg donation as an issue of women's rights. To define women's rights as they pertain to egg donation for stem cell research is an important work

II-1. The potential for exploitation in egg donation on SCNT research

There is potential for exploitation in egg donation on SCNT research. In other countries, getting eggs for research is considered difficult. Two years ago, however, a strange phenomenon presented itself in Korea during Hwang's stem cell research. In Korea on December 6, 2006, there was a "ceremony to honor 1000 women's agreement to donate eggs."⁶ This voluntary donation stemmed from women's desire that their eggs be used for treating serious disease. This movement came

⁵ Josephine Johnston. 2006. Paying egg donors: Exploring the arguments. *Hastings Center Report* 36, (1): 28.

⁶ *United news*, 6 December 2005.

highly recommended to women by the media. The media interviewed people who supported Hwang's research and printed statements and testimonials such as: "Oh. women! Donate your eggs!", "There is no reason to avoid egg donation because it will help people who need to be cured of serious disease", "When they extracted my eggs from my body, I did not feel any pain. After my eggs were extracted, I just had a light cold."⁷

Media coverage of the Hwang scandal was slanted by political interests or the desire to further scientific research at any cost. For people trying to understand stem cell research, the media did not clearly explain the possible negative effects of egg donation and the obstacles facing embryonic stem cell research. In addition, the media did not fairly represent the positions of both those in support of and opposed to embryonic stem cell research. Motivated by political and economic interests, the media selectively showed the positive potential of stem cell research. The media played the main role in generating much hope for cures. Many Koreans had much hope for Hwang's research and supported Hwang's research without knowledge of the ethical concerns. Many newspapers and television programs provided the public with biased information; the moral judgments that needed to be made by the public were made for them by the media. This allowed Hwang to hide the problems rampant in his research for a long time. Donating eggs for Hwang's research was esteemed as a valuable and noble action.⁸ Thus,

⁷ News from Korean Newspapers.

⁸ *Tomorrow news*, 25 May 2005.

without the consideration for their own bodies, and prompted by the urgings of the government and the media many women donated their eggs for the treatment of incurable disease. Women's eggs were given the symbolic name "*Mukungwha*," Korea's national flower, and the donors were called "patriot" and "saint."⁹

Ironically, the Korean media was also responsible for making public the problems of egg donation in Hwang's research. The media emphasized the selling of eggs and harshly condemned the women who sold their eggs. The media called these women "prostitutes." The Korean media used different standards when describing this same issue of donating eggs. Some women who donated their eggs to Hwang's research were regarded as female saints; their action was praised and considered ethically justified. Why did some of the women who donated their eggs for Hwang's research receive new identities as noble, selfless people? On the other hand, why did the women who sold their eggs receive blame and be shamed?

When compared to Western culture, Korean women's rights have not been well established. Throughout Korean history, many women have been regarded as objects-their bodies and lives existing to serve men and for providing a means to continue *his* family. The idea that women's bodies can be justifiably sacrificed for reasons as broadly defined as "national interest" and "common good" is deeply rooted in the Korean social system and culture.

Korean society and the cognition of its people have been sustained

⁹ <http://cafe.daum.net/ilovehws>

and influenced by Confucianism. As it was originally intended, Confucianism contained many positive elements. However, when it fused together with a patriarchal one, it transformed into a negative, oppressive influence in Korean society. Korean Confucianism - which usually presents itself as nationalistic, conservative, and patriarchal - has fostered an almost dehumanizing attitude towards women's bodies. Confucianism taught women to be obedient and considered sacrifice a virtue; it also supported a hierarchical order, originally articulated as existing between kings and servants, but, same to expend to men's rule over women in Korea Society. Therefore, Korean women today find they lack authority within the social structure. Women find the grounds for their decision-making about their own lives and bodies excluded from social interest. This is what prompted over 1000 women to donate their eggs as a sacrifice for the larger society and what prompted female researchers working in Hwang's laboratory to donate eggs as well.

