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變遷為例  
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## 生命倫理與管制治理的調和：

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### **The Harmonizing of Competition, Regulation and Bioethics on Science Governance:**

The Policy Change of Human Embryonic Stem Cell Research in  
China

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## 摘要

在探討為何中國在生命科學領域中，仍然在基礎建設、政策、法律、以及倫理層面上，無法隨科技進展而得以充分發展的議題上，已引發了許多不同的詮釋與論辯。中國的政策制定者在1978年改革開放後，開始接受以建構完備的法律管制與倫理準則作為策略優勢，試圖在生命科學的全球與區域競爭中取得一席之地。對此，本研究主要針對中國對於生命科學研究的管制政策發展與變遷進行分析，並以人類胚胎幹細胞研究為例，探討中國以何種方式邁向新型態的管制政策與建立政策優先性，並將焦點置於中國如何在既有的文化系絡下，建構與西方相容的科學治理體系，探討中國對於生命科學研究管制在概念建構、政策與法律制定，與執行實務上所面臨的挑戰。

**關鍵詞：**生命科學、科學治理、幹細胞研究、生命倫理、管制政策

## Abstract

Stem cell research is a field that has attracted considerable scientific, financial investment and attention in China. It is also a field surrounded by ethical controversies and policy developments concerning cloning, the moral status of human embryos, sourcing of human embryos for research. However, the fact that the domains of life sciences in China are still seriously underdeveloped in infrastructural, policy, legal and ethical terms has prompted different explanations and debates. Some argue that this lag can be understood as expressing the need for reforms, supporting Chinese efforts to implement a policy of modernization. Others refer to a "technological imperative" that is deeply ingrained in China's politics and ideology, especially in the areas of population and biomedicine policy. In spite of such biased assumptions, Chinese policy makers were recognized that the discontinuation of political interference with the sciences was essential for their survival, and have adopted a view that regards a sound system of legal regulations and bioethical guidelines as a strategic advantage in the competitions of the global and regional markets of life sciences. Chinese bioethicists find themselves torn between the necessity to re-create a fully-fledged regulatory policy framework that would also accommodate China's culture and aspirations to become global players in the life sciences. The result is a top-down approach in bioethics,

embodied newly formulated notions of Chinese society and created on behalf of the people. This research examines efforts to develop systems of science governance in the field of stem cell research and how these relate to the cultural contexts of the country in question. This includes, on the one hand, deliberative efforts to determine what constitutes scientifically sound and ethically appropriate stem cell research, and on the other, regulatory efforts to establish rigorous systems of ethical and stem cell research.

**Keywords :** China, science governance, stem cell research, bioethics, regulatory policy