# DEBATING PROCREATION

## IS IT WRONG TO REPRODUCE?

DAVID BENATAR &
DAVID WASSERMAN

# DEBATING PROCREATION

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David Benatar and David Wasserman

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*Is It Wrong to Reproduce?*

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# Introduction

DAVID BENATAR AND DAVID WASSERMAN

READERS OF A BOOK DEBATING the ethics of procreation would be excused for thinking that the book might be premised on the assumption that procreation is sometimes permissible and would then discuss the conditions under which it is and is not morally acceptable. In fact, we shall be debating the more basic question—whether procreation is *ever* morally justifiable.

On the face of it, there are only two responses to this question: "no" and "yes." Those, in broad terms, are the views that we, respectively, defend. David Benatar argues that procreation is never morally permissible, while David Wasserman argues that procreation is sometimes morally permissible and that there can be positive value in creating children.

However, as one should expect, there are numerous views on the ethics of procreation. For example, the view that procreation is sometimes permissible is actually a

range of views along the spectrum covered by the vagueness of the word "sometimes." To say that it is *sometimes* morally permissible to have children leaves open the question of how often it is permissible. Some views are more permissive; others less so. David Wasserman will examine some of these views and defend one account of when it is permissible to create children.

The respective positions we take are not symmetrical. David Wasserman does not offer a categorical defense of procreation that mirrors David Benatar's categorical attack. Although David Wasserman's account is more permissive than most mainstream views, he rejects the view that procreation can *never* be faulted on the grounds of harming or wronging the children brought into existence. Like David Benatar, he holds that procreation can harm and wrong the child created, as well as wronging other individuals.

There is another asymmetry between our two positions. The overwhelming majority of people think that procreation is generally morally acceptable and many of those are outraged at any suggestion to the contrary. Thus David Wasserman defends a general position that enjoys widespread support while David Benatar attacks a very fecund holy cow. The latter author, therefore, has the harder task of defending a "heresy." Shifting metaphors, we are two Davids, but only one of us is attacking a Goliath. Thus, at least in terms of persuading people, David Benatar bears the burden of proof, although he argues that, given the harms of procreating, it is the defender of procreation who bears the *moral* burden of proof.

Although the specific view that David Wasserman defends is not heretical, it is, at the very least, unorthodox.

Unlike the majority of pro-natalists, he rejects the idea that that it is even *pro tanto* wrong to have a less happy child when one could have a happier one instead—or (what is not the same thing) a disabled one when one could have a non-disabled one instead. While agreeing that it is problematic to *select* a less happy or a disabled child, he argues that it is also problematic for prospective parents to select against such a child—options that prospective parents increasingly have. He also argues that the intentions or motivation with which they have a child can affect the permissibility of their actions, an equally unorthodox view. And he argues, here against David Benatar and the mainstream, that there is a perfectly intelligible sense in which prospective parents can create a child for reasons that concern the good of that child; indeed, that they should only procreate with such an intention.

Both of us have written previously about procreation and the reader may want to know how what we say here differs from what we have said before. In Part I, the axiological argument will be familiar to those who have read David Benatar's *Better Never to Have Been*. However, whereas the argument was presented in fuller form there, only an overview of it is presented here.[1] This is in order to cater to the broader readership for which the current book is intended. It is nonetheless the most technical of the arguments in Part I. Readers daunted by more technical arguments can skip to the subsequent arguments in Part I.

The core of the quality-of-life argument is also drawn from *Better Never to Have Been*, but it does not cover exactly the same ground. Some details of the earlier argument have been omitted, but in other ways the argument has been expanded here. For example, the risk argument,

which is a version of the quality-of-life argument, is discussed here in more detail than it was before.

The misanthropic argument did not feature at all in *Better Never to Have Been*, where, because the focus was on the interests of the person brought into existence, all the arguments were philanthropic. The misanthropic argument does not obviously show that it is better never to have been,[2] but it does support the anti-natalist conclusion that it is better not to procreate.

The concluding chapter of Part I surveys a number of considerations that might be advanced in favor of procreation, and argues that these are not sufficient to outweigh the anti-natalist arguments advanced in the previous chapters.

In summary, then, the arguments in Part I constitute a clear and accessible statement of the arguments for anti-natalism.

In Part II, David Wasserman offers his qualified defense of procreation. He begins with a critique of several anti-natalist arguments. He focuses on David Benatar, but also considers two other writers: Seana Shiffrin, who argues that procreation is morally problematic in imposing unconsented harm; and Matti Hayry, who maintains that every child faces the realistic possibility, however slight, of an awful life—an unacceptable risk that makes procreation wrongful. In each case, David Wasserman rejects the categorical claim, arguing that bearing children can be, and often is, permissible, despite the certainty of significant harm and the possibility of an awful life. He does not address David Benatar's axiological argument in detail, which claims that procreation always harms the person created. That more technical argument has been subject to a great

deal of technical criticism. David Wasserman contends that procreation need not wrong the child, even if it harms him in the sense that David Benatar claims. His principal targets are David Benatar's quality-of-life and misanthropic arguments. He maintains that the former rests on unduly pessimistic assessments and inappropriately perfectionist standards, while the latter makes moral demands on prospective parents that they can rightly reject.

He then argues that prospective parents should have good reasons for creating a child, given the hardships and risks of even the most secure and comfortable life. He contends that they can and should create children in part for reasons that concern the good of those children. Those reasons concern the good of a particular kind of life—a life with them and their family, which they want to share with a now-unknown being. It is these reasons that can and often do motivate procreation, not the barely intelligible desire to rescue a possible child from the limbo of nonexistence. He argues that these reasons do not treat existence as a good that is bestowed on a child, and that they can motivate both prospective biological and adoptive parents. He maintains that these reasons have important similarities to those with which people seek intimate relationships with other now-unknown adults, reasons that concern the good of both parties to the desired relationship.

David Wasserman then moves from justifying the decision to have a child to justifying standards for permissible procreation. He reviews two general approaches to setting standards. The first holds that procreative decision making is a domain governed by impersonal considerations that dictate the choice of a child free of serious suffering or limitation, the best-off child, the child who

will make the world best off, or some combination of these desiderata. The second approach holds that procreative decision making is governed by the rights of children or the duties of prospective parents: the rights of children to have been created with the expectation that they would lead lives satisfying a minimal standard of well-being; the duties of prospective parents to have children with certain expectations, attitudes, or commitments towards them.

David Wasserman rejects the first approach as uncertain in scope, unjustified in imposing special impersonal duties on prospective parents, and counterintuitive in entailing strong moral reasons to procreate, an implication at odds with the deeply held conviction that procreation is morally optional. He defends the second approach in general terms, arguing that standards for procreation should be based on the rights of future children and the duties of prospective parents. He outlines several proposed standards for permissible procreation, arguing for the most permissive one, which does not require the prospective parents to choose the child that is expected to have the best or a better life, and does not require them to avoid having a child that is expected to have a merely adequate one. That standard, however, is demanding as well as permissive. It rests on a view of the moral posture prospective parents should adopt towards their future children, one that discourages any kind of selectivity.

David Wasserman concludes the chapter by acknowledging that his defense of procreation has not only been qualified, but piecemeal, and he defends its piecemeal character.

While we disagree about whether procreation is ever morally permissible, we are in agreement that not all

procreation is morally acceptable. We reject the view, usually implicit, that might be expressed in the slogan "Have genitals, may procreate."[3] The decision to bring a child into existence is a matter of much greater moral import than its frequency would suggest. Potential parents should be thinking very carefully about whether to have a child. The conflicting views presented in this book should be grist for that reproductive decision mill.[4]

## NOTES

1. There are also some differences in the way it is presented. For example, in the previous statement of the argument David Benatar focused on pains and pleasures. Although he was explicit that these were exemplars of harms and benefits more generally, many readers insisted on interpreting the argument as a hedonistic one. In a bid to forestall this misinterpretation, the axiological asymmetry is now presented in terms of harms and benefits rather than in terms of hedonic exemplars of harms and benefits.
2. We say "obviously" because it might be argued that having a defective nature and being the cause of harm actually harms oneself.
3. This is actually an understatement. Many pro-natalists think that even those without (functional) genitals may procreate—indeed, that they are entitled to assistance in doing so.
4. We are grateful to Rivka Weinberg for her helpful comments and to our editors at Oxford University Press.

# PART I

# ANTI-NATALISM

DAVID BENATAR

# 1

# Introducing Anti-Natalism

IT IS ALWAYS DIFFICULT TO convince people that a widespread practice in which they participate is morally wrong. This is because people have difficulty believing that they and so many others could be acting immorally. The task is made still more difficult when the practice is one that is fed by powerful biological drives with deep evolutionary roots. It is thus unsurprising how challenging it is to try to convince people that procreation is wrong. The overwhelming majority of humans produce children sometime during the course of their lives,[1] and the desire to procreate is among the most powerful.

Although most people want to and do procreate, they do not always want to have children as early and often as they do have them. Billions of people have been brought into existence unintentionally.[2] They were "mistakes." Very often, therefore, people procreate without thinking. Their children are brought into existence not as a result of a decision to procreate, but instead as a result of a decision—or,

more commonly, a mere impulse—to have sex.[3] A small proportion of those children who are unintended are also actively unwanted and are either abandoned or given over to institutional care or adoptive parents.[4] There are millions of such children.[5]

Many of those procreators who do think before reproducing are willing to acknowledge that unintentional procreation is undesirable and that there should be less of it. Most people are even willing to say that there should be less procreation of the intentional kind too. They recognize that many people prefer to have more children than they should have. I concur with these views but I shall argue that they do not go far enough. More specifically, I shall argue that having even one child, whether intentionally or not, is having too many. In other words, while many arguments against procreation conclude that only some procreation is wrong, I shall argue for the conclusion that all procreation is wrong.[6]

Procreation may seem like an innocuous activity, but it is in fact deeply harmful. In creating a child one creates the basic condition for all the terrible things that will or could befall it. One creates the vulnerability to all (other) harms, from the mildest to the most unspeakable horrors. While not everybody suffers the worst fates, nobody escapes serious harm entirely, as I shall show later. The surest way to prevent the awful things that will happen to one's child is not to have that child. Yet prospective parents blithely create new beings that only the naively optimistic could think would escape serious harm.

Viewed in these terms, it is truly astounding not only that procreation is not criticized, but that it is widely lauded. Parents are congratulated on the birth of a child.

The parents themselves often seem hugely impressed with themselves for having produced offspring, even though this "achievement" is something that they have in common with billions of humans and other animals with functional genitalia and reproductive systems.

These attitudes are part of a deep and widespread pro-natalism—an encouragement or at least endorsement of procreation. Those opposed to procreation—anti-natalists—have to confront this powerful force, which has biological, cultural, social, religious, and legal manifestations. Anti-natalism, like pro-natalism, can vary in its scope. Thus somebody could be an anti-natalist in the sense of advocating a reduction but not complete cessation of procreation.[7] This, however, is not the sense in which I shall be using the term. Instead I shall use it to refer to the more extreme position that opposes all procreation. Anti-natalism, in this sense, is the position I shall defend. Not every argument I shall advance will, by itself, yield this radical conclusion. However, other arguments will lead to this conclusion, and thus the set of arguments together also does so.

Anti-natalism (in this sense) implies that it would be better if there were no more humans. The further implication of this is that it would be better if humans became extinct, at least if extinction were brought about by not creating new members of the species. Many people have difficulty accepting this implication. They find the prospect of a world without humans to be tragic. This view arises from a misguided sentimentality about the human species. The demise of humanity would have some serious costs for the final people, but, as I shall argue later, the state of there being no more humans is not something we should resist or mourn. The world will someday be devoid of humans.

This outcome is certain. The uncertainty concerns when this will happen. We do not know humanity's expiry date, but the earlier it is, the more suffering will be avoided.[8]

This does not imply either suicide or speciecide, both of which involve taking lives. Taking lives has important costs that are not incurred when people desist from procreation. Killing (other) people who do not wish to die violates their rights and thus incurs a serious moral cost. Killing people for whom death is not (yet) in their interests harms them, usually very severely. By contrast, failing to bring somebody into existence neither violates the rights of nor harms the merely possible people who never become actual.

Anti-natalism, again like pro-natalism, can be applied to different spheres. Especially important is the distinction between anti-natalism as a view about the ethics of procreation and anti-natalism as a view about the ethics of *regulating* procreation. I shall argue that procreation is morally wrong. This is distinct from and does not imply the claim that we may prevent humanity from procreating. The absence of a moral right to procreate does not imply that there should be no legal right to procreate.[9]

There are lots of good reasons why an anti-natalist view about the ethics of procreation does not commit one to thinking that we may prevent people from reproducing. One such reason is that it is very likely to do more harm than good. Efforts to prevent people from reproducing would be met with stern opposition from those wanting to reproduce. Severe invasions of privacy and the use of force would quickly become necessary to enforce a prohibition or prevention of procreation, and these would likely be resisted, very probably even violently. Thus there would be serious costs without the

likelihood of success. Anti-natalists are interested in reducing harm, not increasing it.

The sad truth is that the human species is not voluntarily going to cease reproducing, and any attempt by a minority to prevent the rest from procreating is unlikely to work. That does not mean that individual humans will not desist from procreation. Some of them will desist as a result of considering arguments for anti-natalism. Every decision not to procreate is a decision to spare a potential person from serious harm and is thus to be welcomed.

In the chapter that follows this introduction, I shall advance what I shall call the "axiological asymmetry argument" for the conclusion that coming into existence is always a harm. This argument creates a presumption against procreation, but it does not by itself generate anti-natalism. Harming somebody requires justification and if the harm of coming into existence were a relatively minor one then the justificatory burden might not be difficult to meet.

The "quality-of-life argument" in the following chapter argues that coming into existence is a serious harm. It is so serious a harm that it is unlikely that inflicting this harm could be justified. That chapter includes a fallback argument—that even if the quality of life is not *always* terrible, the risks of terrible things happening are so high that it is morally wrong to impose those risks on children by creating them.

Both the axiological asymmetry argument and the quality-of-life argument are what I call philanthropic arguments. They arise from concern for the beings that will be brought into existence. Having presented those arguments, I shall turn to the misanthropic argument for anti-natalism. This argument arises from concern for the

victims of those humans that would be brought into existence. Humanity is highly destructive and in almost all cases, as I shall show, creating a new member of the species contributes to that destruction.

In the final chapter of my section of this book, I consider various arguments in favor of procreation. These are arguments that claim we have a reason or even a duty to create children. Some of these arguments are stronger than others, but even the most compelling of them is insufficient to rescue procreation from the challenges of anti-natalism.

## NOTES

1. The global median of childlessness among women is 4.5%. (*World Fertility Report 2009*, New York: United Nations, 2011, 59.) Some of these women would like to have had children but were or became infertile. Others are intentionally childless.
2. In recent years around a quarter of births were unintended: Of "the estimated 208 million pregnancies that occurred worldwide in 2008, 102 million resulted in intended births (49%), 41 million ended in induced abortions (20%), 33 million in unintended births (16%), and about 31 million in miscarriages (15%)—some from unintended and some from intended pregnancies . . . " S. Singh, et al. *Abortion Worldwide: A Decade of Uneven Progress* (New York: Guttmacher Institute, 2009), 39.
3. At least by one of the parties because some pregnancies result from rape.
4. According to a recent report the median number of children in the care of institutions and family foster care is 492.9 per 100,000 children (under the age of 18). Only 8.3% of these have been adopted. See *Child Adoption: Trends and Policies* (New York: United Nations, 2009), 122.

5. It is unlikely that this exhausts the number of unwanted children. Many parents may care for children that they do not want.
6. Or "*almost* all procreation." In *Better Never to Have Been* (Oxford: Oxford University Press, 2006), 182–193, I considered, although did not specifically endorse, the possibility that procreation might be permissible in some limited circumstances as part of a program of phasing out humanity.
7. Pro- and anti-natalism are positions on a spectrum, the midpoint of which is what we might call "neutro-natalism," a position of indifference towards procreation.
8. It is true that the sooner humanity ends the less human pleasure there will be. However, for reasons I shall explain, we should be more interested in there being less suffering.
9. See Benatar, *Better Never to Have Been*, 102–113.

# 2

# The Asymmetry Argument

MANY PEOPLE THINK THAT COMING into existence is a harm only if the person brought into existence has a life in which there is more bad than good. In the next chapter I shall argue that, contrary to what most people believe, the bad (almost) always outweighs the good. In the current chapter, however, I shall argue that even if there were more good than bad, the presence of *any* bad would be sufficient for coming into existence to be a harm. Because every life includes some bad, coming into existence is *always* a harm.

## THE NON-IDENTITY PROBLEM

Before I advance the arguments for this conclusion, a prior issue needs to be examined. I need to respond to the notorious problem that is variously known as the "non-identity problem"[1] or "the paradox of future individuals."[2]

The problem arises in those circumstances in which a procreative choice seems contrary to the interests of the future person even though that person's life would still be 'worth living.'[3] Consider, for example, a case in which one is faced with the choice of either conceiving a child that would suffer from a severe genetic abnormality (although not so severe an abnormality as to make its life "not worth living") or conceiving a different child that has no such abnormality. Most people think that creating the child with the genetic defect would be wrong—and that it would be wrong because of the harm it does to the child.

However, it has been argued that there is a logical obstacle to making this claim. If the child's life is worth living then it is, by definition, not worse than nonexistence—and if one is not made worse off one cannot be harmed. Accordingly, we cannot say that the child would be harmed by being brought into existence.

This is a problem in need of resolution, and various solutions have been proposed. One possibility is to deny that the assumed conception of harm is the only possible one. One could acknowledge that in non-procreative contexts to harm is typically to make worse off, but that in procreative contexts a different conception is required. According to this view, a person is harmed if (i) he suffers a condition that is bad for him, *and* (ii) the alternative would not have been bad. Troubling non-identity cases, it might be said, meet both of these criteria: the person brought into existence suffers a condition that is bad, and the alternative—never existing—would not have been bad.

In response to this, it might be objected that this solution would work only if the person's life is *not* worth living. On this view, it is not bad for somebody to come

into existence unless his life is not worth living. We should reject this view. A life can be very bad without being so bad that it is not worth living. A life need only be very bad to meet condition (i). It does not need to be so bad that the life is not worth living.

Another response to the non-identity problem is that it arises, or at least gains strength, because of a failure to recognize a crucial ambiguity in the phrase "a life worth living." This phrase can mean either "a life worth starting" or a "life worth continuing." Glossing over that ambiguity would not be problematic if the standards for determining when a life is worth starting and the standards for determining when a life is worth continuing were the same. In fact, however, there is good reason to think that *different* standards should apply. More specifically, the quality of a life must be better to warrant the judgment that a life is worth starting than it must be in order to warrant the judgment that it is worth continuing. There is good reason for this. When there is an existing person the bad things in life need to be sufficiently bad to defeat that person's interest in continuing to exist. By contrast, when one is considering whether to bring somebody into existence, that possible person has no interest in coming into existence and thus there is no interest that needs to be defeated.

We can now see how ignoring that distinction leads to the non-identity problem. One premise of the argument that generates the problem is that if a "life is worth living then it is, by definition, not worse than existence." This claim is false, however, if it means that if a "life is worth continuing then it is, by definition, not worse than never coming into existence." It is perfectly intelligible to say that although coming into existence was a harm because

the life was not good enough to be worth starting, it is nonetheless not so bad that it is not worth continuing.

Now, it might be suggested that there are non-identity cases in which the defect is sufficiently minor that the life was worth starting and that it must be said of such lives that they are not worse than never existing. However, any defect that was sufficiently minor to pass the "life worth starting" test would also be minor enough for us to be able to embrace the conclusion that no harm was done to the child who was brought into existence with that defect.

Of course, I think that there are no such cases—because I think that no lives are worth starting. Those who think that at least some lives are worth starting need to decide where they set the bar and then accept the implications.

## THE AXIOLOGICAL ASYMMETRY

The conclusion that coming into existence is always a harm—astounding to many people—follows from an axiological asymmetry between harms and benefits.

Consider two scenarios, one in which a person, X, exists, and one in which X never exists. To determine which of these two scenarios—existing or never existing—is better for X, we must compare those two scenarios. However, there are two ways of comparing them and only one of these is the relevant way. The wrong way to compare them is by asking which of the scenarios is *impersonally* better. While the impersonal comparison does compare the two scenarios and does ask which is better, it does not ask which one is better *for X*. An impersonal evaluation makes

no reference to the interests of the person who either is or is not brought into existence. This is clearly the wrong kind of comparison to make if we are seeking to determine whether it is coming into existence or never coming into existence that is best *for X*.