The idea of regarding women's bodies as a means of servitude was also influenced by modernization of Korea. Modernization brought different points of view on lifestyle and values into popular awareness. Because of the influence of modernization, Korean society has been focused on economic development as a key value. Thus, if something can bring economic advantages, even the possibility of degrading human dignity can be regarded as justified. Of particular concern in the case of stem cell research was the possibility that women's bodies could be tied to economic gain. In 2005, many Koreans had great hopes for Hwang's stem cell research. Not only did this research hold the

immense potential one day to cure previously incurable diseases like Alzheimer's, it would establish Hwang's World Stem Cell Hub and South Korea as a major scientific research center that would attract scientists from around the world. Being the first to develop therapeutic cloning technology would perhaps provide the South Korean economy with a boost as well.

Despite modernization, understandings of women and women's bodies have not become significantly more enlightened in modern Korean society. Women's bodies are still used as means to an end in social systems, including the medical and technological fields. With the advance of technology, new uses of women's bodies have been discovered; but their core still revolves around the idea of women as reproductive instruments.

II-2. Listening to Korean Women's voices

Korea and its women! What has "living" meant for Korean women? Much of Korean history is colored by the suffering of women, whose stories are stained by tears. Even today, resentment lurks in many Korean women's hearts. In this section, I would like to introduce some experiences of Korean women from the Chosun dynasty to the present, particularly those related to the use of their bodies, as told in their own voices. To better illustrate Korean women's experiences through history, I have written an original story with a character named Sumi. The experiences of the fictional character Sumi, her mother, and

her great-aunt are fictional but resonate with the lives of many Korean women throughout recent history.

On June 6, 2005, the list of 221 women's names were released to the Korean public – names of women who had been whisked off secretly by the Japanese army during World War II to serve as “comfort girls.”¹⁰ They were eventually returned to Busan, in the southern part of Korea by an American vessel after the war's end in 1945.¹¹

When Sumi watched the news report, she saw her grandmother's sister name included among the 221 women; Sumi's grandmother had often spoken of her little sister, who had disappeared during the Pacific War, with great sadness. Eventually she found her contact information, and last year, Sumi met her great-aunt. Her grandmother, who had died three years earlier, never got to see the little sister she had so desired to see again. With many tears, her great-aunt told Sumi about her life as a comfort girl.

When I was 15 years old, my family suffered from poverty. Our family lived in poverty, but I was happy. Every spring and summer, my sister and I went up to the mountain and got beautiful flowers and herbs. My mother was really glad to have many herbs because once we had herbs, we could eat. I also have beautiful memories of my older sister

¹⁰ During the Japanese occupation, Japan took many Korean women as comfort girls. For these colonized women, international law which prohibited the unregulated selling of women was of no effect. There is no data that shows how many women came to be comfort women during the Japanese occupation. However, some estimate that over 50000~300000 women suffered as comfort women. Also it is estimated that 80% of comfort women were Chosun women. <http://www.truetruth.org>

¹¹ *Kukminilbo*, 6 June 2005

who talked a lot and shared many stories. When I was 16 years old, one man who lived near my house wanted to marry me. I was really excited about getting married. One day, as usual, I went up to the mountain to get some herbs. On the way home, I was abducted by Japanese soldiers and spirited away to Taiwan to work as a comfort girl. When I got to Taiwan, I cried every day because life as a comfort girl was really tiring. I missed my family a lot. However, there was no way to escape from that situation. My body was mistreated by many soldiers. Every day, I had to serve more than 10 soldiers. No matter what, even when I was sick, my body was used for soldiers' pleasure. I regretted that I was a woman. When I remember my life as a comfort woman, it as though I was not there; just my body was there.

Sumi was saddened by her great-aunt's story, and it made Sumi think of her own mother's story. Her family expected her mother to give birth to a boy who would continue her family's bloodline, but Sumi's mother, who had weak health, could not. Sumi's paternal grandmother threw her mother out of the house. In Sumi's mother's generation, most of women's life was determined by decisions made by the family and society. Because of the influence of 'Chilkuogiyak' -- the seven justifiable reasons to throw women out of the house -- established in the Chosun dynasty, it was believed that if women could not give birth to children, she should not be allowed to live in the house.

