

The Legal and Ethical Aspects of Stem Cell Research in Germany

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Legal framework in Germany

- Embryo protection law
- Law concerning the termination of a pregnancy
- IUDs and the morning-after pill are allowed
- Law concerning the import of embryonic stem cells

The moral debate

- The conservative position:
- Christian Conservative Party, Green Party, Catholic Church, Protestant Church
- Unlimited protection of human life from its biological beginning
- Human dignity and human rights are non-negotiable

The moral debate

- The liberal position
- A complete protection of the embryo in its early phase of development is not defensible in a pluralistic and secular constitutional state.
- Certain value communities or churches overstep their boundaries of authority.
- “Wash me, but don’t make me wet”

The moral debate

- Biology and Ethics:
- Biology can not answer the ethical question!
- SCIP-arguments:
 - species,
 - continuity,
 - identity and
 - potentiality arguments

The Limits of Plurality?

- How pluralistic should a state be in the case of embryo protection?
- Are states who allow embryonic stem cell research not in accordance with human dignity and rights?
- The question of embryonic stem cell research is also a question of moral plurality!
- Restricted research for ethical reasons but import of the results: The role of Germany in a global research context?

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