Instead we need to make the comparison with reference to the interests of X, because we want to know whether it is better *for X* to come into existence or never to come into existence. Some people have difficulty making sense of such a comparison. This is because X exists in only one of the two scenarios and thus, it is said, has interests only in that scenario. We cannot compare those interests with X's interests in the alternative scenario because X does not exist in that alternative scenario.

This concern seems to take the task of comparison too literally. It is obviously the case in the scenario in which X does not exist that there is no person and thus no person's interests. However, that does not prevent us comparing that possible world with another possible world in which X does exist, and it does not stop us comparing the value of those two worlds *with reference to* the interests of the person who exists in one but only one of them.[4]

Harm befalls only those who come into existence. That is the obvious disadvantage of coming into existence. Optimists will be quick to note that it is equally true that benefits also accrue only to those who come into existence. They argue, therefore, that coming into existence, like never coming into existence, has both advantages and disadvantages. However, although it is good for those who exist to enjoy benefits, those benefits are not a net advantage over never existing. This is because of a crucial difference between harms and benefits.[5]

Whereas:

1. The presence of harm is bad; and
2. the presence of benefit is good,

an asymmetrical evaluation applies to the *absence* of harm and benefit:

3. The absence of harm is good, even if that good is not enjoyed by anyone;
   but
4. the absence of benefit is not bad unless there is somebody for whom this absence is a deprivation.

This asymmetry can be represented in the following diagram:

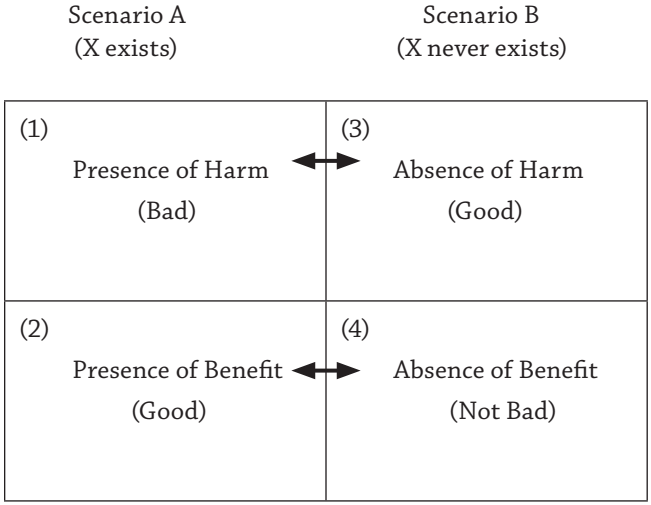


FIGURE 2.1 The Axiological Asymmetry

Some people think that the way to determine whether coming into existence is a harm is by comparing (1) and (2). On this view, coming into existence is a harm only if (1) outweighs (2). However, this is not a comparison between coming into existence and never coming into existence and thus I cannot see how the difference between (1) and (2) can determine whether Scenario A is better or worse than Scenario B.

To decide the relative advantages and disadvantages of coming into existence and of never coming into existence, we need to compare (1) with (3), and (2) with (4). When we make the first comparison we find that never existing is preferable to coming into existence. The absence of harm in Scenario B is an advantage over the presence of harm in Scenario A. However, when we compare (2) with (4) we see that the presence of benefit in Scenario A, although good for X, is not an advantage over the absence of benefit in Scenario B. In other words, Scenario B has an advantage over Scenario A, but Scenario A has no advantage over Scenario B. We see then that the axiological asymmetry leads to the conclusion that coming into existence is always a net harm.[6]

The axiological asymmetry is widely accepted—that is, until people see where it leads. Then many (but not all) of them seek to deny it. Because people are not inclined to dispute (1) and (2), those who wish to deny the asymmetry are determined to find some way of rejecting either one or both of (3) and (4).

It is difficult to *prove* definitively that we must accept the axiological asymmetry. However, there is a constellation of interconnecting reasons why we should accept it. One does not have to think that any of these reasons by

itself provides insurmountable evidence for the axiological asymmetry in order to think that collectively they provide good reason to accept it.

## THE EXPLANATORY VALUE OF THE AXIOLOGICAL ASYMMETRY

First, the axiological asymmetry is the best explanation for a number of other asymmetries:

1. The asymmetry of procreational (reasons and) duties: While we have a duty to avoid bringing into existence people who would lead miserable lives, we have no duty to bring into existence those who would lead happy lives.

Not everybody accepts this asymmetry. Some religious people believe that we have a duty to "be fruitful and multiply,"[7] and some positive utilitarians believe that we have a duty to create new people if that will increase positive utility.[8] However, the vast majority of philosophers who have thought about the ethics of creating new people have accepted the asymmetry of procreational duties.[9]

The axiological asymmetry explains this deontic asymmetry. We have a duty to avoid creating miserable lives (partly) because the presence of that misery would be bad, but we have no duty to create (purportedly) happy lives because although that happiness would be good, its absence is not bad.

2. The prospective beneficence asymmetry: It is strange to cite as a reason for having a child the fact that

the child will thereby be benefited, whereas it is not similarly strange to cite as a reason for not having a child that that child will suffer. In other words, it is odd to have a child for its own sake, but it is not in the least odd to desist from having a child out of concern for the interests of the child that would exist if one procreated.

This claim is not a logical or metaphysical one. It is not the claim that it is logically or metaphysically incoherent to take the same view about the benefit and the harm of potential people. Instead the claim is that it is axiologically odd, and this is explained by the axiological asymmetry: the absent benefits of possible people who never become actual people are not bad, whereas the absent harms of such people are good.

3. The retrospective beneficence asymmetry: One can regret having brought a suffering child into existence, and one can regret it for the sake of that child. However, when one fails to bring a happy child into existence, one cannot regret that for the sake of the child one did not bring into existence.

The axiological asymmetry explains this too, because the presence of harm in the suffering child is bad, whereas the absence of benefit in the happy child is not bad.

4. The asymmetry of distant suffering and absent happy people: We are rightly sad for suffering people in distant places, but we are not similarly sad for the absence of what would have been happy people on uninhabited islands or areas of earth or on other planets. When we think

about war-torn and poverty-stricken parts of the planet we regret this suffering, and we do so for the poor beings living in these conditions. We do not spend any time—and rightly so—worrying about the happy people who could have existed on Mars, for example.

The axiological asymmetry explains this because the absent benefits of the nonexistent are not bad, and are thus not a cause for regret. By contrast, the present harms are bad, and thus are a cause for regret.

Various attempts can be made to undermine the explanatory value of the axiological asymmetry. This is done either (a) by suggesting that there are alternative explanations for each of the four other asymmetries just listed; or (b) by denying these other asymmetries; or (c) by some combination of (a) and (b).

For example, it might be argued that (i) the asymmetry of procreational duties can be explained by appealing to the view that while we have negative duties to avoid harm we have no positive duties to benefit. According to this argument, the asymmetry of *procreational* duties is merely an instance of a more general deontic asymmetry.

While this argument *is* open to those who deny that we have any duties to benefit, it is not an option for those who think that we do have such duties but who deny that a duty to procreate is among those duties. Perhaps such people could argue that the reason why a duty to procreate is not among our duties to benefit is because procreation involves considerable sacrifices—for the gestating woman and for the parents who then rear the child—and we cannot be duty bound to make sacrifices of that magnitude.

However, if it is the sacrifice involved in procreation that stands in the way of there being a duty to procreate then it must be conceded that the benefit of future possible people provides us with a *reason*, albeit a defeasible one, to bring those people into existence. Yet that is at odds with an asymmetry of procreational *reasons*: that while we have a moral reason, grounded in the interests of potential people, to avoid bringing into existence people who would lead miserable lives, we have no such reason to bring into existence those who would lead happy lives.

Perhaps this asymmetry is not quite as widely accepted as the asymmetry of procreational duties. It is nonetheless widely accepted. Those who wish to give it up are committed to thinking that potential "happy people" provide us with a reason to create those people. Then they must either concede that the reason for having a "happy child" and the reason for not having a "suffering child" have asymmetrical strength, or they must claim that these reasons are equally strong. If they think that the reason to avoid a "suffering child" is stronger than a reason to create a "happy child," they need to explain *that* asymmetry.

By contrast, if they think that the reason to create a "happy child" is as strong as the reason to avoid creating a "suffering child," then they need to recognize that any defeating reasons need to be equally strong. Thus, it will simply not be sufficient for prospective parents of a "happy child" to defend their non-procreation merely by saying that they do not wish to incur the costs of having that child. This is because prospective parents of a "suffering child" could not justify their procreation merely by saying that foregoing procreation would be too great a sacrifice for them.

Those who wish to deny axiological asymmetry must be held to a full accounting of their alternative and to

accepting the implications of it, because it is far too easy to *say* that one rejects axiological asymmetry when one is not held to such account.

Another attempt to circumvent the axiological asymmetry is to suggest that both (iii) the retrospective beneficence asymmetry and (iv) the asymmetry of distant suffering and absent happy people can be explained by whether or not there is a subject of harm or benefit.[10] The suggestion is that regret makes sense only if there is a subject of harm. In (iii) there is a suffering child for whom to have regrets, whereas there is no happy child for whom to have regrets, and in (iv) there are distant suffering people whose suffering we can regret but there are no happy people whose absent benefit we can regret.

There are a number of problems with this explanation for (iii) and (iv). First, its explanatory capacity is limited. It does not also explain either (i) the asymmetry of procreational duties or (ii) the prospective beneficence asymmetry. This is because there will be a subject of both harm and benefit if we do create the "suffering child" and the "happy child," and there will not be a subject of harm or benefit if we create neither of them. As a result, those seeking to explain (iii) and (iv) without reference to the axiological asymmetry must either lose the unificatory explanatory value of the axiological asymmetry or they must deny (i) and (ii). Either of those is a cost.

## PROBLEMS WITH SYMMETRY

A second reason to accept the axiological asymmetry is that there are problems with abandoning it in favor of symmetry. Symmetry might be sought in at least two ways.

One way is to suggest that the absence of benefit in never existing people is bad. However, if that were the case then we would have to reject not only asymmetries (i) and (ii) but also (iii) and (iv). We would need to regret the absence of happy people and we would need to regret this based on the interests of those people.

The other way to aim at symmetry is to judge (3) the absence of harm in Scenario B to be "not bad" and (4) the absence of benefit to be "not good." These evaluations are ambiguous. On one interpretation "not bad" means "good" and "not good" means "bad." However, if we adopt this interpretation then this means of attaining symmetry really collapses into the previous one. To differentiate the current attempt at symmetry we need to interpret it differently. More specifically, we need to understand it to mean that the absence of harm is "not bad, but not good either" and the absence of benefit is "not good, but not bad either." However, the first of these claims is too weak. Avoiding the harms of existence is not merely "not bad." It is good. And the claim that the absence of benefit in (4) is "not good, but not bad either" is really just a fuller description of the claim that it is "not bad." Thus, even if we did opt for the fuller description there would be no symmetry. If (3) is "good" and (4) is "not good, but not bad either" there is no symmetry.

## SYMMETRY AND RELIEF BENEFITS

A third consideration against axiological symmetry is that such symmetry would present problems for "relief benefits." Such benefits are meliorations of harms. They include quenching of thirst, relief from pain, cure from disease,

assuagement of guilt, and emergence from ignorance. The defender of symmetry would have to say that the absence of such benefits in those who never exist is bad. However, it is extraordinarily difficult to make sense of that claim. How could the absence of relief from an absent harm be bad? How can it be bad that there is no relief if there is nothing from which relief is needed?

Perhaps the defender of symmetry will respond by wanting to distinguish between relief benefits and intrinsic benefits, the latter being those things that are good in themselves. The argument would presumably be that the axiological asymmetry does apply to absent relief benefits but not to absent intrinsic benefits.

The problem with this response is that there is no sharp line to be drawn between relief benefits and intrinsic benefits. Many (if not all) plausible candidates for intrinsic benefits may well be relief benefits. For example, having rewarding work, interesting pastimes, and satisfying personal relationships, may seem to be intrinsic benefits. However, they are also ways of preventing such harms as dissatisfaction, boredom, loneliness, sadness, and stress. A life devoid of these goods would be a boring life and thus their presence is a way of driving out (some) harm.

In response it might be argued that these goods are not "relief" benefits unless they temporally follow the respective harms and cause those harms to wane. However, this is either too literal or too narrow an interpretation of the concept of "*relief* benefit." For a benefit to count as a relief benefit (at least in the broader sense of that term), it is sufficient that it block the emergence of harm. In other words, relief benefits should be understood to include those benefits that amount to either the alleviation or the prevention

of harms. For example, continuous hydration can prevent thirst, but that does not mean that thirst-preventing hydration is not a relief benefit in the appropriately broader sense. Hydration is a benefit only because its absence is a harm. The absence of such a benefit is not bad unless the absence amounts to a harm.

Some go so far as to say that all benefits are relief benefits in this sense—that all benefits are successes in the struggle to keep harm at bay. There is much to be said for this Schopenhauerian view,[11] a contemporary version of which is known as anti-frustrationism.[12] According to this view, advanced by Christoph Fehige, a satisfied preference and no preference are equally good. Only an unsatisfied preference is bad. In support of this view, Professor Fehige asks us to consider a case in which we "paint the tree nearest the Sydney Opera house red and give Kate a pill that makes her wish that the tree nearest the Sydney Opera house were red."[13] He claims, entirely plausibly, that Kate is no better off than if we had neither created nor fulfilled the desire.

Professor Fehige speaks in terms of preferences and desires, but a similar point can be made about other benefits, such as the fulfillment of needs. Compare, for example, a bird that needs a nest and a fish that neither has nor needs a nest. It seems highly implausible to suggest that it is better to have a fulfilled need for a nest than to have no such need. By the same token, humans need oxygen and it is obviously good when that need is fulfilled, but the fulfilled need is no better than a possible world in which humans had no need for and no access to oxygen. Similarly, an existing human's fulfilled need for oxygen is good, but it is no better than the absence of a never-existing human's

need for oxygen. Fulfillment of a need is good only if the need exists.

It should be clear that anti-frustrationism and other views that see all benefits— as relief benefits strongly support my axiological asymmetry against attempts to symmetrize. If benefits are the relief from or absence of harms, then Scenario A has no advantages over Scenario B in Figure 2.1. This is why views such as anti-frustrationism—embodying an axiological asymmetry similar, if not identical, to mine[14]—also lead to the conclusion that coming into existence is always harm.

For this reason, the very people most disposed to resist my axiological asymmetry may also want to resist arguments that all benefits are relief benefits. This of course does not release them from the burden to provide compelling counterarguments. However, it is worth noting that even if one does not go so far as to say that all benefits are relief benefits, the extent to which relief benefits and intrinsic benefits are bound up with one another makes it difficult to disentangle them. Those who wish to attach a different evaluation to the absent relief benefits and the absent intrinsic benefits of absent people face a problem that those who accept the axiological asymmetry do not have. They need to explain to us which benefits—the purportedly intrinsic ones—are not ones that consist in relieving or preventing harm. Alternatively, if they think that some benefits are both relief and intrinsic benefits, they are going to need to differentiate these and then apply a more nuanced evaluative schema rather than merely denying axiological asymmetry.

Moreover, even if they can do this, the process will mean that there will be many fewer intrinsic benefits and

thus the cost-benefit calculation is much less likely to come out in favor of existence even if one does reject the axiological asymmetry for intrinsic benefits.

## SOLVING POPULATION ETHICS PROBLEMS

Another consideration in favor of accepting the axiological asymmetry is that doing so avoids various problems that have plagued moral theory about population, and more specifically about the ethics of creating new people.[15] It must be said that it solves these problems in an unusual way. Nevertheless, the fact that it does solve those problems must surely be a consideration in its favor, even though it is secondary to the previous ones. In other words, this is less an argument for accepting the axiological asymmetry and more a supporting consideration.

The foundational problem of population ethics is the non-identity problem, which was outlined at the beginning of this chapter. This is the problem of explaining why it is wrong to create a suffering person when the alternative would have been not to create that person at all. Theories that attempt to explain the wrong with reference to the interests of the person who is created—so called "person-affecting" theories—confront the problem of explaining how that person is harmed. I suggested some ways in which this problem might be overcome.

Depending on how one interprets them, those ways do not necessarily presuppose the axiological asymmetry. However, unless one accepts that asymmetry and reaches the conclusion that coming into existence is *always* a harm,

there will be the residual problem of explaining how bad a life needs to be in order for the creation of such a life to constitute a harm. In other words, the axiological asymmetry leads to a very clear answer to this question.

Not all responses to the non-identity problem are "person-affecting." That is to say, not all responses attempt to explain the wrong in terms of harm to the person brought into existence. Impersonal views can circumvent the non-identity problem by saying that an outcome in which a suffering person is created is worse (impersonally) than an outcome in which either no such person is created or a person with a better quality of life is created.

Although this circumvents the non-identity problem, it does not solve it. It does not explain how the person brought into existence is harmed. Perhaps circumvention of the problem will be thought to be sufficient. However, the difficulty with adopting an impersonal view in response to the non-identity problem is that this gives rise to a number of other problems. Which problems arise depends on whether one adopts a "total" or an "average" version of the impersonal view.

According to the total impersonal view, we ought to aim at the "outcome in which there would be the greatest amount of whatever makes life worth living."[16] According to this view, a smaller population with a higher quality of life is worse than a larger population with a worse quality of life, as long as there are enough extra people in the latter to outweigh the lower quality of life. This implies that an immensely populous world in which everybody has a life just barely worth living (World Z) would be preferable to a world in which there were only a few people with a very high quality of life (World A). This is known as the "Repugnant Conclusion."[17]

The impersonal average view, according to which "the best outcome is the one in which people's lives go on average best,"[18] can avoid this problem. This is because the average quality of life in World Z is much lower than it is in World A. However, the impersonal average view faces another problem—the "Mere Addition" problem.[19] To understand this problem, consider a scenario in which if you procreate your child will have a good quality of life. According to the impersonal average view, whether this additional child should be created depends on whether, for example, the ancient Egyptians had an even higher quality of life. If they did, then your procreation would lower the average quality of life and would thus be wrong. Yet, as Derek Parfit claims, "research in Egyptology cannot be relevant to our decision whether to have children"[20] and thus the impersonal average view is problematic.

The axiological asymmetry and its implication that coming into existence is always a harm avoid all of these problems. I have already explained how the non-identity problem is avoided. It obviates the need to resort to an impersonal view and thus prevents the problems that arise from adopting such a view. However, even if one does embrace an impersonal view, my view might prompt one to restrict the scope of that view to existing people by giving up the assumption that it is good to create additional lives that are worth continuing. This would then explain why World Z is worse than World A and would avoid the Repugnant Conclusion. It would also say why it would be bad to add more people and thus avoid the problem of Mere Addition.

It is true that an impersonal view that was restricted to existing people would tell us nothing about the ethics of creating new people. However, axiological asymmetry

would contribute importantly to answering such questions. It would tell us that creating new people is always harmful to them.

## THE AXIOLOGICAL ASYMMETRY IN CONTEXT

The axiological asymmetry strikes me not merely as true, but also as clearly true. I suspect that more people would concede this if it did not lead to the conclusion that coming into existence is always a harm—a conclusion that many people find unbearable. However, because this conclusion is taken to be so unacceptable, people scramble desperately to undermine the asymmetry.

The axiological argument is among the most "technical" of the arguments that support anti-natalism, and the responses to it are similarly technical. This is not necessarily a bad thing. However, one consequence is that the moral callousness of rejecting asymmetry is camouflaged by the technicality.

The moral insensitivity becomes more apparent when people attempt to reject the (generally less technical) anti-natalist arguments I shall advance in the next two chapters. In the first of these chapters, I shall highlight a number of empirical asymmetries between harms and benefits. For example, I shall show that pains tend to last longer than pleasures, that the worst pains are worse than the best pleasures are good, and that positive states are generally less stable than negative ones.

These and other empirical asymmetries, being empirical, are easier to demonstrate. They also provide further

support for axiological asymmetry. Given the empirical asymmetries, we should fully expect that asymmetrical values and duties attach to harms and benefits. It is axiological and deontic *symmetry*, not asymmetry, that would be surprising. Thus, it seems that the empirical asymmetries place the burden of proof on those who assert axiological and deontic symmetry.