Sumi opened her mother's diary, which she had received from her mother, who gave it to Sumi when she left home. The diary held the

voice of a woman who had really suffered from oppressive social and family systems:

I had many dreams when I was young. One of my dreams was that I wanted to be a good housewife. I wanted to have many children and go picnicking with them. I wanted to give a lot of hope to my children. But my dream was destroyed because of my illness. Because of my weak body from the hard housework and my family's expectations for me to have a son, I was under lots of stress that finally made me unable to have any more babies. Since I married, I have felt that I am not an important person in the house; just my body is important. Every day, even really cold days, I have to get up at 4 am and prepare breakfast. After having breakfast, I have to prepare lunch and wash the ten family members' clothes in really cold water by hand and clean the house. After that I also have to prepare dinner. Every day of my life is pretty exhausting. My body cannot take a rest for even one second. I am called "Sumi's mother"; I lost my name when I married. Also I am regarded as a maid for my husband's family. By sacrificing my body, my family can live peacefully. However, I cannot live in this house anymore and see my lovely child Sumi, even though I can provide more work for this family. Yesterday the doctor said that I cannot have babies anymore. When I told this fact to my mother-in-law and my husband's grandmother, they wanted me to leave the house. I know I have to obey their word. But I am really sad now because I have lost my identity because I can have no more pregnancies.

Then Sumi examined her own current situation. When she was young, she decided, “I don’t want to be like my mom. I don’t want to marry somebody, and I am never going to have children.” But last year, Sumi did get married. Unfortunately, she had problems having children. Even though Sumi lives in the 21st century, her family and society still expect women to have children. In the past, if women could not give birth to a child, they had to leave their houses or have a baby through the use of a surrogate mother. But now it was expected that women have babies through advanced technology like in vitro fertilization.

I know my mother’s mind – she knew her presence was regarded by her family as a means for reproduction. After modernization, Korean society and the economy have changed a lot. But there is one thing that has not changed: The desire to have one’s own children. I tried to persuade my husband to adopt a child, but my husband was upset by this idea. His parents really want to see their own grandson; if he cannot have his own baby, he feels that he will be disobedient to his parents, which is regarded as morally wrong. Therefore, I have to go to the hospital. Whenever they extract my eggs for IVF, I feel real pain. Sometimes, I want to die because of the suffering. I am afraid to go to the hospital. Throughout history, women have been suffering because of our bodies. Why are we not regarded as valuable people? I don’t want to accept that I am a valuable person only because my body can function as a means of reproduction.

If we are to respect women’s dignity, we have to use women’s eggs

and bodies with caution so as not to stray outside of ethical boundaries. Feminist scholars such as Cynthia B. Cohen have warned of the “metaphorical disembodiment that gamete donation can entail for women.” She states that some women who experienced donating gametes felt they were not treated as persons.¹² In Hwang’s research, women’s eggs were also not considered as parts of women’s bodies, but as mere research materials. Without regard to women’s rights and health, egg donation was encouraged in the public arena for the promotion of national interest and the treatment of serious disease.

Nowadays in western society, feminists raise women’s bodies as a significant topic in many sexual ethics and bioethics discourses. Hilde Lindemann introduced the feminist’s critique of health care, emphasizing the need for a health care that focused on the needs of women’s bodies.¹³ On the other hand, women’s bodies have not been raised as a major topic of public conversation in Korean society, despite the efforts of women’s organizations.

Un Jong Pak, a female Korean law professor, has identified four major strands of Korean feminist/womanist bioethics theory: liberal life feminism, culture life feminism, radical life feminism, and communicative life feminism. According to Pak’s definitions, liberal life feminism emphasizes the importance of women’s participation in health care as moral decision-makers. Culture life feminism emphasizes the importance of women’s experience. This theory is also referred to as

¹² Encyclopedia of Bioethics, 3rd ed., s.v. “Reproductive technologies”

¹³ Encyclopedia of Bioethics, 3rd ed., s.v. “Feminism”

“care ethics” because women’s experience is important, not just for its own sake, but also because it informs relationships to others. The ideal model for this kind of feminism is a society devoted to care and serving. Radical life feminism is concerned with identifying and opposing inequality in social systems and power imbalances. They seek to liberate women from these oppressive structures and consider the subordination of women a moral evil. Communicative life feminism emphasizes the importance of communication, whether it be between men and women or doctor and patient. The hope is that we might create an ethic grounded in equality and respect through mutual communication.¹⁴

For the purposes of this paper, I will examine the Hwang scandal from the point of view of a radical life feminist. In my opinion, for Korean women’s rights to be protected, while every feminist theory is useful, radical life feminism can best serve to identify the underlying problems with Hwang’s egg collection because radical life feminism would call for the most aggressive legal protection of women’s health and is the most critical of a patriarchal society.