## NOTES

1. Derek Parfit, *Reasons and Persons* (Oxford: Clarendon, 1984), 359.
2. Gregory Kavka, "The Paradox of Future Individuals," *Philosophy and Public Affairs* 11, no. 2 (1982): 93–112.
3. On some views, the problem arises even in cases when the life would not be worth living.
4. For more on this see Benatar, *Better Never to Have Been*, 4 and 31, and David Benatar, "Still Better Never to Have Been: A Reply to (More of) My Critics," *Journal of Ethics* 17, no. 1–2 (2013): 121–151.
5. In *Better Never to Have Been* I spoke of pains and pleasures as *exemplars* of harms and benefits, thus implying that the axiological asymmetry applied to all harms and benefits, not only pains and pleasures. That did not stop innumerable commentators from claiming that mine is a hedonistic argument. (Many went so far as to say that it was a hedonistic utilitarian argument.) In a further bid to avoid this misinterpretation, I am here describing the asymmetry in terms of harms and benefits rather than in terms of pain and pleasure. See also David Benatar, "Every Conceivable Harm: A Further Defence of Anti-Natalism," *South African Journal of Philosophy* 31, no. 1 (2012): 131–132.
6. This is not (yet) the anti-natalist conclusion. Anti-natalism does not follow immediately from the claim that coming into existence is always a harm. If the harm were a minor one, then procreation might nonetheless be permissible.

7. Genesis 1:28. Note, however, that not all religious people believe that there is a duty to procreate. Catholic priests and nuns, for example, do not believe that they have any such duty.
8. Not all positive utilitarians are committed to such a duty. Those who distinguish between "making people happy" and "making happy people" and who think that our positive utilitarian duties are restricted to the former need not embrace a duty to procreate.
9. Notice that the religious and positive utilitarian arguments for a duty to procreate do not ground this duty on the interests of the future possible people.
10. David DeGrazia makes this suggestion ("Is It Wrong To Impose the Harms of Human Life?: A Reply to Benatar," *Theoretical Medicine and Bioethics* 31.4 (2010): 317–331. For a more detailed response than I offer here, see Benatar, "Still Better Never to Have Been," *Journal of Ethics*, 2013.
11. Arthur Schopenhauer, "On the Sufferings of the World," in *Complete Essays of Schopenhauer*, trans. T. Bailey Saunders, vol. 4, *Studies in Pessimism* (New York: Wiley, 1942), 5.
12. Paradoxically, it is also known as "frustrationism," which sounds like its opposite.
13. Christoph Fehige, "A Pareto Principle for Possible People," in *Preferences*, eds. Christoph Fehige and Ulla Wessels (Berlin: Walter de Guyter, 1998), 513–514.
14. For more on Christoph Fehige's view and its relationship to my axiological asymmetry, see *Better Never to Have Been*, 54–57.
15. I shall provide a brief account here of how it solves these problems. For a much fuller account please see *Better Never to Have Been*, 168–178.
16. Parfit, *Reasons and Persons*, 387.
17. Ibid., 388.
18. Ibid., 386.
19. Ibid., 420.
20. Ibid., 420.

# 3

# The Quality-of-Life Argument

THE ASYMMETRY ARGUMENT IS sufficient to reach the conclusion that coming into existence is always a *harm*. However, it is not sufficient to show that bringing somebody into existence is always *wrong*. If the harm of coming into existence were a minor one, one might think that procreation could be justified by the benefits it brings to others. In fact, as I shall argue in this chapter, the harms of existence are considerable. Thus the quality-of-life argument is one argument that can supplement the asymmetry argument to yield the anti-natalist conclusion. The quality-of-life argument can also be viewed as an independent argument that is sufficient to generate anti-natalism, even by those who reject the asymmetry argument.

The quality of people's lives obviously varies immensely. However, thinking that some lives are worse or better than others is merely a comparative claim. It tells us nothing about whether the worse lives are bad enough to count as bad lives or whether the better lives are good enough to count as good

lives. The common view, however, is that the quality of some lives qualifies as bad and the quality of others qualifies as good. In contrast to this view, I believe that while some lives are better than others none are (noncomparatively) good.

The obvious objection to this view is that billions of people judge the quality of their own lives to be good. How can it possibly be argued that they are mistaken and that the quality of their lives is, in fact, bad?

The response to this objection consists of two main steps. The first is to demonstrate that people are very unreliable judges of the quality of their own lives. The second step is to show that when we correct for the biases that explain the unreliability of these assessments and we look at human lives more accurately we find that the quality (of even the best lives) is actually very poor.

## WHY PEOPLE'S JUDGMENTS ABOUT THE QUALITY OF THEIR LIVES ARE UNRELIABLE

People's self-assessments of well-being are unreliable indicators of a person's quality of life because these self-assessments are influenced by three psychological phenomena, the existence of which has been well demonstrated.

The first of these is an optimism bias, sometimes known as Pollyannaism. For example, when asked to rate how happy they are, people's responses are disproportionately toward the happier end of the spectrum. Only a small minority of people rate themselves as "not too happy."[1] When people are asked to rate their well-being relative to others, the typical response is that they are doing better than the "most

commonly experienced level," suggesting, in the words of two authors, "an interesting bias in perception."[2] It is unsurprising that people's reports of their overall well-being are unduly optimistic because the building blocks of that judgment are similarly prone to an optimism bias. People have been shown to recall positive experiences more than negative experiences.[3] They are similarly optimistic in their projections of what will happen to them in the future.[4] Judgments about the overall quality of one's life that are inadequately informed by the bad things that have happened and will happen to one are not reliable judgments.

There is ample evidence of an optimism bias among humans. This is not to say that the extent of the bias is invariable. The inhabitants of some countries report greater subjective well-being than those of other countries even when the objective conditions are similar.[5] This has been attributed, in part, to cultural variation.[6] However, optimism bias is found everywhere, even though the extent of the bias varies.[7]

A second psychological phenomenon that provides us with grounds for distrusting self-assessments of well-being is what is known as accommodation, adaptation, or habituation. If one's self-assessments were reliable they would track improvements and deteriorations in one's objective conditions. That is to say, if one's condition improved or deteriorated one would perceive one's condition to have improved or deteriorated to that degree. One's self-assessment would then remain fixed until there was a further improvement or deterioration, in response to which one's self-assessment would respond commensurately.

However, that is not what happens. Our subjective assessments *do* respond to shifts in our objective conditions

but the altered self-assessment is not stable. As we adjust to our new condition we cease to rate our condition as we did when it first improved or deteriorated. For example, if one suddenly loses the use of one's legs, one's subjective assessment will drop precipitously. In time, however, one's subjective assessment of one's life's quality will improve as one adjusts to the paralysis. One's objective condition will not have improved—one is still paralyzed—but one will judge one's life to be going less badly than one did immediately after one became paralyzed.[8]

There is some disagreement about the extent to which we adapt. Some have suggested that it is complete—that we return to a baseline or "set-point" level of subjective well-being. Others deny that the evidence shows this, at least not in every "domain" of our lives.[9] However, there is no dispute that there is some adaptation and that it is sometimes significant. This is all that is required to lend support to the claim that our subjective assessments are unreliable.

The third feature of human psychology that compromises the reliability of subjective assessments of well-being is what we might call "comparison." Subjective assessments of well-being implicitly involve comparison with the well-being of others.[10] Our judgments about the quality of our own lives are influenced by the (perceived) quality of the lives of others. One consequence of this is that bad features of all human lives are substantially overlooked in judging the quality of one's life. Because these features of one's life make one no worse off than others, one omits them in reaching a judgment about the quality of one's life.

Whereas Pollyannaism biases judgments only in the optimistic direction, adaptation and comparison are more complicated. One adapts not only to deteriorations but

also to improvements in one's objective condition. Similarly one can compare oneself not only to those worse off than oneself but also to those better off than oneself. It would be a mistake, however, to think that the net effect is to cancel any bias. This is because both adaptation and comparison work against the backdrop of the optimism bias. They may moderate the optimism bias but they do not cancel it. Moreover, there is an optimism bias in the manifestation of these other traits. For example, we are more likely to compare ourselves with those who are worse off than with those who are better off.[11] For these reasons, the net effect of the three traits is for us to overestimate the actual quality of our lives.

It is unreasonable to ignore the vast body of evidence for these psychological characteristics of humans. To insist, in the face of the evidence, that subjective appraisals of quality of life are reliable is a kind of denialism. This is not to say that *every* human overestimates the quality of his or her life. The evidence shows that the phenomenon is widespread—not that it is universal. There are some people who have an accurate assessment, but these are the minority and very likely include those who do not take issue with my grim view about the quality of human life.

Nor does acknowledging the unreliability of subjective assessments imply that subjective assessments are irrelevant. Thinking that one's life is better than it actually is can make it better that it would otherwise be. In other words, there can be a feedback loop whereby a positive subjective assessment actually improves one's objective well-being. However, there is a difference between a subjective assessment of one's well-being *influencing* the objective level and a subjective assessment *determining* the

objective level. Even if one's overly optimistic subjective assessment makes one's life better than it would otherwise be, it does not follow that one's life is actually going as well as one thinks it is.

I have shown so far that there is excellent reason to distrust cheery subjective assessments about the quality of human life. However, to show that the quality of people's lives is worse than they think it is, is not to show that the quality of their lives is very bad. That conclusion requires further argument, which I shall now provide.

## THE POOR QUALITY OF HUMAN LIFE

Most people recognize that human lives can be of an appallingly low quality—so low that it would have been better if those lives had never been created. The tendency, however, is to think that this is true of *other people's* lives, not one's own.[12] However, if we look dispassionately at human life, and control for our biases, we find that human life is permeated by bad.

Even in good health, much of every day is spent in discomfort. Within hours we become thirsty and hungry. Many millions of people are chronically hungry. When we can access food and beverages and thus succeed in warding off hunger and thirst for a while we then come to feel the discomfort of distended bladders and bowels. Sometimes relief can be obtained relatively easily, but on other occasions the opportunity for (dignified[13]) relief is not as forthcoming as we would like. We also spend much of our time in thermal discomfort—feeling either too hot or too cold. Unless one naps at the first sign of weariness, one spends

quite a bit of the day tired. Indeed, many people wake up tired and spend the day in that state.

With the exception of *chronic* hunger among the world's poor, these discomforts all tend to be dismissed as minor matters. While they are minor relative to the other bad things that befall people, they are not inconsequential. A blessed species that never experienced these discomforts would rightly note that if we take discomfort to be bad then we should take the daily discomforts that humans experience more seriously than we do.

Other negative states are experienced regularly even if not daily or by everybody. Itches and allergies are common. Minor illnesses like colds are suffered by almost everybody. For some people this happens multiple times a year. For others it occurs annually or every few years. Many women of reproductive years suffer regular menstrual pains and menopausal women suffer hot flashes.[14] Conditions such as nausea, hypoglycemia, seizures, and chronic pain are widespread.

Nor are the negative features of life restricted to unpleasant physical sensations. For example, we frequently encounter frustrations and irritations. We have to wait in traffic or in queues. We encounter inefficiency, stupidity, evil, Byzantine bureaucracies, and other obstacles that can take thousands of hours to overcome—if they can be overcome at all. Many important aspirations are unfulfilled. Millions of people seek a job but remain unemployed. Of those who have jobs, many are dissatisfied with them, or even loathe them. Even those who enjoy their work may have professional aspirations that remain unfulfilled. Most people yearn for close and rewarding personal relationships, not least with a lifelong partner or

spouse. For some this desire is never fulfilled. For others it temporarily is, but then they find that the relationship is trying and stultifying, or their partner betrays them or becomes exploitative or abusive. Most people are unhappy in some or other way with their appearance—they are too fat, or they are too short, or their ears are too big. People want to be, look, and feel younger and yet they age relentlessly. They have high hopes for their children—but these are often thwarted, when, for example, the children prove a disappointment in some way or other. When those close to us suffer, we suffer at the sight of it. When they die we are bereft.

Millions are ravaged by natural disasters—floods, earthquakes, tornadoes and hurricanes. They lose their property and often life or limb. There are also innumerable harms that people suffer at the hands of other humans, including being humiliated, shamed, denigrated, maligned, beaten, assaulted, raped, tortured, and murdered.

The select few for whom things go relatively well while they are in their prime forget about what terrible fates could still befall them. Many fortunes and loves have been lost, many reputations ruined, and many dreams destroyed. Sometimes lives start terribly. However, the worst parts of a life are often not at the beginning but rather toward the end. Consider the millions of people who gradually succumb to cancer, AIDS, or neurodegenerative diseases. Millions of people struggle to breathe or to walk. Many languish for years following a stroke, unable to speak, walk, feed, or clean themselves. In these and other conditions, people are reduced to states of indignity and dependence that most of them deeply resent. There is little or no hope of recovery. Very few lives, if any, contain no serious suffering.

Some deaths are better than others, but there is always a serious cost. The obvious cost in protracted deaths or in deaths that follow protracted illness is the sheer amount of suffering, including the mental suffering that arises from knowing that one is dying. Deaths that come swiftly are often premature or, if they occur after a (relatively) long life, typically (even if not always) follow a period of decrepitude. Whatever the manner and timing of our deaths, the fact is that we do all die and that is a serious harm. (Where death is a release, the tragedy is that life became so bad that death, ordinarily harmful, is either not harmful or is the *lesser* of two evils.)

Optimists will very likely suggest that this is a one-sided picture—that lives typically contain not only bad but also good. However, while it is true that lives are not usually *unadulteratedly* bad, there is much more bad than good even for the luckiest humans. Things are worse still for unluckier people, many of whom have almost nothing going in their favor.

Our lives contain so much more bad than good in part because of a series of empirical differences between the bad things and the good things. These differences show that in addition to the axiological asymmetry between good and bad, which I discussed in the previous chapter, there are also empirical asymmetries.

For example, the most intense pleasures are short-lived whereas the worst pains can be much more enduring. Orgasms, for example, pass quickly. Gastronomic pleasures last a bit longer but even if the pleasure of good food is protracted it lasts no more than a few hours whereas severe pains can endure for days, months, and years. Indeed, pleasures in general—not only the most sublime of them—tend

to be shorter lived than pains. Chronic pain is rampant, but there is no such thing as chronic pleasure. There are people who have an enduring sense of contentment or satisfaction, but that is not the same as chronic pleasure. Moreover, *dis*content and *dis*satisfaction can be as enduring as contentment and satisfaction, which means that the positive states are not advantaged in this realm. Indeed the positive states are less stable because it is much easier for things to go wrong than to go right (as I shall explain more fully below).

The worst pains are also worse than the best pleasures are good. Those who deny this should consider whether they would accept an hour of the most delightful pleasures in exchange for an hour of the worst tortures. Arthur Schopenhauer makes a similar point when he asks us to "compare the respective feelings of two animals, one of which is engaged in eating the other."[15] The animal being eaten suffers and loses vastly more than the animal that is eating gains from this one meal.

Consider too the temporal dimensions of injury or illness and recovery. One can be injured in seconds: one is hit by a bullet or projectile, or is knocked over or falls, or suffers a stroke or heart attack. In these and other ways one can instantly lose one's sight or hearing or the use of a limb or years of learning. The path to recovery is slow. In many cases full recovery is never attained. Injury comes in an instant and the resultant suffering can last a lifetime. Even lesser injuries and illnesses are typically incurred much more quickly than one recovers from them. For example, the common cold strikes quickly and is defeated much more slowly by one's immune system. The symptoms manifest with increasing intensity within

hours but they take at least days, if not weeks, to disappear entirely.

There are, of course, conditions in which one declines gradually rather than suddenly, but the great majority of these—including age-related physical decline, dementia, neuromuscular degenerative diseases, and the deterioration from advancing cancers—are conditions from which there is no recovery. Where there are treatments, some are merely palliative. When treatments are potentially curative, the decline is the default and one has to battle against that presumption, sometimes successfully but other times not. Moreover, billions of people simply have no access to either curative or palliative treatments.

Things are also stacked against us in the fulfillment of our desires and the satisfaction of our preferences.[16] Many of our desires are never fulfilled. There are thus more unfulfilled than fulfilled desires. Even when desires are fulfilled, they are not fulfilled immediately. Thus there is a period during which those desires remain unfulfilled. Sometimes that is a relatively short period (such as between thirst and, in ordinary circumstances, its quenching) but in the case of more ambitious desires, they can take months, years, or decades to fulfill. Some desires that are fulfilled prove less satisfying than we had imagined. One wants a specific job or to marry a particular person, but upon attaining one's goal one learns that the job is less interesting or the spouse is more irritating than one thought.

Even when fulfilled desires are everything that they were expected to be, the satisfaction is typically transitory, as the fulfilled desires yield to new desires. Sometimes the new desires are more of the same. For example, one eats to satiety but then hunger gradually sets in again and one desires

more food. The "treadmill of desires" works in another way too. When one can regularly satisfy one's lower level desires, a new and more demanding level of desire emerges. Thus those who cannot provide for their own basic needs spend their time striving to fulfill these. Those who can satisfy the recurring basic needs develop what Abraham Maslow calls a "higher discontent"[17] that they seek to satisfy. When that level of desires can be satisfied, the aspirations shift to a yet higher level.

Life is thus a constant state of striving. There are sometimes reprieves, but the striving ends only with the end of life. Moreover, as should be obvious, the striving is to ward off bad things and to attain good things. Indeed some of the good things amount merely to the (temporary) relief from the bad things. For example, one satisfies one's hunger or quenches one's thirst. Notice too that while the bad things come without any effort, one has to strive to ward them off and to attain the good things. Ignorance, for example, is effortless but knowledge requires (usually hard) work.

Even the extent to which our desires and goals are fulfilled creates a misleadingly optimistic impression of how well our lives are going. This is because there is actually a form of self-censorship in the formulation of our desires and goals. While many of them are never fulfilled, there are many more potential desires and goals that we do not even formulate because we know that they are unattainable. For example, we know that we cannot live for a few hundred years and that we cannot gain expertise in all the subjects in which we are interested. Thus we set goals that are less unrealistic (even if many of them are nonetheless somewhat optimistic). Thus one hopes to live a life that is, by human standards, a long life and gain expertise in some

perhaps very focused area. What this means is that even if all our desires and goals were fulfilled our lives are not going as well as they would be going if the formulation of our desires had not been artificially restricted.

Further insight into the poor quality of human life can be gained from considering various traits that are often thought to be components of a good life and by noting what limited quantities of these characterize even the best human lives. For example, knowledge and understanding are widely thought to be goods and people are often in awe of how much knowledge and understanding (some) humans have. The sad truth, however, is that, on the spectrum from no knowledge and no understanding to omniscience, even the cleverest, best educated humans are much closer to the unfortunate end of the spectrum. There are billions more things we do not know or understand than we do know and understand. If knowledge really is a good thing and we have so little of it, our lives are not going very well in this regard.

Similarly, we consider longevity to be a good thing (at least if the life is above a minimum quality threshold). Yet even the longest human lives are fleeting. If we think that longevity is a good thing then a life of a thousand years (in full vigor) would be much better than a life of eighty or ninety years (especially where the last few decades are years of decline and decrepitude). Ninety is much closer to one than it is to a thousand. It is even more distant from two or three or more thousand. If, all things being equal, longer lives are better than shorter ones, human lives do not fare well at all.[18]

It is not surprising that we fail to notice this heavy preponderance of bad in human life. The facts I have described

are deep and intractable features of human (and other) life. Most humans have accommodated to the human condition and thus fail to notice just how bad it is. Their expectations and evaluations are rooted in this unfortunate baseline. Longevity, for example, is judged relative to the longest actual human lifespans and not relative to an ideal standard. The same is true of knowledge, understanding, moral goodness, and aesthetic appreciation. Similarly, we expect recovery to take longer than injury and thus we judge the quality of human life off that baseline even though it is an appalling fact of life that the dice are stacked against us in this and other ways.

The psychological trait of comparison is obviously also operative. Because the negative features I have described are common to all lives, they play very little role in how people assess the quality of their lives. It is true for everybody that the worst pains are worse than the best pleasures are good, and that pleasures can and often do last much longer than pleasures. Everybody must work hard to ward off unpleasantness and to seek the good things. Thus when people judge the quality of their own lives and do so by comparing them to the lives of others, they tend to overlook these and other such features.

All this occurs against the backdrop of an optimism bias, under which people are already inclined to focus on the good more than the bad. The fact that we fail to notice how bad human life is does not detract from the arguments I have given that there is much more bad than good. Human life would be vastly better if pain were fleeting and pleasure protracted, if the pleasures were much better than the pains are bad, if it were really difficult to be injured or get sick, if recovery were swift when injury or illness did befall

us, and if our desires were fulfilled instantly and if they did not give way to new desires. Human life would also be immensely better if we lived for many thousands of years in good health and if we were much wiser, cleverer, and morally better than we are.

## SECULAR OPTIMISTIC "THEODICIES"

Human optimism is resilient. It does not wilt in the face of evidence. No matter how much evidence one provides for psychological traits such as optimism bias, and no matter how much evidence there is that the quality of human life is very bad, most humans will adhere to their optimistic view. Sometimes this optimism manifests, at least in part, as religious faith,[19] with people declaring the goodness of God and his creation. Religious optimism of this kind is often challenged by the "argument from evil," which suggests that the existence of an omniscient, omnipotent, omnibenevolent God is incompatible with the vast amount of evil that exists in the world. Theodicy is the (optimistic) practice of trying to reconcile God's existence with that evil. However, many atheists, while critical of theodicy, are themselves engaged in a kind of secular theodicy—an attempt to reconcile their optimistic views with the unfortunate facts about the human condition.

There are many secular "theodicies." One of the most commonly expressed is that the bad things in life are necessary. For example, it is suggested that without pain we would incur more injuries. Indeed those people with congenital insensitivity to pain harm themselves unwittingly by, for example, grasping and continuing to hold objects

that are dangerously hot, or by unrestricted use of limbs in which a bone has been broken. In the absence of pain they are simply not alerted to the danger.

It is also suggested that the bad things in life are necessary in order to appreciate the good things, or at least to appreciate them fully. On this view, we can only enjoy pleasures (as much as we do) because we also experience pain. Similarly, our achievements are more satisfying if we have to work hard to attain them, and fulfilled desires mean more to us because we know that desires are not always fulfilled.

There are many problems with this sort of argument. First, these sorts of claims are not always true. Lots of pain serves no useful purpose. There is no value in labor pains or in pain resulting from terminal diseases, for example. While the pain associated with kidney stones might now lead somebody to seek medical help, for most of human history such pain served no purpose, as there was absolutely nothing anybody could do about kidney stones.[20] Moreover there are at least some pleasures we can enjoy without having to experience pain. Pleasant tastes, for example, do not require any experience of pain or unpleasantness. Similarly many achievements can be satisfying even if they involve less or no striving. There may be a special satisfaction in the ease of attainment. There may be some individual variation. Perhaps some people are more capable of enjoying pleasure without having to experience pain and more capable of taking satisfaction in achievements that come with ease.

Second, insofar as the good things in life do require a contrast in order to be fully appreciated, it is not clear that this appreciation requires as much bad as there is. We do

not, for example, require millions of people suffering from chronic pain, infectious diseases, advancing paralysis, and tumors in order to appreciate the good things in life. We could enjoy our achievements without having to work quite so hard to attain them.

Finally, and perhaps most importantly, to the extent that the bad things in life really are necessary, our lives are worse than they would be if the bad things were not necessary. There are both real and conceivable beings in which nociceptors lead to behavior aversive to noxious stimuli, but without being mediated by pain. This is true of plants and simple animal organisms, and it is also true of the reflex arc in higher animals, such as humans.[21] We can also imagine beings much more rational than humans, in which nociceptors and aversive behavior were mediated by a rational faculty rather than a capacity to feel pain. In such beings a noxious stimulus would be received but not felt (or at least not in the way pain is), and the rational faculty would, as reliably as pain, induce the being to withdraw. It would be much better to be that sort of being than to be our sort of being. It would similarly be better to be the sort of being that can appreciate the good things in life without having to experience bad things or without having to work really hard to attain the good things. Lives in which there is "no gain without the pain"[22] are much worse than lives in which there could be "the same gain without the pain."

A second "theodicy" picks up here. It insists that the perfectionist standards I am using to judge the quality of human life are too demanding and not appropriate. One version of this critique says that we must adopt a human perspective, not the so-called "perspective of the universe" in determining what is good for humans.[23] Now, of course

there is a sense in which it is true that we need to take account of what sort of beings humans are in order to determine what is good for them. For example, given that we are terrestrial animals, submerging a human under water (without breathing equipment) is going to be bad for that human even though it would not be bad for a fish. Yet we can say that it would certainly be better for humans if they could not drown—that is, if they had the capacity to breathe not only in air but also in water.

Here another version of the second "theodicy" is often invoked. It claims that there are constraints on how good a human life can be while still being a human life. A being that could breathe not only in air but also under water would not be a human. A life without pain would not be a human life. Nor should we judge the extent of human knowledge, understanding, and goodness by the standards of omniscience and omnibenevolence, because the latter standards are not human standards. An omniscient, omnibenevolent being would not be a human. It would be God.

This version of the argument is also unconvincing. The problem is that it fetishizes human life. Some emotional distance might be required to realize this and thus consider an imaginary species rather than humans. Members of this fictional species, which we might call *Homo infortunatus,* have an even more wretched quality of life than most humans have, but their lives are not devoid of all pleasure and other goods. Now imagine that a pessimistic philosopher among them observes how appalling their lives are. He points to how much better things could be. For example, instead of living only thirty years, they might live to eighty or ninety. Instead of being in an almost constant state of hunger, they might get hungry only between

three regular meals a day. Instead of being sick every week, they might suffer illness only annually or even less often. In response to such observations, the optimistic members of the species—a vast majority—would object that if their lives were better in those ways they would no longer be *infortunati*. That observation, even if true, would not detract from the claim that the quality of life of the *infortunati* is wretched. There is, after all, a difference between asking how good the quality of life of a particular species is and asking whether a much better life is compatible with being a member of that species. Perhaps we would not be human if the quality of our lives were *much* better than it is. It does not follow that the quality of human life is good.

To prefer a human life to a better life suggests a distracting sentimentality about humanity. It is to think that it is more important to be human than to have a better quality of life. Yet the typical reasons provided for the value of being human rather than some other species seem to imply that it would be better to be better than to be human, even if that implication is not typically noticed. For example, most humans think that it is better to have the higher cognitive capacity of *Homo sapiens* than the lesser capacity of *Homo erectus*. It seems that the logic underlying this judgment is that greater cognitive capacity is better than lesser cognitive capacity. But this logic supports a further judgment that it would be better to have the still greater cognitive capacity of a superhuman species.

One way to ward off this implication would be to claim that there is a "Goldilocks" level of cognitive capacity. On this view, it is bad to have too little but also bad to have too much. (Perhaps too much cognitive capacity either gives one insights that are conducive to unhappiness or can lead

to unacceptable levels of destructiveness.) The problem with the Goldilocks argument is that if there is some optimum level of cognitive sophistication it is both too convenient and implausible to think that the level is that of *Homo sapiens*.

It is difficult to prove this to those who take it as an article of faith that humans have the optimum level of this trait. However, consider that humans' greater cognitive capacity has led them to be much more destructive than their fellow hominids and other primates. Yet humans lack the still further sophistication that would check that destructiveness by, for example, enabling them to think and act more rationally. Perhaps it will be argued in response that although humans would become less destructive if they were cognitively more sophisticated, they would acquire, with that greater cognitive capacity, unbearable insight into the human predicament, thereby making them more unhappy. But humans do suffer a great deal from such angst, which suggests that they may already have too much cognitive capacity for their own happiness.

I have referred to cognitive capacity as a trait. It is, however, a constellation of traits. As implausible as it is to claim that humans possess the optimum degree of cognitive capacity overall, it is still less plausible to make this claim with respect to some of the component capacities. Think of computational ability, for example. It would be better if ordinary humans had greater computational ability than they currently have, at least if this did not involve a reduction in any other capacities.

It is even harder to argue that humans occupy a "Goldilocks" position on the spectra of other attributes. For example, it would be exceedingly difficult to defend the view

that humans have an optimum degree of moral goodness, as this would imply that it would be worse if they were morally better. If this is not absurd it is at least highly implausible.

Not all optimists fetishize humanity. Among the advocates of human enhancement are those who envisage and welcome the prospect of a "post-human" future—a future in which humans have been so enhanced (physically, mentally, and morally) that they are no longer recognizably human. These advocates of transhumanism think it is much more important to improve the quality of life than for the enhanced future beings to be human.

While there are many who object to the wisdom and morality of seeking such enhancements, I am not among those categorically opposed to technological enhancements. If the choice is between a lower quality of life and a higher quality of life, the latter is preferable even if the enhanced beings with the better-quality lives can no longer be categorized as humans. To be sure, any enhancements will need to be subject to the usual moral constraints. For example, enhancements that carried significant risks of causing serious harms might fall afoul of such constraints. And attention would need to be paid to fair access to enhancement technologies. None of this, however, rules out the transhumanist project.

However, while transhumanists are not fixated on whether a life is human, they are nonetheless engaged in another kind of secular optimistic theodicy. They believe that the enhancements that will become possible will improve the quality of life sufficiently that life will be not merely better but good. We might say they have faith in the 'salvific' or 'redemptive' powers of enhancement. Humans may not

have 'fallen' but they are nonetheless low. The good news, though, on this view, is that things can get much better in a future 'messianic' era of enhancement.[24]

When this view is criticized as being too optimistic the criticism is usually that the hoped-for enhancements are unlikely to be achievable (or achievable within the projected time-frame).[25] The suggestion is that advocates of enhancement have an exaggerated view about what kinds of enhancement will be possible. According to this criticism it is naïvely optimistic to think, for example, that major life span extension is possible or that human cognitive capacities could be radically enhanced.

Even if we assume, however, that transhumanism is not overly optimistic in this regard, it is unduly optimistic in another way. It assumes that the quality of life after the anticipated enhancements would be good (enough). This assumption is problematic. While the quality of life would be *better*, it is not clear that it would be good enough to count as good.[26] For example, it would be better to live for much longer in good health, and it would be better if we knew much more than we do, but even lives enhanced in these and other ways would be far from the ideal. We would still die and we would still have vastly more ignorance than knowledge.

The relative force of the two charges of optimism is interactive. The more ambitious the claims about what improvements can be made, the more susceptible these claims are to the first kind of objection—namely, that the projections are overly optimistic. On the other hand, the more modest the claims about what can be achieved, the more susceptible the view is to the charge that enhancement is merely a mollification of life's harshness and not the promise of Eden.

## THE RISK OF SERIOUS HARM

I have argued that the quality of all human lives is very bad. If every time we create a new human life we are creating a being with a very poor quality of life, there is a strong presumptive case against creating any such lives. Perhaps there could be rare exceptional situations in which this presumption could be defeated and one would be justified in inflicting that kind of harm. However, if there really were any such cases they would be very rare.[27]

Not all quality-of-life arguments for anti-natalism must claim that the quality of *every* life is very bad. Some such arguments are based on a more limited claim—that bringing people into existence puts them *at risk* of serious harm. Terrible things can befall people. Any child you bring into existence could be assaulted, raped, tortured, or murdered. It could be sent to war. It could be kidnapped, abducted, imprisoned, or executed. It could, because of a spinal injury, a stroke, or a degenerative neurological condition, become paralyzed. It could suffer bad burns or some other mutilation or disfigurement. It could succumb to a virus or a malignancy or any of thousands of other conditions.

Perhaps merely naming these conditions does not convey the horror of them. Think, then, about the kinds of suffering they precipitate.[28] Rape,[29] for example, can instill terror in the victim before and while she or he is violated. Physical injury, including bruising and laceration, is not an uncommon consequence of the assault. There can be lifelong psychological repercussions, including rage, shame, feelings of worthlessness, and difficulties with intimacy. A pregnancy can result if the victim is a fertile female.

Even where abortions are freely available there can be psychic trauma in terminating the pregnancy. Carrying the fetus to term can be psychologically even more distressing. Rape victims can also contract sexually transmitted diseases from their assailants. These in turn have not only many harmful physical effects, but can cause great mental trauma as well.

Burn victims suffer excruciating pain, not only in the moment but also for years thereafter. The wound itself is obviously painful, but the treatment intensifies and protracts the pain. One such victim describes his daily "bath" in a disinfectant, which would sting intact skin but causes unspeakable pain where there is little or no skin. The bandages stick to the flesh and removing them, which can take an hour or more if the burns are extensive, causes indescribable pain.[30] Repeated surgery can be required, but even with the best treatment the victim is left with lifelong disfigurement and the social and psychological difficulties associated with this.

Consider next those who are quadriplegic or, worse still, suffering from Locked-in Syndrome. This is sheer mental torture. One eloquent ALS sufferer describes this disease as "progressive imprisonment without parole"[31] on account of the advancing and irreversible paralysis. Dictating an essay at the point he had become quadriplegic, and before losing the ability to speak, he describes his torments, which are most acute at night. When he is put to bed he has to have his limbs placed in exactly the position he wants them for the night. He says that if he allows "a stray limb to be misplaced" or "fails to insist on having [his] midriff carefully aligned with legs and head" he will "suffer the agonies of the damned later in the night."[32] He

invites us to consider how often we shift and move during the course of a night, and he tells that "enforced stillness for hours on end is not only physically uncomfortable but psychologically close to intolerable."[33] He lies on his back in a semi-upright position, attached to a breathing device and left alone with his thoughts. Unable to move, any itch must go unscratched. His condition, he says, is one of "humiliating helplessness."[34]

Cancer's reputation as a dreaded disease is well deserved. There is much suffering in dying from this disease, but at least as much in the treatments that are usually necessary to cure the patient of the malignancy. In the worst scenarios the patient suffers both from the treatment and from its failure.

Where symptoms have not precipitated the diagnosis, the first blow is the diagnosis itself. Arthur Frank says that on receiving the news that he had a malignancy, he felt as though his "body had become a quicksand" in which he was sinking.[35] But that is only the beginning. For example, radiation treatment for esophageal cancel left Christopher Hitchens desperately attempting to avoid the inevitable need to swallow. Every time he did swallow, "a hellish tide of pain would flow up [his] throat, culminating in what felt like a mule kick in the small of [his] back."[36] Ruth Rakoff, after receiving chemotherapy for breast cancer described her "insides as raw."[37] Treatment can result in nausea, vomiting, both constipation and diarrhea, and gum and dental soreness. Food tastes bad and appetite is lost. Unsurprisingly, all this results in weight loss and fatigue. Neuropathy is another common side effect, as is hair loss. Many of the same symptoms can be experienced even in the absence of treatment or once treatment has been abandoned.

Moreover, tumors pressing on brains and bowels and bones can cause excruciating pain. Where the pain can be controlled this is sometimes at the expense of consciousness or at least lucidity.

Pain accompanies many conditions, but we should remember that much of it is not attendant upon visible conditions. It is often hidden from those not experiencing it. One sufferer from chronic pain describes it as "debilitating" and observes that it "can take over one's life, sap one's energy, and negate or neutralize joy and well-being."[38]

Not all suffering is physical, although psychological ailments can certainly have bodily sequelae. William Styron, describing his depression, says that ultimately, "the body is affected and feels sapped, drained."[39] He speaks of his "slowed-down responses, near paralysis, psychic energy throttled back close to zero."[40] Sleep is disrupted, with the sufferer staring "up into yawning darkness, wondering and writhing at the devastation"[41] of his mind. The sufferer from depression, we are told, is "like a walking casualty of war."[42]

To bring a new person into existence is to create a being that is vulnerable to these and thousands of other kinds of appalling suffering. To procreate is thus to engage in a kind of Russian roulette, but one in which the "gun" is aimed not at oneself but instead at one's offspring. You trigger a new life and thereby subject that new life to the risk of unspeakable suffering. Even those who are not antinatalists should be alarmed at how little thought seems to be given to this by the overwhelming majority of procreators. However, the risks of these harms should not merely give potential procreators pause. It should stop them from breeding.

Against this conclusion, a number of defenses of procreation might be offered. However, the most foundational of these argues that we need to distinguish between the severity of the harm and the magnitude of the risk—that is, between how bad a harm is and how likely it is to eventuate. This argument can grant that the sorts of harms I have mentioned are unspeakable and yet claim that because the chances of them befalling any child are (often) sufficiently small, potential procreators are justified in reproducing. Procreation, on this view, is simply not as risky as Russian roulette (even if the worst harms that can result from each are equally bad).

Relatively wealthy people living in comfortable conditions in developed liberal democracies are inclined to say that their children are very likely to lead good lives. Their children, they think, are unlikely to succumb to poverty, oppression, or political violence. They will have good nutrition and access to education and good healthcare. These are comforting thoughts but they are far too credulous.

First, they ignore the fact that knowledge of the optimism bias provides us with excellent reason to distrust intuitions about the level of risk. To see why this is so, it may help to look at humans who, by the standards of privileged countries, have led or are leading very poor-quality lives. These include people today who are living in extreme poverty or under repressive regimes or in politically unstable or failed states. It also includes humans through most of history, when, for example, infant mortality was high, life expectancy was short, repression and cruelty were even more rampant than they are today, and there were no anesthetics.

Consider the last of those for a moment. Before the discovery of (effective) anesthetics,[43] creating a new person

was to create a being vulnerable to the horrors of surgical procedures without the benefit of anesthesia.[44] The alternative to the excruciating pain and torment of such operations[45] was, for example, to endure the chronic pain from the un-excised tumor or to die from a gangrenous limb that was not amputated. It is salutary to consider that in a time of these horrors humans still saw fit to create new sentient beings vulnerable to such unspeakable suffering. At least in cases where their procreation was the result of a decision, they seem to have found the risks acceptable. This should lead to grave doubts about the human capacity to think carefully about these matters. If people are inclined to think that the risks of harm to their prospective children are acceptable almost irrespective of how bad those children's lives are likely to be, we have very good reason for distrusting people's judgments in this regard.

Second, let us assume, for the sake of argument, that it is true that the chances of something very bad happening to the average person—or even the average person in more privileged societies—are small. There may still be good reason to be risk averse in this context. The basic axiological asymmetry discussed in chapter 2 is one reason. When considering the interests of the prospective child, there is nothing to be lost by desisting from bringing it into existence. There is however a potentially very serious cost if the created person suffers in one of the ways I have mentioned. A second reason to be risk averse arises from the empirical asymmetries between harms and benefits that I enumerated earlier in this chapter. For example, the worst things in life are worse than the best things are good and the bad things tend to last longer than the good things. There is therefore more reason to avoid the bad things even if we

grant that this comes at the cost of not attaining the good things.

As it happens, however, the chance of very bad things happening to any person one creates is actually far from remote. Indeed, the chance is actually alarmingly high. Just how high it is does depend, of course, on where one sets the threshold for what counts as "very bad." However, one does not have to set that bar impossibly low to reach a pessimistic conclusion. Cancer, for example, is a plausible candidate for something that is "very bad." In the United States, it has been estimated that one in two men and one in three women will develop cancer, and one in four men and one in five women will die from it.[46] It has recently been suggested that estimates of lifetime risk of developing cancer may be exaggerated by the fact that some people develop cancer more than once. However, even if we opt for the more conservative estimate of lifetime risk of first primary, we find that forty percent of men and thirty-seven percent of women in the United Kingdom will develop cancer.[47] Those who do not get cancer are still at risk of hundreds of other possible causes of suffering. Thus (even) in privileged countries such as the United States and the United Kingdom any prospective parents who propose to bring a child into existence are subjecting that child to an extraordinarily high risk of suffering some very bad condition.

It is, of course, more commonly older people who get cancer.[48] However, although it is, all things being equal, worse to die when one is younger than when one is older, the physical and psychological symptoms of life with cancer and dying from cancer are no less appalling at older ages.

Furthermore, the Grim Reaper wields a two-edged sword, cutting down both young and old. The swiftest,

most painless deaths, ending lives with the least ill health, are typically those of people cut down before old age, often in their prime. They are sudden deaths by injury, stroke, or heart attack, for example. Those who live into old age are more likely to suffer from the decline and decrepitude that accompanies advancing age. Thus even when the elderly do die suddenly, it is typically after suffering from some (other) age-related cause. There are a *relatively* charmed few who live in excellent health and full vigor and then die suddenly in advanced age. However, there are very few such people. The result is that most of those who avoid the suffering that tends to precede or accompany death at older ages are among those who die young, which is another kind of very bad thing. Many have the worst of both—painful deaths at a young age.