Liberation life feminism stresses the importance of informed consent and women’s decision. But for Korean women’s right, this theory also has limits to protecting women’s right and bodies. If women make the decision to donate eggs with informed consent, it can be justified. But the case of Korean women’s egg donation is quite different because

¹⁴ Un Jong Pak. *2000. Law and Ethics in the age of Biotechnology*. Seoul,: Ewha women’s Univ. press. 504-508.

women's actions were so tied to patriotism. Most women in Korea find self-realization and validation from their position in the family and society. Even though some women make some decisions with informed consent, those decisions may be influenced by family and society's value and ideas. As far as the issue of egg donation is concerned, liberal life feminism and culture life feminism have left open the possibility that egg-donation can be left to the woman's discretion, and might even be encouraged by care ethics.

In contrast, radical life feminism would regard egg donation action as exploitation. According to this theory, reproductive methods like IVF are also an instrument of male domination.¹⁵ Most of all, radical life feminism is important for justice and women's rights issues because it emphasizes the possibility of exploitation and marginalization of poor women.

For future Korean research ethics, I would like to emphasize four points. First, Korean bioethics needs to emphasize the importance of human respect for persons. The meaning of respect for persons includes the importance of human dignity. Korean bioethics particularly needs to emphasize women's dignity because it has been so often ignored in the public discourse. Korea has failed to recognize women's rights since time immemorial. One Korean lawyer said that because of the lack of regulation of and recognition for women's rights, Hwang was able to use over 1600 eggs for useless research.¹⁶

¹⁵ Ibid., 506.

¹⁶ . <http://www.ohmynews.com/articleview/>

Secondly, recognition of the dignity of women's bodies forces us to think about the importance of the bioethical principle of non-maleficence – “doing no harm.” This principle is hard to adapt to the matter of stem cell research because women's bodies are necessary for NT-hESC to continue, and it is impossible to extract these eggs without causing at least some discomfort, if not long-term harm. Before making public health law and police, we have to listen to women's voices and experiences. Last year, one politician dismissed concerns about egg donation, saying that egg donation did not seem like a problem “because we did not rape women in the street” and compensated many of the women for their eggs. Furthermore, he argued that eggs are created and discarded naturally. His point of view on the women's eggs reflects a lack of consideration for women's bodies. Thus some female politicians emphasize the importance of women's bodies. They said that eggs are a part of women's bodies, not research materials. They argue that we have to re-examine stem cell research in order to prevent it from causing further negative, dismissive views of the value of women's bodies, from treating them as fungible research vehicles.

Thirdly, we need to consider more seriously the issue of justice. In egg donation, for instance, the question of payment versus non-payment for eggs can be connected with slippery slope arguments. Whether eggs were paid for or not, either decision can cause ethical problems. In Hwang's case, paid eggs were a problem. But in order to justly recognize the risks of egg donation, should we have to pay for egg donation? Which is the ethical action?

Fourth, to make justice a reality, we have to make health policy and bioethics laws that address women's health and rights. Thus, we need some health policies and bioethics laws that can protect women's health issues and include standards for egg donation.

III. Conclusion

In this study, I addressed the issue of women's egg donation as an important problem that has thus far been overlooked. By analyzing Hwang's case, I have shown how women could be exploited for their eggs. The debate over egg donation is very important and necessary because it is directly related to the issue of women's right and human dignity. In order to protect women's rights and dignity in conducting NT-hESC research, we have to make health policies and bioethics laws that set out standards for egg donation and protect women's health. Suzanne Holland points out that "a feminist ethical analysis has to ask, whose suffering? And at whose expense?...The poor, who are largely female, and most persons of color will simply be marginalized from these therapies, even as it is possible that their eggs are commercialized downstream for profit."¹⁷ We have to recognize that eggs are a part of women's bodies, not research materials.

We must carefully review ethical considerations regarding NT-hESC

¹⁷ Suzanne Holland. 2001. Beyond the Embryo", In *the human embryonic stem cell debate*, edited. Suzanne Holland, Karen Lebacqz, and Laurie Zoloth. MIT press. 83.

research before making any legal policies. My intention behind this paper was to suggest better ethical guidelines for NT-hESC research so that we may protect women's dignity and human rights.

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