Thus whether one is speaking about potential procreators in deprived circumstances, whose offspring are likely to die young, or potential procreators in more privileged circumstances, whose offspring are likely to die at older ages, the chances of terrible things befalling the offspring are very high.

Perhaps some especially brazen procreators in (relatively) privileged circumstances will acknowledge that their children have a high risk of terrible suffering but say that if that suffering comes late enough in life and is preceded by enough good then the suffering will be "worth it." This sort of defense of procreation seems callous. It fails to appreciate just how bad it is to suffer from a condition like cancer. It also ignores a very important feature of procreation, namely that although it is the parents who decide to procreate, it is their children who pay the price of being brought into existence. It is one thing to assume high risks

of terrible harm for oneself. It is quite another thing to assume those risks for others, even if those others are one's children.[49]

It is, of course, an immutable fact of procreation that one cannot obtain advance consent from the being brought into existence. Thus some parents might seek to defend their procreation by observing that they could not have sought their children's consent before they brought them into existence. Such a defense is the wrong response to the impossibility of consent. The appropriate response is instead to desist from imposing the risks and harms by desisting from procreation.

Seana Shiffrin does not go so far as to say that the risks and harms in life make procreation wrong, although it is not clear why she does not go that far given that her argument seems to yield that conclusion.[50] Instead she adopts what she calls an "equivocal view" about "routine procreation."[51] This is the view that procreation is "intrinsically and not just epistemically a morally hard case." This, she says, is because procreation "involves imposing serious harms and risks on someone who is not in danger of suffering greater harm if one does not act."[52]

Her argument does not assume that coming into existence has no benefits. She is willing to assume, at least for the sake of argument, that it *can* benefit the person brought into existence. However, she points to a (deontic) asymmetry between harms and benefits: It is permissible and perhaps even obligatory (in the absence of a person's wishes to the contrary) to inflict a lesser harm on somebody in order to save that person from a greater harm, but it is not permissible to inflict a harm on somebody in order to bestow a greater (pure) benefit on that person.

This, she says, is why it would be permissible to break somebody's arm if that were necessary to save his life, but it would not be permissible to break somebody's arm in order to bestow some benefit such as "supernormal memory, a useful store of encyclopedic knowledge, 20 IQ points worth of extra intellectual ability, or the ability to consume immoderate amounts of alcohol or fat without side effects."[53]

Creating somebody always causes that person harm—the harms of existence—and we cannot justify the infliction of those harms because of the purportedly greater benefits of existence.

Professor Shiffrin denies that we can presume hypothetical consent in order to justify procreation. She provides four reasons for this: (a) the person is not harmed if we do not bring him or her into existence; (b) the harms of existence may be severe; (c) the harms of existence cannot be escaped without considerable cost; and (d) the hypothetical consent is not based on the individual's values or attitudes toward risk.[54]

These are all important considerations, but in the context of the quality-of-life argument it is worth highlighting the third. Some crass optimists attempt to justify procreation in the face of the risks by pointing to the option of suicide. Their argument is that if the person brought into existence finds the quality of his or her life to be unacceptably low there is a way of opting out of existence.

These really are shallow words that belie the depth of suffering that precedes and precipitates suicide. The life drive is immensely powerful even when people are enduring unspeakable suffering. This is one reason why suicide is by no means an easy option. Another is that suicide causes great distress to the family and friends of the person who

takes his or her own life. Thus any (rational) person considering suicide has to consider that the contemplated action would inflict great tragedy on others. One cannot be glib about that.

The serious costs of suicide stand in stark contrast to never coming into existence. Whereas taking one's own life has costs to oneself, never existing has no costs to the person who is never brought into existence. Childlessness can be a source of pain, but, unlike suicide, it is not a pain typically inflicted on others. Quite the opposite: avoiding the distress of childlessness is usually achieved by inflicting great harm on others—the children brought into existence. Moreover, it is much worse to lose a loved one to suicide than for that loved one never to have come into existence.[55]

Ceasing to exist and never coming into existence are, unsurprisingly, asymmetrical. Existence is a terrible business but never existing is immeasurably better than ceasing to exist.

## NOTES

1. These findings are mentioned by David G. Myers and Ed Diener, "The Pursuit of Happiness," *Scientific American* 274, no. 5 (May 1996): 70–72. See also Angus Campbell, Philip E. Converse, and Willard L. Rodgers, *The Quality of American Life: Perceptions, Evaluations, and Satisfactions* (New York: Russell Sage Foundation, 1976), 25.
2. Frank M. Andrews and Stephen B Withey, *Social Indicators of Well-Being: Americans' Perceptions of Life Quality* (NY: Plenum, 1976), 334.
3. See Shelley E. Taylor, *Positive Illusions: Creative Self-Deception and the Healthy Mind* (New York: Basic, 1989); Margaret W.

Matlin and David J. Stang, *The Pollyanna Principle: Selectivity in Language, Memory, and Thought* (Cambridge, MA: Schenkman, 1978).

4. This evidence is reviewed by Shelley Taylor and Jonathon Brown, "Illusion and Well-Being: A Social Psychological Perspective on Mental Health," *Psychological Bulletin* 103, no. 2 (1998): 193–210.
5. Ronald Inglehart, *Culture Shift in Advanced Industrial Society* (Princeton NJ: Princeton University Press, 1990), 241–246.
6. Ibid., 242.
7. Ibid., 246.
8. Perhaps it will be argued that adapting to one's paralysis does constitute an improvement in one's objective condition. Some might respond to this objection by saying that it ignores the distinction between the objective condition—paralysis in this case—and how one subjectively reacts to the objective condition. However, one can reject the objection even if one concedes that a feedback loop is possible, such that one's subjective assessment can, to some extent, actually affect one's objective condition. More specifically, one can concede that the feedback loop leads to *some* improvement in one's objective condition, but as long as one remains paralyzed, one's objective condition is considerably worse than one's subjective assessment may recognize.
9. Richard A. Easterlin, "Explaining Happiness," *Proceedings of the National Academy of Sciences* 16, 100, no. 19 (September 2003): 11176–11183.
10. See, for example, Joanne V. Wood, "What Is Social Comparison and How Should We Study It?" *Personality and Social Psychology Bulletin* 22, no. 5 (1996): 520–537.
11. For more on this see Jonathon D. Brown and Keith A. Dutton, "Truth and Consequences: The Costs and Benefits of Accurate Self-Knowledge," *Personality and Social Psychology Bulletin* 21, no. 12 (1995): 1292.
12. It is true, of course, that some people suffering intolerable conditions come to believe that it would be better if their lives were to end, but even many of them cling to the belief that they were not harmed by being brought into existence. The rationale here is typically that it was worth coming into

existence for that period of their life that preceded the onset of whatever condition made their continued life intolerable.

13. One can soil oneself anywhere and thus this qualification is necessary.
14. For a description of what this can feel like, see Patricia A Marshall, "Resilience and the Art of Living in Remission," in *Malignant: Medical Ethicists Confront Cancer*, ed. Rebecca Dresser (New York: Oxford University Press, 2012), 94.
15. Arthur Schopenhauer, "On the Sufferings of the World," in *Complete Essays of Schopenhauer*, trans. by T. Bailey Saunders, vol. 5: *Studies in Pessimism* (New York: Wiley, 1942), 2.
16. Henceforth I shall not distinguish between desires and preferences as similar observations apply to both.
17. Abraham Maslow, *Motivation and Personality*, 2nd Edition (New York: Harper & Row, 1970), xv.
18. Similar points can be made about moral goodness, aesthetic experience, and other capacities and traits.
19. It should be noted that although religious faith can be optimistic, it is not always so. There are pessimistic religious views too.
20. Perhaps it will be suggested that these pains are byproducts of the instrumental value of pain in other contexts. If that is true then our lives would be better if pain were present *only* when it had instrumental value—that is, if there were no spillover into cases where pain has no instrumental value.
21. In the case of the reflex arc, pain accompanies reflexive aversive behavior, but the pain plays no mediating role.
22. This is, of course, a variant of the stoical motto "No pain, no gain." Insofar as this motto is true, it is an unfortunate truth. (I am reminded here of the alternative motto for those less sanguine about pain: "No pain . . . no pain.")
23. Among those who have offered this version of the argument are: Thaddeus Metz, "Are Lives Worth Creating?" *Philosophical Papers* 40, no. 2 (July 2011): 252–253; and David DeGrazia, "Is It Wrong To Impose the Harms of Human Life? A Reply to Benatar," *Theoretical Medicine and Bioethics* 31, no. 4 (2010): 317–331.

24. It should be obvious that advocates of enhancement do not use the religious language I have included in scare quotes. I am using that language to highlight the parallels.
25. The qualification is important for the following reason: If human life is not worth creating in the absence of the enhancements but the enhancements were of a sufficient magnitude to make life worth starting, it would be difficult to justify procreation if it would take a very long time for the enhancements to be brought about. The longer it takes to bring about the necessary enhancements, the longer people are creating lives that are not worth starting.
26. Given the psychological phenomenon of comparison described above, such a life is likely to look much better to us than it actually is.
27. In *Better Never to Have Been*, 182–193, I considered whether limited procreation might temporarily be permissible as part of a process of phasing human extinction in order to reduce the number of people who would suffer the costs of being the final generation. I suggested that on some views this might be permissible but that on other views it would not be.
28. In his response to what I say here, David Wasserman contends that not everybody views the fates I shall describe as terrible. Perhaps there are some people who take their lives to have an acceptable quality despite the conditions I shall describe. It seems obvious to me that such people are deeply in the grip of coping mechanisms. Of course I do not begrudge them any comfort they can scrounge from their situation. It is quite another matter to think that their conditions are not appalling. After you have read David Wasserman's response, return to the descriptions I provide here and ask yourself whether you can, with a straight face, say that prospective parents are morally entitled to create beings who stand a significant risk of suffering at least one of these fates.
29. One rape victim observes that "imagining what it is like to be a rape victim is no simple matter, since much of what a victim goes through is unimaginable." See Susan J. Brison,

*Aftermath: Violence and the Remaking of a Self* (Princeton, NJ: Princeton University Press, 2002), 5.

30. Dan Ariely, *Predictably Irrational: The Hidden Forces That Shape Our Decisions*, Revised and Expanded Edition (New York: HarperCollins, 2009), xxiii–xxiv.
31. Tony Judt, *The Memory Chalet* (New York: Penguin, 2010), 15.
32. Ibid., 17.
33. Ibid.
34. Ibid., 20.
35. Arthur Frank, *At the Will of the Body: Reflections on Illness* (Boston: Houghton Mifflin, 1991), 27.
36. Christopher Hitchens, *Mortality* (New York: Twelve, 2012), 67.
37. Ruth Rakoff, *When My World Was Very Small* (Toronto: Random House Canada, 2010), 99.
38. Philip A. Pizzo, "Lessons in Pain Relief—A Personal Post-graduate Experience," *New England Journal of Medicine* 369, no. 12, (September 2013): 1093.
39. William Styron, *Darkness Visible: A Memoir of Madness* (New York: Random House, 1990), 47.
40. Ibid.
41. Ibid., 49.
42. Ibid., 62.
43. The first use of ether as an anesthetic was in 1842. See Harvey Graham, *Surgeons All* (London: Rich & Cowan, 1939), 324. Prior to this date various attempts at dulling the senses were used but none successfully prevented the patient from feeling pain.
44. The same applies to dental procedures, although it has been claimed that dental pain was most widespread from the late seventeenth century until the discovery of anesthetics. See N.W. Kerr, "Dental Pain and Suffering Prior To the Advent of Modern Dentistry," *British Dental Journal* 184, no. 8 (April 1998): 397–399.)
45. For a first-person account of enduring such an experience see Frances Burney's account of her mastectomy, performed while she was fully conscious. (Part of her account is quoted in Roy Porter, *The Greatest Benefit to Mankind: A Medical*

*History of Humanity from Antiquity to the Present* (London: HarperCollins, 1997), 365.)

46. American Cancer Society. "Lifetime Risk of Developing or Dying from Cancer." http://www.cancer.org/cancer/cancerbasics/lifetime-probability-of-developing-or-dying-from-cancer (Accessed October 2, 2013).
47. Cancer Risk UK, "Lifetime Risk of Cancer," http://www.cancerresearchuk.org/cancer-info/cancerstats/incidence/risk/statistics-on-the-risk-of-developing-cancer (Accessed October 6, 2013).
48. "Older" is a relative term. There are many children, young adults, and middle-aged ones who suffer from cancer, but septuagenarians, for example, are more likely to get cancer than children, young adults, and the middle aged.
49. Nor does it become acceptable to have assumed those risks for one's children if those offspring, as a result of the coping mechanisms I have discussed, also come to think that the suffering is "worth it." Prospective parents do not know if their children will reach this conclusion and it is indecent to assume that they will. In any event, the subjective assessments that the suffering is "worth it" are unreliable for all the reasons I have mentioned.
50. I discuss her argument at greater length in *Better Never to Have Been*, 49–54.
51. Seana Valentine Shiffrin, "Wrongful Life, Procreative Responsibility and the Significance of Harm," *Legal Theory* 5, no. 2 (1999): 136.
52. Ibid.
53. Ibid., 127.
54. Ibid., 131–133.
55. If, for some people, it is not worse, it still *should be* worse.

# 4

# The Misanthropic Argument

SOME ARGUMENTS FOR THE CONCLUSION that it is (always) wrong to bring somebody into existence are "philanthropic" arguments. They are rooted in a concern for the welfare of those who would be brought into existence. According to these arguments, coming into existence is such a serious harm or carries such a severe risk of serious harm to those people brought into existence that we should desist from creating them.

However, philanthropy is not the only route to anti-natalism. There are also anti-natalist arguments that we can characterize as "misanthropic." These arguments focus on the terrible evil that humans wreak, and on various negative characteristics of our species. This chapter will be devoted to advancing what I take to be the strongest of these arguments—a moral argument.[1]

Misanthropic anti-natal arguments are likely to be met with an even more hostile reaction than are philanthropic anti-natal arguments. It is not hard to see why this is the

case. First, we tend to dislike those who hate us. The misanthrope is, purportedly, one who hates humans and thus it is unsurprising that the misanthrope is disliked. Second, people do not like to hear bad things about themselves and the misanthrope has lots of bad things to say.

A few comments may be offered to mitigate this instinctive response. First, the arguments that will be advanced here are misanthropic only in the sense that they point to unpleasant facts about humans. Accepting these arguments does not commit one to hating humans. Indeed, I shall argue that the misanthropic arguments are not incompatible with the philanthropic ones. Thus the characterization of the arguments as misanthropic should not be taken too literally or overinterpreted.

Second, the unpleasant claims that the misanthropic arguments make about humanity may well be true. To refuse to believe them merely because they are unpleasant would provide the misanthrope with further grounds for complaint. Failing to acknowledge one's flaws is itself another flaw.

The strongest misanthropic argument for anti-natalism is, I said, a moral one. It can be presented in various ways, but here is one:

1. We have a (presumptive) duty to desist from bringing into existence new members of species that cause (and will likely continue to cause) vast amounts of pain, suffering, and death.
2. Humans cause vast amounts of pain, suffering, and death.
3. Therefore, we have a (presumptive) duty to desist from bringing new humans into existence.[2]

I shall delay discussion of the first premise until later, and shall begin now by demonstrating the truth of the second premise. I do so in two stages. First I highlight the dark side of human nature; then I show just how harmful humans are. The two are connected because the dark side of human nature partially explains why humans are so harmful. More specifically, it explains how, in certain situations, the dark side manifests, with destructive results. I shall provide more detail than some might think necessary. I do so because some people are inclined to underestimate the extent of human destructiveness and I need to forestall that sort of glib response.

## HUMAN NATURE—THE DARK SIDE

Our species is prone to a flattering view of itself. Humans have regarded themselves as the pinnacle of creation, formed by and in the image of an omnibenevolent, omniscient, and omnipotent God, and inhabiting a planet at the center of the universe—a planet around which all others revolve.[3] Science has done much to debunk some of these ideas. We now know that our planet is not at the center of the universe: the earth revolves around the sun rather than vice versa. And we know—or at least some of us do—that we are johnny-come-lately products of a long, blind evolutionary process.

However the inclination toward self-adulation is remarkably resilient and it simply manifests differently in the scientific paradigm than it does in the religious one. Thus in our taxonomy of species we designate ourselves as *Homo sapiens*—the thinking human. There is, of course,

*some* truth in this designation. As a species we do think more than other animals, and we have greater technical capacity than they do. The human elite has had some remarkable achievements. However, we would do well to note that these achievements are thought to be remarkable only because (a) they are not within the reach of most humans; (b) the cleverest humans typically produce them only by pushing the limits of their capacity; and (c) there are no more cognitively capable species on the planet to put our achievements into a humbling perspective.[4] There is thus something unfair about judging our entire species by the achievements of its elite. Even the cognitive capacities of the elite are massively deficient in countless ways.

We fancy ourselves as rational beings, but there is ample evidence that we regularly fall far short of thinking and acting rationally.[5] For example, we have instincts to make intuitive judgments that, on reflection, we can see to be mistaken. But we are also often too lazy to do the necessary reflection. Our decisions can be influenced by the "framing effect"—that is, our decisions are likely to differ depending on whether the *same* information is presented one way or another. In states of sexual arousal we make decisions that we know to be irrational when we are not aroused. We are willing to pay more to *retain* something than we are to *obtain* something of the same value even when there is no reason to be attached to the object we already own—the so-called "endowment effect." Humans also have a tendency to be overly optimistic and we have considerable capacity for self-deception. And these are but a few of hundreds of possible examples that could be provided.

For all the thinking that we do we are actually an amazingly stupid species. There is much evidence of this

stupidity. It is to be found in those who start smoking cigarettes (despite all that is known about their dangers and their addictive content), and in the excessive consumption of alcohol and especially in those who drive while under its influence. It is to be found in the achievements of the advertising industry, which bear ample testament to the credulity of humanity. It is also to be found in the successes of political sloganeering, demagoguery, and spin, to which billions of people fall prey. The seriousness with which so many people take matters of utter inconsequence—such as sport and the vicissitudes of particular sport teams—and the popular adulation of shallow, dysfunctional sports, music, and film stars, are also items of evidence.[6] Further signs are to be found in the fads and fashions and delusional obsessions that run rampant.[7]

Our cognitive and other deficiencies are troubling in their own right, but some of these deficiencies, predictably, also incline us to various moral failings. These failings explain or partially explain some of the terrible things humans do and which form the basis for the strongest versions of the misanthropic argument against creating new people.

Consider, for example, the human tendency toward conformity. In one influential study[8] demonstrating this phenomenon, groups of subjects were shown a line—the "standard"—and then asked which of three other lines was the same length as the standard. The nonequivalent lines were of sufficiently different length that the correct answer was clear. In each group of subjects all but one were confederates of the experimenter and they were instructed, in some conditions of the experiment, to give the wrong answer. A significant number of the individuals who were

the actual experimental subjects yielded to the majority's answer. Subsequent analysis has confirmed these findings but also shown that the *extent* of conformity is influenced by cultural variables.[9]

The studies have also shown that the extent of conformity is influenced by the degree to which the stimulus was ambiguous. The less clear the correct answer is the more likely people are to conform to the majority view. We should thus expect that when we shift from simple factual matters such as the length of lines to more complicated matters, including evaluative ones, people will be even more likely to conform. That is to say, when everybody is admiring the legendary "emperor's new clothes," it is less likely that the lone individual will announce that the emperor is not wearing any clothes. We know how dangerous conformity can be in certain circumstances. One context in which it has manifested is that of witch hunts. Judging by the actual incidence of witches (where "witch" is understood the way witch hunters understand it), a witch hunt should be about as successful as a unicorn hunt. Yet tens of thousands of purported witches were "found" and killed between 1450 and 1700.[10] There have been sporadic witch hunts since then, including in our own times.[11]

Humans also have a propensity to obey authority and will often do so even when they are asked to do terrible things.[12] Most people have difficulty believing that *they* would be among those who would obey orders to commit atrocities. While it is true that there are *some* people with the strength to resist authority where it is appropriate to do so, it is not the case that everybody who thinks that they fall into that category is as exceptional as they think they are. Indeed in the famous psychological experiments that

demonstrated the tendency to obey authority, some of the subjects who had thought well of themselves were shocked to find they had followed orders. One of them began to call himself "Eichmann,"[13] a reference to Adolf Eichmann, whose defense at his trial in Jerusalem was that he was obeying orders.[14]

An even more graphic experimental example of how ordinary people can quickly descend into barbarism is that of the Stanford prison experiments.[15] In this experiment twenty-four healthy student volunteers were randomly assigned to the roles of either guards or prisoners in a faux prison located in the basement of the Stanford psychology building. Both groups adapted very rapidly to their respective roles, with the authoritarian "guards" humiliating and psychologically torturing the "prisoners." The treatment of the "prisoners" got so bad that the experiment had to be terminated prematurely, after a mere six days.

I have pointed to evidence that humans are neither as clever nor as good as they often think they are. None of this is to deny that there are also positive features to human nature. For example, we can (even if we do not always) employ reason to a greater degree than other animals. And we can feel empathy and act on it (as some animals also do). I have focused on the negative, not to deny the existence of the positive, but instead to highlight what is ignored in the general self-conception of our species.[16] Moreover, the dark side is arguably the more primitive. To avoid its manifestation, considerable effort has to be expended in educating and training people and in constructing and maintaining circumstances and institutions that inhibit the dangerous lapses to which people are prone.

## HOMO PERNICIOSUS

Humans may exceed other animals in their sapient capacities, but we also surpass other species in our destructiveness. Many animals cause harm, but we are the most lethal species ever to have inhabited our planet. It is revealing that we do not refer to *this* superlative property in identifying ourselves. There is ample evidence that we are *Homo perniciosus*—the dangerous, destructive human.[17]

In what follows, I shall first demonstrate how much harm humans do. I shall consider three categories of such harm: harm to other humans, harm to animals, and harm to both humans and animals via harm to the environment. While it is obviously impossible to provide a full catalogue of human destructiveness, I do plan to survey a wide range of types and provide some examples.

### Inhumanity to Humans

Humans have harmed other humans for as long as there have been humans. The earliest destruction was on a relatively small scale, not least because there were so few humans at the beginning of the species's history. The harms inflicted were, most likely, assault and murder committed by individuals or small groups, with the victims being either individuals or other small groups. In other words, the totality of the destruction would have been very similar to that seen in some species of nonhuman primates today.

Although humans continue to inflict such harms, when we think today of the destruction that humans wreak, we are more likely to think first of much larger-scale destruction. Humans have killed many millions of other humans

in war and in other mass atrocities, such as slavery, purges, and genocides.

The number has been increasing, partly because of the burgeoning number of humans that there are to kill, and partly because humans' destructive capacity has increased so significantly. That said, it is alarming just how lethal primitively armed humans can be.

Many hundreds of millions have been murdered in mass killings. In the twentieth century, the genocides include those against the Herero in German South West Africa; the Armenians in Turkey; the Jews, Roma, and Sinti in Germany and Nazi-occupied Europe; the Tutsis in Rwanda; and the Bosnian Muslims in the former Yugoslavia. Other twentieth century mass killings were those perpetrated by Mao Zedong, Joseph Stalin, and Pol Pot and his Khmer Rouge. But these mass killings were by no means the first. Genghis Khan, for example, was responsible for killing 11.1% of all human inhabitants of earth during his reign in the thirteenth century.[18]

The gargantuan numbers should not obscure the gruesome details of the how these deaths are inflicted and the sorts of suffering the victims endure on their way to death. Humans kill other humans by hacking, knifing, hanging, bludgeoning, decapitating, shooting, starving, freezing, suffocating, drowning, crushing, gassing, poisoning, and bombing them. Sometimes the victims are killed one at a time and sometimes they are killed en masse in a single action. Although the killing is sometimes at a distance where the suffering can be obscured from the killer, at other times it is up close—the killer, covered in the blood and splattered brains of his victims, continues on his destructive path through further victims.

Mass killings are obviously not the only form of destruction wrought by humans. There are smaller-scale killings and there are various barbarities other than killing. Humans rape, assault, flog, maim, brand, kidnap, enslave, torture, and torment other humans. Brutal punishments are inflicted on people, sometimes for real crimes but sometimes merely because of their religious or political views, their race or ethnicity, or their sexual orientation or practices. There are so-called "honor killings" and mutilations for perceived or suspected violations of rigid codes. And humans have performed human sacrifices to their deities.

It is hard to fathom the depth and variety of the barbarism. Consider, for example, the case of René de Permentier, a Belgian officer in the Congo in the 1890s:

> He had all the bushes and trees cut down around his house . . . so that from his porch he could use passersby for target practice. If he found a leaf in a courtyard that women prisoners had swept, he ordered a dozen of them beheaded. If he found a path in the forest not well-maintained, he ordered a child killed in the nearest village.[19]

Or consider what was done to Ahmad Qabazard, a nineteen-year old Kuwati detained by the Iraqis. His parents were advised that he would soon be released. When they heard a car approaching, they went to the door:

> When Ahmad was taken out of the car, they saw that his ears, nose and genitalia had been cut off. He was coming out of the car with his eyes in his hands. Then the Iraqis shot him, once in the stomach and once in the head, and told his mother to be sure not to move the body for three days.[20]

Militiamen in Congo cut the flesh from living victims and force them to eat it, a practice known, macabrely, as "auto-cannibalism."[21] Other practices include cutting a fetus out of a woman's uterus and then making her friends eat it, and inserting the end of an AK-47 rifle into a woman's vagina and then pulling the trigger.[22] Annually, fighters from the Lord's Resistance Army would club hundreds of people to death as they raided villages and kidnapped children.[23]

Kidnapping of children in such contexts is the first stage in making them child soldiers. Sometimes they are forced to kill members of their own family[24] or others, typically in gruesome ways. In one case a boy was told to pound to death the baby of a woman he knew.[25] If the inductees refuse orders they are beaten savagely or even killed. Indoctrination is another component of their "training." It is estimated that there are currently about three hundred thousand child soldiers in conflicts in Asia, Africa, the Americas, and elsewhere.[26]

In other situations those who are kidnapped are sold into slavery. They are torn away from their families and sometimes shipped great distances, often in fetid, crowded conditions, in which many die. They are subjected to savage beatings, rape, and other indignities. Nor does the slave's commercial value mean that slaves were not killed. In one horrendous case, 133 live slaves were thrown overboard on the orders of the captain, who had insured them for £30 each.[27]

Some people think that slavery is no longer practiced. However, it persists even in some jurisdictions where it is illegal.[28] In some places, young girls are still sold into sexual slavery. One young Cambodian girl, Long Pross, who was kidnapped and forced into prostitution, has related how

she was beaten and subjected to electric shocks. Two crude abortions were performed on her. When the second left her in great pain she pleaded to be able to rest. In response her "owner" gouged out her right eye.[29]

Now it may well be suggested that terrible though all these actions are, it is a minority of humans who actually behave in these ways. In response to this comforting thought, a few other less comforting ones need to be considered. First, some of the serious harms humans inflict on other humans are not as aberrational as one might think. For example, there was a time when slave owning was widespread. Slave merchants might have been a small minority, but slave owners were far more common. Rape remains widespread today. It is probably a minority of people who are rapists, but it is not a negligible minority.

Second, even where people are not themselves perpetrators they often facilitate the atrocities committed by others. For example, they might support the infliction of torture and cruel punishments, or policies that discriminate against people on the basis of their race, religion, sex, or sexual orientation, and vote for governments that implement such practices and policies. Sometimes large numbers of people endorse a worldview in which "honor killings" thrive, or in which terrorists are hailed as heroes. Sometimes the facilitation of evil results not from an endorsement of the evil but from stupidity, gullibility, dogma, or some other failing. Consider, for example, so-called 'useful idiots,' those well-meaning people who support a cause without realizing how evil it really is. Well-intentioned people in the West who sympathized with the Soviets are common examples. Many of them would have been horrified by the brutality of

and the repression within the Soviet Union, but their naïveté blinded them to the realities of the Soviet regime. Perhaps the most tragic situations are those in which well-meaning people inadvertently cause even more suffering. For example, there is some evidence that western media attention to amputations in Sierra Leone actually encouraged further amputations by those seeking the media attention.[30]

Third, we should remember how easily ordinary people can slip into contemptible behavior. One such scenario can be found in crowds of people clambering in shops for sale items or products in limited supply. In late 1998, the Furby (a stuffed-toy pony) was the season's hottest toy in the United States, and customers were jostling to buy the limited stock. One woman in the crowd "was pushed into a door, where her arm was badly bruised."[31] In another shop a thirteen-year-old girl reported that when she picked up a Furby, a woman took her "hand and chomped on it" in order to force her to let go of it.[32] The problem of shopper crowd violence is a recurring one.[33] One year a Walmart employee in Valley Stream, New York was trampled to death by shoppers who stormed into the store looking for bargains.[34]

Nor is this the worst kind of crowd behavior. Lynch mobs, whose collective intentions are to kill, are notorious examples. The members of such mobs have often been "respectable" members of society. In 1672, the De Witt brothers were lynched in The Hague. The mob's intention had been to hang them "but they were so viciously attacked that they died before reaching the scaffold. The bodies were then hung up by the feet, stripped bare, and literally torn to pieces."[35] The philosopher Baruch Spinoza "was stunned by these acts of barbarity, perpetrated not by some roving

band of thieves, but by a crowd of citizens that included respectable middle-class burghers."[36]

Although this particular example and some of the other evidence I have provided of atrocities is historical, it certainly cannot be claimed that the worst human destructiveness is restricted to the past. I have provided plenty of evidence of ongoing harm that humans do.[37] Moreover, the historical evidence is often pertinent to the present and future. What people have done in the past provides good evidence of the kinds of things people can do under certain circumstances. Sometimes relevantly similar circumstances reemerge. One of the reasons why the Holocaust is so shocking is that it was conceived and implemented by what had been thought to be so civilized a society. It is unduly optimistic to think that civilization cannot backslide into barbarism. We saw earlier, when I described the dark side of human nature, some of the features of the human character that makes this possible. It is thus altogether too convenient to assume that there are only a few evil people who do things of which the rest of humanity is incapable. Sometimes, for example, it is only moral luck that prevents somebody from becoming a genocidaire.

Fourth, human destruction comes in degrees and not all of it involves the worst atrocities. There are many more minor and sometimes quotidian harms that humans inflict on others. They lie, steal, cheat, speak hurtfully, break confidences and promises, violate privacy, and act ungratefully, inconsiderately, duplicitously, impatiently, and unfaithfully. As a result people's property is lost or damaged, their feelings hurt, their confidence shattered, their trust destroyed, and their psyches scarred. These are not murder, mutilation, torture, and rape, but they are nonetheless

deep, often life-altering hurts. In the more extreme cases the victims take their own lives as a result of the hurt, but it does not have to reach that level for it to be worthy of our moral revulsion.

Although humans do have a sense of justice, and human societies often respond to injustice in order to punish it, rectify it, and prevent future instances of it, injustice all too frequently prevails. For example, most of the perpetrators of human history's worst atrocities lived out their natural lives without penalty. Forty-nine percent continued ruling until their deaths by natural causes and a further 11% had peaceful retirements. For an additional 8% the only penalty was exile.[38] Consider too, the number of unreported rapes, unsolved murders, and other crimes for which nobody is ever convicted. Whistleblowers and others who refuse to countenance bad behavior by powerful people often pay a high price.[39] Evildoers often act with impunity.[40]

Nor should we lose sight of the myriad lesser (but nonetheless significant) injustices of human life. One such perpetrator was anatomist Henry Gray, who systematically downplayed the role of his collaborator and illustrator, Henry Carter, in the production of what, tellingly, became known as *Gray's Anatomy*.[41] Another was Selman Waksman, who successfully connived to rob his student, Albert Schatz, of credit for the latter's discovery of streptomycin. As a result Dr Waksman but not Dr Schatz won the Nobel Prize for the discovery.[42] Despite many attempts to rectify the injustice, Dr Schatz went to his grave without achieving the recognition he was due.

"Bad guys" regularly "finish first." They lack the scruples that provide an inner restraint, and the external restraints are either absent or inadequate.

## Brutality to "Brutes"

Humans inflict untold suffering and death on many billions of animals every year, and the overwhelming majority of humans are heavily complicit.

Over 63 billion sheep, pigs, cattle, horses, goats, camels, buffalo, rabbits, chickens, ducks, geese, turkeys and other such animals are slaughtered every year for human consumption.[43] In addition approximately 103.6 billion aquatic animals are killed for human consumption and non-food uses.[44]

Nor is the sum of these figures—over 166 billion animals—the total number of animals killed annually in the industries that provide humans with animal flesh. Excluded are hundreds of millions of male chicks that are culled by the poultry industry because they will be unable to produce eggs. There do not seem to be any estimates of the annual number of such kills *globally*. However, there are figures for some specific countries and regions, including the United States (260 million[45]) and the European Union (330 million[46]).

Nor do the official slaughter figures include the dogs and cats that are eaten in Asia. Reliable figures are even harder to obtain here, but one calculation puts the annual number at between thirteen and sixteen million dogs and about four million cats.[47] Similarly excluded are "bycatch"—animals such as turtles, dolphins, sharks, and sea birds that are caught up in nets even when they are not the intended catch. There are no reliable figures for the numbers of animals killed in this category, but a subset of "bycatch," those discarded overboard, amounts to about a further five billion marine animals.[48]

The deaths of the overwhelming majority of these animals are painful and stressful. Humans kill the millions of male chicks in a variety of ways. In the United States most are killed by being sucked at high speed to a "kill" plate, which is sometimes electrified.[49] Elsewhere they are killed by suffocating or crushing, or, in the United Kingdom, by gas or instantaneous maceration.[50] Broiler chickens and spent layer hens are suspended upside down on conveyer belts and have their throats slit. Pigs and other animals are beaten and shocked to coax them to move along in the slaughterhouses, where their throats are cut or stabbed, sometimes after stunning but sometimes not.

Marine animals do not fare any better. They typically suffocate to death once out of the water, but there is suffering even on the way to the surface. Fish that are rapidly hauled by trawlers from great depths suffer barometric trauma. Gas bubbles form inside the body causing extreme pain. Their swim bladders also become hugely inflated. "Sometimes the pressure is so great their stomach and intestines are pushed out of their mouth and anus. Eyes also become distorted and bulge out."[51] Fish caught on a smaller scale, with line and bait, suffer the trauma of the hook as they fight for their lives. Some humans would like to believe that fish do not feel pain, but this comforting fiction, once held about mammalian animals, withers in the light of the evidence.[52] The deaths of dolphins, which are highly intelligent mammals, may be even worse. When they are not bycatch but instead the intended prey of fishermen, they are driven into bays where they are butchered. Whales, also mammals, are hunted at sea, where they are harpooned.

Animal suffering at the hands of humans is not restricted to the time that humans kill animals. Chickens,

for example, are typically reared in the extremely confined spaces of the battery cages. They cannot spread their wings or move about. They cannot engage in any of the activities, such as dust bathing, which they would instinctually perform. They stand, with discomfort, on a sloped wire floor. Because such conditions disturb the birds and cause them to peck at one another, chicks destined for this life of suffering are de-beaked with a hot blade. When the egg yield from a battery of hens declines, the hens are shoved into crates and transported to slaughter.

Veal calves and farrowing sows are confined to such small spaces that they can barely move for the duration of their lives. Cows are fed Bovine Growth Hormone to increase milk production, but this often causes mastitis—painful inflammation of the cows' udders. Humans mutilate various animals, including pigs and cattle, by docking their tails, castrating, dehorning, and branding them, all without anesthetic. Animals are often transported immense distances by truck and ship in cramped and foul conditions to be slaughtered at their destinations.

Producing food for humans is by no means the only context in which animals are maltreated. It is hard to know how many millions of animals are affected by scientific experiments[53] each year, but a conservative calculation suggests that it is at least 115.3 million.[54] Moreover, despite a commitment to the "three Rs" of animal use in science—replacement, reduction, and refinement—at least some countries are actually *increasing* the number of animals used each year.[55]

Many horrific experiments have been performed. It is hard to summarize the full range of torturous treatments to which animals have been subjected, but some examples

illustrate the sorts of cruelties humans have inflicted on animals. There was a time when animals would be dissected while fully conscious.[56] As recently as the 1960s conscious dogs were subjected to microwave blasts, resulting in the swelling of their tongues, the crisping of their skin and, if the temperatures were high enough, in death.[57] In that decade and the following one, monkeys were exposed, by the US military, to massive doses of radiation, resulting in the monkeys' "going into convulsions, stumbling, falling, vomiting, twisting in an apparent endless and futile search for a comfortable position."[58]

Psychological trauma has also been inflicted. In one (in)famous set of experiments, infant monkeys were separated from their mothers, causing severe distress to both mother and infant. The infants were then deprived of any live contact. Their mothers were replaced with mannequins that blasted the infants with air, or rattled them until their teeth chattered, or catapulted them across their cages, or stabbed them with spikes.[59] Females "reared" in these ways were then forcibly impregnated. Given their own upbringing they were unable, unsurprisingly, to care for the resultant offspring, and instead assaulted, maimed, and even killed their infants.[60]

By current standards, many such experiments would not receive the approval of animal research ethics committees. However, the current standards still allow humans to inflict significant harms, including death, on animals. For example, toxicity tests (for both medicines and cosmetics) are performed where the intended or expected outcome is death, typically preceded by the suffering that accompanies the path to death by poisoning. Other animals are genetically engineered to experience motor neurone degeneration,[61] or,

like the "oncomouse,"[62] to develop cancer. Humans also perform surgery on animals to produce experimental models of painful conditions, such as sciatica,[63] and they cause stroke-like symptoms in a variety of animals, including rats, rabbits, cats, dogs and monkeys.[64] They subject animals to substances such as ethanol[65] and methamphetamine[66] and to the effects these substances have on them. Those performing such experiments receive acclaim from the majority of their fellow humans.

Even more damning of our species than cases where cruelty is inflicted as a result of indifference are cases where the cruelty is brought about for human entertainment. Consider the baiting of bulls, bears, badgers, and other animals. The baited animal is tethered to a pole and then attacked by dogs for the pleasure of human spectators. Cockfighting, dogfighting, and bullfighting continue even today.

Other "sports" also inflict suffering and death on animals even where this is not the goal. Horses are whipped on the racetrack to entice them to run faster. They are injected with performance-enhancing drugs, often illegally. They regularly break bones while racing and are then "euthanized."[67] Horses that are too old or weak to run are sent for slaughter. Other animals that suffer for human entertainment are those confined to zoos or made to perform in circuses.

Even those animals with whom humans have the closest emotional bonds—domestic companion animals such as dogs and cats—are not immune to ill-treatment on a colossal scale. Some humans treat these animals with immense cruelty. They confine them in small spaces, beat them, and fail to exercise or feed them adequately. The permutations

of cruelty are endless. For example, Henry Morton Stanley, the famous nineteenth century explorer, cut off his dog's tail, cooked it, and fed it to the dog.[68] Terrible cruelty persists in our own times. In August 2006 a woman in England attempted to drown a puppy in boiling water. The puppy survived that attempt and was then left to die, which took "possibly as long as a week."[69] In other recent cases a man killed a dog by baking it in an oven,[70] and another decapitated a cat with a machete.[71] There are thousands of other such cases.

Millions of dogs and cats are abandoned each year. In the shelters to which they are sent, the overwhelming majority are killed because homes cannot be found for them.[72] It is astounding that, in the context of so many unwanted domestic animals, humans actively breed more such animals, which only exacerbates the problem. Sometimes these breeding activities are informal and small scale. A much greater problem, however, are the so-called "puppy mills" (or "kitty mills"), which produce large numbers of animals, who are often kept in poor conditions and given inadequate attention. The aim is to maximize profits for the breeders, and scant if any attention is giving to animal welfare.

The human penchant for "purebreds" also leads to animal suffering. Many such animals suffer from congenital problems that impair their ability to breathe, or that render their spines vulnerable to injury, or their hips to dysplasia.[73] Other bizarre human aesthetic preferences lead dogs to have their tails docked or their ears cropped, often without anesthesia. Animals are also declawed and "debarked" for the convenience of the humans whose homes they share.

The above categories of human-inflicted harm on animals do not include the miscellaneous other ways in which our species spreads misery. For example, in Asia, bears are "milked" for their bile, a substance still used in traditional "medicine," even though no medicinal value has ever been demonstrated. To facilitate the harvesting of their bile, the bears are confined for the duration of their lives to "crush cages" in which they cannot stand up or move around. In these conditions their muscles atrophy and they go mad. The catheters cause pain and the wounds can become infected, often leading to death.

Even more widespread than the abuse of bears is the fur industry. Mink, foxes, rabbits, dogs, cats, and others are its victims. Many of these animals are reared on fur farms, in intensive conditions that cause significant suffering. They are then killed so that humans can wear their furs. Many humans seem to think that fashion is a good reason to make an animal suffer and die.

## Toxic to the Environment

Some of the harm that humans cause to other humans and to animals is mediated by the destructive effect that humans have on the environment. For much of human history, the damage was local. Groups of humans fouled their immediate environment. In recent centuries the human impact has increased exponentially and the threat is now to the global environment. The increased threat is a product of two interacting factors—the exponential growth of the human population combined with significant increases in negative effects per capita. The latter is the result of industrialization and increased consumption.

The consequences include unprecedented levels of pollution. Filth is spewed in massive quantities into the air, the rivers, lakes, and seas, with obvious effects on those humans and animals who breath the air; live in or near the rivers, lakes and seas; or get their water from those sources. The carbon dioxide emissions are having a "greenhouse effect," leading to global warming. As a result, the icecaps are melting, water levels are rising, and climate patterns are changing. The melting icecaps are depriving some animals of their natural habitat. The rising sea levels endanger coastal communities and threaten to engulf small low-lying island states, such as Nauru, Tuvalu, and the Maldives. Such an outcome would be an obvious harm to its citizens and other inhabitants. The depletion of the ozone is exposing earth's inhabitants to greater levels of ultraviolet light. Humans are encroaching on the wild, leading to animal (and plant) extinctions. The destruction of the rainforests exacerbates the global warming problem by removing the trees that would help counter the increasing levels of carbon dioxide.

There are some people, of course, who deny that humans are having at least some of these large-scale negative effects on the environment. However, this is not the place—and I am not the person—to argue against the climate change denialists. Those who do deny that humans are having a deleterious effect on the environment may simply exclude the relevant harms. Humans are so destructive even without these harms that the second premise can easily survive their exclusion. By contrast, those who do recognize that humans are damaging the environment can simply add this to the previous list.[74]

## THE NORMATIVE PREMISE

We have seen that humans cause colossal amounts of suffering and death. Having demonstrated the truth of the second premise, I turn now to consider the first premise of the moral misanthropic argument for anti-natalism:

> We have a (presumptive) duty to desist from bringing into existence new members of species that cause (and will likely continue to cause) vast amounts of pain, suffering, and death.

The first thing to note about this premise is what it does not claim. It does not claim that we should *cull* members of dangerous species. Nor does it claim that we have a duty to *prevent others* from bringing new members of dangerous species into existence. The claim is a much more modest one. It says that one should oneself desist from bringing such beings into existence.

For this premise to be true it does not have to be the case that every single member of the species will cause pain, suffering, and death. To see why this is so, consider another presumptive duty—the duty not to drive through red traffic lights. We have such a duty because driving through red traffic lights is dangerous, even though not every instance of such conduct results in harm.

The normative premise is neutral between whether the species in question is one's own or another. Here it is important to note how widely the premise would be accepted if the species were *not* human. Imagine, for example, that some people bred a species of nonhuman animal that was as destructive (to humans and other animals) as humans

actually are. There would be widespread condemnation of those who bred these animals. Or imagine that some scientists replicated, and released, a virus that caused as much suffering and death as humans cause. Again, there would be little hesitation in condemning such behavior.[75]

The question, then, is whether it makes any difference whether the highly destructive species is our own. In offering an affirmative answer to this question, some people might suggest that there is something paradoxical about claiming that we have a duty to desist from bringing into existence members of a species that is harmful to itself. There is, on this view, something odd about citing the harm caused to humans by humans as a reason to desist from creating humans. In other words, the misanthropic argument seems to be in conflict with the philanthropic ones. If humans are worth protecting from harm then they are not so bad that we should not replicate the species. And if they are as bad as the second premise of the moral misanthropic argument suggests, then we should not count the harm done to them as relevant in the first premise.

This line of argument fails. First, the harm that humans do to humans is only part of the harm humans do. We are also extremely harmful to other species. Thus, even if we could not cite the harm that humans do to other humans for the purposes of the moral misanthropic argument, the argument could still be carried on the strength of the harm that humans do to animals. This does assume, of course, that animal interests count morally. However, there are very powerful arguments for this conclusion and I shall not rehearse them here.[76]

Second, it is a mistake to muddle our attitudes to victims and our attitudes to perpetrators—even when the

victims are also perpetrators. The recommendation that we should keep these attitudes separate is not uncommon. In civilized societies it is agreed that there are limits on what we may do to even the worst perpetrators, let alone lesser perpetrators. Those who torture and rape their victims before murdering them are not subjected to similar treatment by the state (at least in civilized societies). This is because the perpetrator remains morally considerable despite his perpetration and, on this view, there are limits on what we may do to morally considerable beings. The separation of attitudes is not restricted to the context of punishment. A woman may be guilty of physically assaulting her child, but that does not mean that we should be unconcerned about the physical assault her husband inflicts on her, or that we should be not be concerned about the violence he suffers at the hands of others. We should be concerned about the harm inflicted even on those who inflict harm on others. This point is even more important when greater harms are inflicted on lesser perpetrators. Thus, the philanthropic and misanthropic arguments are not incompatible. We can believe both that it would be better if humans never suffered the harms of existence and that it would be better if there were no humans to inflict harms.

Now, it may be suggested that what is odd about the moral misanthropic argument is the particular way it recommends preventing harm. It seeks to prevent harm to humans by preventing humans. This objection would have more force than it does if there were reasonable prospects of reducing human destructiveness to negligible levels fairly promptly and then ensuring that they do not rise again. If that were the case then it could be argued that instead of preventing humans we should rather reduce

their destructiveness. In fact, however, we cannot expect that human destructiveness will *ever* be reduced to such levels. Human nature is too frail and the circumstances that bring out the worst in humans are too pervasive and likely to remain so. Even where institutions can be built to curb the worst human excesses, these institutions are always vulnerable to moral entropy. It is naïve utopianism to think that a species as destructive as ours will cease, or all but cease, to be destructive.

Am I being overly pessimistic here? After all, it has been argued that rates of violence have been steadily diminishing and are now much lower than they were in prehistoric times.[77] This trajectory does not supplant the pessimism implicit in the misanthropic argument. Insofar as violence has decreased it is only the *rate* of violence that has declined. People are now less likely to suffer violence than they were before.[78] However, the total *amount* of suffering and death that is inflicted has increased, primarily because there are now many more people to inflict harm and to suffer harm at the hands of others. Desisting from creating new humans would mean that there would be fewer humans to be harmed and thus less total harm. While rates of violence are important, the total amount of violence is at least as important a consideration in deciding whether to create new people. There would be less violence if there were fewer people.[79]

Even if we restrict our attention to the rate of violence, the rate could still increase. Given human nature, we cannot assume that the trend toward reduced rates is inexorable. However, even if we set that concern aside, the current rates are far from negligible despite the reduction. Even if it were not naïve to think that, in the very long term, human

destructiveness could be reduced to negligible levels, it would still be indecent to create beings that in the interim would cause massive pain, suffering, and death.

## A PRESUMPTIVE DUTY

If my argument so far is correct then we have a presumptive duty to desist from bringing new humans into existence. Can the presumption be defeated?

Those who think it can might suggest that while the destructiveness of humans does create a presumption, the presumption can be defeated because of the good that humans do. One version of this view maintains that the good is sufficiently widespread that the presumption can *regularly* (even though not always) be defeated, and I shall consider this version first.

The more regularly a presumption can be defeated the less clear it is that the presumption really is a presumption. However, the presumption against creating new members of a species that is as destructive as ours must surely be a strong one. Thus those who would suggest that it is regularly defeated must bear the burden of proof and demonstrate that humanity does enough good to outweigh all the harm it does. I am not optimistic that this burden can be met.

Certainly in the case of the treatment of animals, the scales are heavily weighted against us. Although it is true that some humans do some good for animals, much of this is merely rescuing animals from the maltreatment of other humans. At the level of the human species such benefits cannot be used to offset the harms. If there were

no humans to inflict the harms, these benefits would not be necessary. Of course, humans do bestow some other benefits, such as veterinary care for their companion animals. However, the number of animals affected and the amount of good done is massively outweighed by the harm the human species does to nonhuman animals.

Humans do bestow more benefit on other humans than they do on animals. Nevertheless, it seems clear to me that the good humans do is not sufficient to outweigh the presumption against creating new people. There may well be no definitive argument to prove this to those who think otherwise. However, there are a number of considerations that can be offered in support of my assessment. At the very least, these considerations show that those who think that the presumption is defeated cannot demonstrate that it is.

First, the benefits humans provide to other humans have to offset not only the harms done to humans but also those done to animals, and these harms are colossal. When the levels of destruction are this great, the amount of benefit one is going to have to demonstrate in order to defeat the presumption is immense. If pro-natalists think that the good humans do does indeed outweigh the terrible destruction I have described, then we need to hear some explicit details. Approximately how much good outweighs the dismemberment of a living being? How much outweighs mass rape? How much outweighs the Rwandan genocide or Joseph Stalin's purges? It is when one actually keeps the atrocities in mind rather than speaking about them abstractly as "the evil humans do" that the claim that these atrocities are outweighed is shown to be indecent.

Second, we need to understand what it means for the good to outweigh the bad. This may not be as straightforward as it sounds. For example, imagine you knew that if you conceived a child it would later, as an adult, murder somebody. How many lives would that potential person have to save during the course of his life (that would not otherwise be saved) in order to override the presumption against bringing him into existence? I doubt that that number is two or even anything close to that.

What this case suggests is that the notion of "good outweighing bad" is more complicated than may first appear. Now perhaps it will be suggested that this particular case is a poor analogy for the matter at hand. Whether or not that is true, the very same point can be made about the case at hand. Thus a species that kills *n*-billion humans and animals over some specified period would not redeem itself by saving *n*-billion + 1 lives over that same period.

Perhaps there are some utilitarians who would, in each of the cases just mentioned, assert that saving an additional life would indeed be sufficient to offset the lives taken. However, utilitarians are not committed to such a view and any form of utilitarianism that did adopt it would be a simplistic one. A more nuanced view would recognize that taking lives typically (even if not always) has worse secondary effects than failing to save lives. A murderer, for example, arouses more fear than a person who fails to save some lives that he could otherwise have saved.

Non-utilitarians would have further reason for accepting the more complicated conception of what it takes for good to outweigh bad. For them, considerations such as the violating of rights could be a moral cost that is not offset by saving a few more lives than are lost by the violation of

rights. On at least some non-utilitarian views, there could be a threshold of harm beyond which no amount of benefit can compensate. If there is any such threshold then human destructiveness arguably exceeds it.

Third, some benefits will be moot in determining whether the presumption is defeated. To understand which these are, consider two intersecting distinctions:

1(a) benefits to those humans who already exist; and
(b) benefits to those future people who will be brought into existence only if the presumption against creating them is defeated.
2(a) benefiting by preventing harm; and
(b) benefiting by bestowing some (intrinsic) good.

At least those benefits at the intersection of 1(b) and 2(a) are moot.[80] This is because the benefits that fall in this intersection can be achieved in two ways: (i) by overriding the presumption and creating the people who will prevent the harm; and (ii) by deferring to the presumption and not creating the people who will suffer the harm. Because of this, these benefits are not net benefits of creating new humans. That is to say, they are not an advantage over the situation that would result from following the presumption against creating new humans. Thus they should not be factored into a decision whether or not the presumption is defeated.

Fourth, at least under current conditions the creation of each new human or each new cohort of humans does not produce benefits at the same rate that it produces harms. Given the current size of the human population and the

current levels of human consumption, each new human or cohort of humans adds incrementally to the amount of animal suffering and death and, via the environmental impact, to the amount of harm to humans (and animals). The additional harm caused by each additional human may be imperceptible but it is nonetheless an addition that, when aggregated with other imperceptible additions, becomes perceptible. However, it is not the case that the addition of every new human or cohort of humans adds benefits. Much of the good that humans do could be done by fewer rather than by more humans. Thus, even if it is not always the case that creating additional humans is a net harm, it certainly is a net harm when the human population is sufficiently large (and destructive).

For these reasons I reject the suggestion that the presumption against creating new people can *regularly* be defeated. In response, those who think that the presumption can be defeated could fall back on a less ambitious version of this view—namely, that the presumption can *occasionally* be defeated. Thus particular potential procreators might agree that humanity is in general a very dangerous species. However, they might suggest that the odds are that their own potential offspring are much more likely to do enough good and little enough bad to defeat the presumption.[81]

Depending on what we take to be "enough good and little enough bad," this may well be true of *some* (small number of) potential people. However, we can fully expect that most potential procreators will be very poor judges of whether their potential offspring are likely to fall into this category. The optimism bias, coupled with a tendency to rationalize that the action one wants to perform will serve the greater good, will lead the vast majority of potential

procreators (or at least the vast majority of those who think before procreating) to the conclusion that the presumptive duty of the misanthropic argument is defeated in their case. The overwhelming majority of them will be wrong. Those who doubt this should consider the average person's destructive effect on, at least, animals and the environment.

We saw earlier that well in excess of 166 billion animals are killed every year for human consumption or in industries providing for this consumption. The overwhelming majority of humans on the planet are contributing to this killing and the prior suffering. With the exception of India, where a significant proportion of the population is vegetarian,[82] only a very small proportion of people in other countries are either vegetarian or vegan.[83] This suggests that, on average, each flesh-eater is responsible for the deaths (and suffering) of at least 27 animals per year[84]—which amounts to at least 1690 animals over the course of a lifetime.[85] This is an underestimation, but it is nonetheless a lot of destruction for a single individual.

Each new person also has an impact on the environment and thereby on those sentient beings affected by environmental damage. In developed countries, the impact of each person is massive. In the United States, for example, the average person produces 28.6 tons of $CO_2$ emissions per year.[86] In developing countries the per capita emissions are typically lower, but they are not zero. In Bangladesh and India, the annual average emissions of $CO_2$ per person are, respectively, 1.1 and 1.8 tons.[87] Thus each new child contributes to environmental damage. Perhaps a pro-natalist will want to argue that we cannot expect the production of new people to have *no* impact on the environment and that

some such impact is acceptable. However, whatever force this argument has is weakened as the number of people increases. The more people there are the less justifiable it is to add further increments of environmental damage. Developing countries often have higher birthrates than developed ones. Individuals within such countries are going to have a difficult time justifying their repeated procreation.

Humanity is a moral disaster. There would have been much less damage had we never evolved. The fewer humans there are in the future the less damage there will still be.

## CONCLUSION

Anti-natalist arguments vary in the scope of their conclusions. At its most extreme an anti-natalist conclusion opposes all procreation, but milder versions oppose only select cases of procreation.

The philanthropic arguments generate an extensive conclusion. They suggest that coming into existence is always a harm. Because that harm is actually severe, it is, at least on some views, always wrong to have children. (Other views might allow some procreation as part of a plan to phase humans out of existence.[88])

The conclusion of the moral misanthropic argument is that it is presumptively wrong to have children. It is possible that this presumption could sometimes be defeated. I have argued that people will think it is defeated much more often than it actually is and that it is very difficult, if not impossible, to know when the presumption is indeed defeated. However, it remains possible that there are some circumstances in which a new human would produce

sufficient good to offset the harm that that particular human would cause.

When the misanthropic argument is considered in conjunction with the philanthropic ones we find that the case against procreation, and especially in our current circumstances, is almost always overdetermined.[89]

## NOTES

1. There are also aesthetic considerations against procreating. For a discussion of these see the appendix to "The Misanthropic Argument for Anti-Natalism" in *Permissible Progeny?*, eds. Sarah Hannan, Samantha Brennan, Richard Vernon (New York: Oxford University Press), forthcoming. The chapter to which that appendix is attached is the source for the current chapter in *Debating Procreation*.
2. A variant of this argument would focus on human nature rather than on what humans do. There is obviously a close connection between these two versions. Human behavior could be taken as evidence of humanity's flawed nature, and its flawed nature partially explains its bad behavior. Thus the difference between the two versions is primarily one of focus or emphasis.
3. This is not to deny that the religious worldview also recommends species humility—but typically only relative to God.
4. Some animals may surpass us in *some* cognitive capacities, but none do all things considered.
5. See, for example, Dan Ariely, *Predictably Irrational*. Revised and Expanded Edition (New York: HarperCollins, 2009); Daniel Kahneman, *Thinking Fast and Slow* (London: Penguin, 2011).
6. Consider the case of Joe DiMaggio, of whom it has been asked how he, "a high school dropout whose favourite reading material was Superman comics, a man who was a lousy father, an unfaithful husband and a wife beater . . . someone

who never did a meaningful day's work in the last 47 years of his life, who was monumentally vain and cheap and mistrustful—became an American hero?" The answer, we are told, is simple: "He could hit and throw and run with a gliding grace, and when he could no longer do those things he . . . well, he looked great in a suit." (Daniel Okrent, "Say It Ain't So, Joe," *Time*, November 20 2000, 74.)

7. At the time of writing, the latest instance is the doomsday hysteria from those who feared that the world would come to an end on December 21 2012. Russia's government resorted to issuing a statement, saying that it "had access to 'methods of monitoring what is occurring on the planet Earth,'" and that it "could say with confidence that the world was not going to end in December." See Ellen Barry, "In Panicky Russia, It's Official: End of World Is Not Near," *New York Times,* December 1, 2012, accessed December 2, 2012, http://www.nytimes.com/2012/12/02/world/europe/mayan-end-of-world-stirs-panic-in-russia-and-elsewhere.html?pagewanted=print
8. Solomon E. Asch, "Studies of Independence and Conformity: I. A Minority of One Against a Unanimous Majority," *Psychological Monographs* 70, no. 9 (1956): 1–70.
9. Rod Bond and Peter B. Smith, "Culture and Conformity: A Meta-Analysis of Studies Using Asch's (1952b, 1956) Line Judgment Task," *Psychological Bulletin* 119, no. 1 (1996): 111–137.
10. Steven T. Katz, *The Holocaust in Historical Context*, *vol 1: The Holocaust and Mass Death Before the Modern Age* (New York: Oxford University Press, 1994), 403–404.
11. Sharon LaFraniere, "African Crucible: Cast as Witches, Then Cast Out," *New York Times,* November 15 2007, accessed November 15, 2007, http://www.nytimes.com/2007/11/15/world/africa/15witches.html?_r=2&th=&oref=slogin&emc=th&pagewanted=all&.
12. Stanley Milgram, *Obedience to Authority: An Experimental View* (New York: Harper and Row, 1974).
13. Ibid., p. 54.
14. Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Viking, 1965).

15. Philip Zimbardo, *The Lucifer Effect: Understanding How Good People Turn Evil* (New York: Random House, 2007).
16. Of course, psychologists and others who have studied the human mind are aware of the flaws to which I have pointed. The problem is that their findings have not shaken the dominant self-congratulatory view of humanity.
17. We are in denial about our destructive capacities. When humans behave in all the appalling ways I shall describe, we characterize them as "inhuman." Yet such behavior is so rampant in human history that the negation signaled by the prefix "in" in "inhuman" is, in fact, a negation of our pretensions (or, more charitably, our aspirations) about what it means to be human. It does not signal a deviation from the way the species actually conducts itself. It is similarly ironic that when humans behave badly—and even when they behave badly toward animals—we say they are behaving like animals, namely *brutally*. When I use the terms "inhuman" and "brutal" below, I am using them ironically.
18. "Population Control, Marauder Style," *New York Times*, November 6, 2011, accessed November 7, 2011, http://www.nytimes.com/imagepages/2011/11/06/opinion/06atrocities_timeline.html?ref=sunday. Source: Matthew White, *The Great Big Book of Horrible Things* (New York: W.W. Norton, 2012).
19. Adam Hochschild, *King Leopold's Ghost* (Boston: Houghton Mifflin, 1998), 234.
20. Julie Flint, *Observer*, March 3 1991. Cited by Jonathan Glover, *Humanity: A Moral History of the Twentieth Century* (New Haven: Yale University Press, 2001), 32.
21. Nicholas Kristof, "The Grotesque Vocabulary in Congo," *New York Times,* February 11, 2010, accessed February 11, 2010, http://www.nytimes.com/2010/02/11/opinion/11kristof.html?th=&emc=th&pagewanted=print.
22. Jeffrey Gettleman, "The World's Worst War," *New York Times*, December 15 2012, accessed December 16 2012, http://www.nytimes.com/2012/12/16/sunday-review/congos-never-ending-war.html?pagewanted=2&pagewanted=print&_r=0.
23. Ibid.

24. Neil G. Boothby and Christine M. Knudsen, "Children of the Gun," *Scientific American* 282, no. 6 (2000): 60–65.
25. "Midnight's Children," *Harper's Magazine* 329, no. 1970 (August 2004): 23.
26. Neil G. Boothby and Christine M. Knudsen, "Children of the Gun," *Scientific American* 282, no. 6 (June 2000): 60–65.
27. Adam Hochschild, *Bury the Chains: The British Struggle to Abolish Slavery* (London: Macmillan, 2005), 79–80. (One of the slaves survived by grabbing onto a rope from the ship and getting himself back on board without being noticed.)
28. Lydia Polgreen, "Court Rules Niger Failed by Allowing Girl's Slavery," *New York Times*, October 28, 2008, accessed December 24, 2012, http://www.nytimes.com/2008/10/28/world/africa/28niger.html?_r=3&pagewanted=print.
29. Nicholas Kristof, "If This Isn't Slavery, What Is?" *New York Times*, January 4, 2009, accessed December 24, 2012, http://www.nytimes.com/2009/01/04/opinion/04kristof.html?pagewanted=print.
30. Report of the Sierra Leone Truth and Reconciliation Commission, *Witness to Truth*, 2004, Appendix 5, 17, accessed November 23, 2014, http://www.sierra-leone.org/TRCDocuments.html.
31. Jo Thomas, "What's Furry, Literate and, Judging by Events, Indispensable?" *New York Times*, December 11, 1998, accessed December 25, 2012, http://www.nytimes.com/1998/12/11/us/what-s-furry-literate-and-judging-by-events-indispensable.html?pagewanted=print&src=pm.
32. Ibid.
33. Michael Barbaro, "Attention, Holiday Shoppers: We have Fisticuffs in Aisle 2," *New York Times,* November 25, 2006, accessed November 27, 2006, http://www.nytimes.com/2006/11/25/business/25shop.html?_r=0.
34. Robert D. McFadden and Angela Macropoulos, "Wal-Mart Employee Trampled to Death," *New York Times*, November 29, 2008, accessed December 1, 2008, http://www.nytimes.com/2008/11/29/business/29walmart.html?_r=0.
35. Steven Nadler, *Spinoza: A Life* (New York: Cambridge University Press, 1999), 306.

36. Ibid.
37. For an example of a more recent mob killing see "Murder Most Pointless," *Time*, July 5 1999, 14.
38. The balance (32%) were imprisoned, executed, assassinated, killed in battle, or took their own lives. Matthew White, *The Great Big Book of Horrible Things* (New York: W.W. Norton, 2012), 534.
39. See, for example: Nicholas Kulish, "Speculation Surrounds Case of Albanian Whistle-Blower's Death," *New York Times,* October 8, 2008, accessed October 8, 2008, http://www.nytimes.com/2008/10/08/world/europe/08albania.html?ref=europe&_r=0; "Deaths in Moscow," *The Economist*, January 24, 2009, 57.
40. For example: Simon Romero and Taylor Barnes, "In Brazil, Officers of the Law, Outside the Law," *New York Times*, January 9, 2012, accessed January 10, 2012, http://www.nytimes.com/2012/01/10/world/americas/in-parts-of-brazil-militias-operate-outside-the-law.html?pagewanted=print.
41. Ruth Richardson, *The Making of Mr Gray's Anatomy: Bodies, Books, Fortune, Fame* (New York: Oxford University Press, 2008).
42. Peter Pringle, "Notebooks Shed Light on an Antibiotic's Contested Discovery," *New York Times,* June 11, 2012, accessed June 14, 2012, http://www.nytimes.com/2012/06/12/science/notebooks-shed-light-o%20...%20mentors-betrayal.html?_r=1&partner=rss&emc=rss&pagewanted=print.
43. This data is from the Food and Agriculture Organization of the United Nations (FAO). According to its statistics for 2010 the number of animals in these and related categories that were slaughtered numbered 63,544,184,849. Food and Agriculture Organization of the United Nations, Statistics Division, faostat.fao.org (Accessed December 4, 2012.)
44. This figure is for 2009 and is based on the FAO's estimate that 145.1 million tons of aquatic animal life was "harvested" that year (*The State of the World Fisheries and Aquaculture*, Rome: FAO Fisheries and Aquaculture Department, 2010, 3) and assumes that the "average marine animal's

weight" is about 1.4 kg (see ADAPTT, "Animal Kill Counter," http://adaptt.org/killcounter.html, accessed December 4, 2012). It is noteworthy that official agencies such as the FAO do not calculate the number of animals, but estimate only the weight of the catch. Aquatic animals are, on this view, not individual sentient beings but rather mere biomass.

45. Michael C. Appleby, Joy A. Mench, and Barry O. Hughes, *Poultry Behaviour and Welfare* (Wallingford, UK: CABI, 2004), 184.
46. This figure is cited in a European Union Memo: "Questions and Answers on the Proposal for the Protection of Animals at the Time of Killing," MEMO/08/574, Brussels, September 18, 2008, accessed December 19, 2012, http://europa.eu/rapid/press-release_MEMO-08-574_en.htm.
47. "How Many Dogs and Cats Are Eaten in Asia?," *Animal People*, September 2003, accessed December 19, 2012, http://www.animalpeoplenews.org/03/9/dogs.catseatenAsia903.html.
48. *The State of the World Fisheries and Aquaculture*, 83–84, cites a figure of 7 million tons. Using the average marine animal weight of 1.4 kg., this amounts to about 5 billion animals.
49. Appleby, Mench and Hughes, *Poultry Behaviour and Welfare*, 184.
50. Ibid., 184–186.
51. Victoria Braithwaite, *Do Fish Feel Pain?* (Oxford: Oxford University Press, 2010), 177.
52. Ibid. For the pain inflicted by hooks, see pp. 164–168.
53. I am skeptical about the value of animal experimentation, but even if one thought that this practice were justifiable on account of a benefit to humans, it would still be the case that if there were no humans these harms would not be inflicted on animals.
54. Katy Taylor et al., "Estimates for Worldwide Laboratory Animal Use in 2005," *Alternatives to Laboratory Animals* 36, no. 3 (2008): 327–342.
55. Ingrid Torjesen, "Animal Experiments Rose in 2011 Despite Coalition Pledge To Reduce Them," *British Medical Journal* 345, no. e4728 (2012).

56. See, for example, Kathryn Shevelow, *For the Love of Animals: The Rise of the Animal Protection Movement* (New York: Henry Holt, 2008), 144.
57. Deborah Blum, *The Monkey Wars* (New York: Oxford University Press, 1995), 82.
58. Ibid., 83.
59. Ibid., 90.
60. Ibid., 91.
61. Mark E. Gurney et al., "Motor Neuron Degeneration in Mice that Express a Human Cu,Zn Superoxide Dismutase Mutation," *Science* 264, no. 5166 (1994): 1772–1775.
62. Alun Anderson, "Oncomouse Released," *Nature* 336, no. 6197 (1988): 300.
63. See, for example, Peter M. Grace et al., "A Novel Animal Model of Graded Neuropathic Pain: Utility To Investigate Mechanisms of Population Heterogeneity," *Journal of Neuroscience Methods* 193, no. 1 (2010): 47–53.
64. Juliana Casals et al., "The Use of Animal Models for Stroke Research: A Review," *Comparative Medicine* 61, no. 4 (August 2011): 305–313.
65. See, for example, Kathryn L. Gatford et al., "Acute Ethanol Exposure in Pregnancy Alters the Insulin-Like Growth Factor Axis of Fetal and Maternal Sheep," *American Journal of Physiology—Endocrinology and Metabolism* 292, no. 2, Part 1 (2007): E494–E500.
66. See, for example, Kelly J. Clemens et al., "Repeated Weekly Exposure to MDMA, Methamphetamine or Their Combination: Long-term Behavioural and Neurochemical Effects in Rats," *Drug and Alcohol Dependence* 86, no. 2 (2007):183–190.
67. See, for example, Walt Bogdanich, Joe Drape, Dara L Miles and Griffin Palmer, "Mangled Horses, Maimed Jockeys," *New York Times*, March 24, 2012, accessed March 25, 2012, http://www.nytimes.com/2012/03/25/us/death-and-disarray-at-americas-racetracks.html?_r=2&hp=&pagewanted=print.
68. Adam Hochschild, *King Leopold's Ghost*, 196.
69. Pet-Abuse.com, http://www.pet-abuse.com/cases/10007/EN/UK/ (Accessed December 17, 2012).
70. Pet-Abuse.com, http://www.pet-abuse.com/cases/16982/WI/US/ (Accessed December 17, 2012).

71. Pet-Abuse.com, http://www.pet-abuse.com/cases/16970/WA/US/ (Accessed December 17, 2012).
72. It is very difficult to determine how many millions of dogs and cats are killed each year by animal shelters because those animals cannot be homed. The American Humane Association estimates that the number in the United States is about 3.7 million animals per year and says this "number represents a generally accepted statistic that is widely used by many animal welfare organizations, including the American Society for the Prevention of Cruelty to Animals (ASPCA)." (see "Animal Shelter Euthanasia," American Humane Association, http://www.americanhumane.org/animals/stop-animal-abuse/fact-sheets/animal-shelter-euthanasia.html, accessed December 4, 2012.) However, these figures, which are based on a 1997 survey conducted by the National Council on Pet Population Study and Policy, explicitly note that it "is not possible to use these statistics to estimate numbers of animals entering animal shelters in the United States, or the numbers euthanized on an annual basis" because the "reporting Shelters may not represent a random sampling of U.S. Shelters." (see http://www.petpopulation.org/statsurvey.html, accessed December 4, 2012).
73. Nicola Rooney and David Sargan, *Pedigree Dog Breeding in the UK: A Major Welfare Concern?* Royal Society for the Prevention of Cruelty to Animals (RSPCA), West Sussex, UK, 2009, accessed November 23, 2014.
74. There are some environmental ethicists who believe that damage to the environment is morally relevant in its own right, independent of the effects on humans and animals. That is a controversial position, which I do not accept. Those who do endorse it can, again, add it to the list of (morally relevant) harm that humans cause.
75. Some might argue that these other species do not do as much good as humans do and are thus not analogous. I shall later consider whether the good that humans do can defeat the presumption against creating more of them.
76. These arguments are advanced in dozens of books and articles. See, for example, Peter Singer, *Animal Liberation*. New Revised Edition (New York: Avon, 1990) and David

DeGrazia, *Taking Animals Seriously* (New York: Cambridge University Press, 1996).

77. The evidence and arguments for this have been presented in impressive detail in Steven Pinker, *The Better Angels of our Nature: The Decline of Violence in History and its Causes* (London: Allen Lane, 2011).
78. The same may not be true of animals. Although some kinds of animals, such as dogs and cats, are now treated better than they were in the past, other animals, most notably farm animals, are treated worse today than they were before. The intensive farming and associated suffering is a product of the last few decades.
79. One does not have to be a consequentialist to be concerned about the total amount of violence. Non-consequentialists can think that it is better to have less violence rather than more, at least on condition that lowering violence does not violate any non-consequentialist principles, such as rights.
80. If one accepts the basic asymmetry then the benefits at the intersection of 1(b) and 2(b) are also moot.
81. It is curiously rare for people to think that chances are that their own children would produce a net harm but that the children of others would produce a net benefit.
82. There are varying estimates of the number of vegetarians in India. Here I shall assume a generous estimate of 42% of the population (see R. Mehta et al., "Annex II: Livestock, Industrialization, Trade and Social-Health-Environment Issues for the Indian Poultry Sector," Food and Agricultural Organization, June 2002, accessed January 15, 2013, http://www.fao.org/WAIRDOCS/LEAD/X6115E/x6115e0c.htm)
83. There are no data for the proportion of vegetarians worldwide. There are data for some developed countries, where the proportions are between around 1% and 9%. (See Matthew B. Ruby, "Vegetarianism: A Blossoming Field of Study," *Appetite* 58, no. 1 ( 2012): 142.) For my purposes, I shall assume that 5% of the world (outside of India) is vegetarian or vegan. This is likely an overestimate as the rate of vegetarianism in the developing world (outside of India) is likely to be lower.
84. This calculation assumes a world population of 7,021,836,029 and the population of India as 1,205,073,612

[*The World Factbook*, Central Intelligence Agency, Washington DC, accessed January 15, 2013, https://www.cia.gov/library/publications/the-world-factbook/geos/xx.html).

85. This assumes an average life expectancy of 67.59 years, which is the current average globally (https://www.cia.gov/library/publications/the-world-factbook/geos/xx.html, accessed December 27, 2012), with meat consumption beginning at age five. (Of course omnivorous humans begin eating meat earlier than age five, but their consumption levels are low at the earliest stages.).
86. Edgar G. Hertwich and Glen P. Peters, "Carbon Footprint of Nations: A Global, Trade-Linked Analysis," *Environmental Science and Technology* 43, no. 16 (2009), 6416.
87. Ibid.
88. For more on this, see David Benatar, *Better Never to Have Been* (Oxford: Oxford University Press, 2006), 182–193.
89. I am grateful to Anna Hartford for research assistance for this chapter, and to participants in the "Permissible Progeny" workshop (London, Ontario, June 2013) for their comments.

# 5

# Contra Procreation

IN THE PREVIOUS CHAPTERS I presented various positive arguments for anti-natalism. I shall now respond to arguments for the opposite position. Pro-natalists argue in favor of procreation. Unsurprisingly, such arguments are typically not grounded in the interests of the people who would be brought into existence. Instead, most of them are grounded, one way or another, in the interests of existing people.

## DIVINE COMMANDS

One exception is the argument that we have a presumptive duty to procreate on account of God's commandment to "be fruitful and multiply."[1]

The difficulty with responding to this sort of argument is that its assumptions—that God exists, that he commands us to procreate, that the command creates a moral duty—are articles of faith. Responses to it are thus unlikely to persuade

those who are convinced by it. That does not mean that the argument is a good one. Precisely because its assumptions are so controversial, the argument will have no force for those who, quite plausibly, reject these assumptions.

However, the argument is controversial even for theists and even for those who believe that the Bible is the word of God. There are, after all, such people who believe that they are under no such obligation. Catholic priests and nuns, for example, do not take their vows of celibacy to constitute a violation of the commandment to be fruitful and multiply. Celibacy is required for all Shakers, not only the clergy. Required celibacy entails the absence of a duty to procreate.

In Judaism, the commandment is understood as applicable only to males.[2] The rationale for this is that because women are endangered by pregnancy and childbirth they cannot be obligated to put themselves in this danger. For obvious reasons, therefore, men are unable to fulfill their purported duty without the cooperation of those who have no such duty.

Thus we see that there is considerable scope for the interpretation of biblical commandments. There is no overwhelming reason why other religious people could not believe that also exempted are those men who do not wish to put their wives at the very risk that exempts women from the obligation. In this or some other way, the duty could be voided entirely.[3]

## PARENTAL INTERESTS

A second pro-natalist argument is grounded in the interests of the prospective parents. According to this argument,

procreation and subsequent parenthood are important features of a good life, at least for many people.[4] Parents' lives, it is said, are improved by the loving relationships they have with their children. Children are also seen as a kind of insurance policy because they can care for a parent during the latter's old age. Because parents usually predecease their children, parents also often see their children as a means for transcending their own deaths.

The first thing to note about these considerations is that at most they can generate prudential reasons for procreating. They do not seem to generate a *duty* to procreate. One has no duty to improve one's life in this particular way or to secure this insurance for one's old age or to attempt to transcend one's mortality in this way.

Moreover, some of the supporting considerations for this more limited pro-natal conclusion are contested. For example, although it seems, intuitively, that having children makes one's life go better, it is far from clear that this is actually true. Some studies have supported the intuitive conclusion,[5] but others have found either no difference[6] or that having children has a negative impact on well-being or happiness.[7] Among those studies that found that children do increase parents' happiness, some found that this was not true of all parents. For example, they found it to be true only of married or partnered parents.[8] There have also been conflicting findings on the role that a parent's sex plays. Some studies have found that while fathers are significantly happier than childless men, mothers are neither happier nor less happy than childless women.[9] By contrast, others have found that "female life satisfaction increases more than male life satisfaction with the presence of children."[10]

Even if we assume that rearing children does make one's life go better, it is possible for many people to derive these benefits without procreating. There are millions of unwanted children who could be adopted and with whom those seeking a loving parent-child relationship could find such a relationship. Adopting a child is typically much harder than having one the more traditional way. Nevertheless, because creating a child causes considerable harm to that child, whereas adoption characteristically benefits the adopted child, adoption is the preferred way to enter into a parenting relationship.

Adopted children are not one's genetic own and many people seem to see this as a disadvantage.[11] However, children do not need to be genetically one's own in order to enjoy a loving relationship with them. Similarly, adopted children can care for one in one's senescence. What about the claim that children enable one to transcend one's own death? This idea is inchoate. However the claim is understood, the transcendence is obviously of a limited kind. Children do not enable one to survive one's death in anything like as a robust a way as people would like to survive their death. However, children can, for example, continue one's way of life, protect one's legacy, and keep one's memory alive, at least for a while. No genetic connection is required for these means of transcending death. However, if one is interested in a genetic transcendence of one's death then adopted children clearly cannot provide this. That said, it is unclear why it is so important to leave genetic traces after one dies. This preference seems to be a kind of genetic narcissism.

Even if we accept that adoption is preferable to procreation, there are clearly more people who want children

than there are unwanted children available for adoption. Thus, even if people were to prioritize adoption, there would be many people who would be unable to gain the benefits of rearing children without procreating. Let us assume then that for the vast majority of people, the benefits of parenting require procreation. This is not sufficient to justify procreation. As important as these benefits may be to many people, it is hard to see how they may justifiably be purchased at the cost of serious harm—or even the significant risk of serious harm—to those who are brought into existence.

## GROUP INTERESTS

Other pro-natalist arguments are grounded in cultural continuity or in national interests.[12] Such arguments, like the religious and parental interest arguments, do not appeal to the interests of those people who would be brought into existence. This is because future merely possible people have no interest in the nation or the continuity of the culture into which they would be born. Invoking cultural continuity or national interests to justify a duty to procreate ultimately appeals to the interests of existing people. It is they who may have an interest in their culture or nation.

Cultures and other ways of life cannot survive without new generations to replace those cultural members who die. Existing people from other cultures could make the transition into the culture, but this is not a sustainable mechanism for cultural continuity and in any event is parasitic on the procreation of others. Thus it is unsurprising that (many of) those committed to particular cultures and

wanting those cultures to continue would see an imperative to reproduce. The imperative might be thought especially pressing when a cultural group is small and under threat.[13]

Although these thoughts are understandable, they fail to ground a moral duty to procreate. Cultural attachments may be valuable—even immensely valuable—for some people. However, the continuity of the culture beyond those people's own lives has primarily what we might call a "reflected value." Put another way, the value lies not so much in the actual continuity of the culture beyond their death, but more in their *thinking* that the culture will continue then. Of course, there need to be real prospects for the actual continuity of the culture in order for people to think that the culture will continue, and thus the distinction is heuristic. What it helps to illuminate is what kind of value we are weighing up against the very real and considerable harms that the procreative expression of the cultural continuity imperative has for those people who are brought into existence. It is very hard to see how the comforting thought that one's culture will continue beyond one's death can justify the massive harms caused by bringing somebody into existence.

Cultural and national interests in procreation sometimes amount to more than a comforting thought. For example, new generations of a group might be needed to defend the group militarily against aggressors. Or there might be a demographic struggle, in which the less fecund group will be swamped, even if only via the ballot box, by the more rapid breeders. In such cases the impact on the less populous group may be significant. In some situations their very lives may be in danger.

Such weighty considerations are thought to be operative much more often than they actually are. Many states that adopt pro-natalist policies in the name of the national interest say that they need troops for defensive purposes, but more often than not the purpose is actually aggressive.

Where the need for defensive demographics is both real and significant, there are sometimes non-procreative solutions. These include emigration, immigration, and various political means, including protections for minorities.

Where procreation is the only solution, we are faced with a tragic situation: the only way that serious harms to existing people can be avoided is by creating new people on whom we thereby inflict all the serious harms that are attendant upon existence.

Such a tragic dilemma could, at least in principle, arise in other circumstances too. If, for example, humans were a generation away from extinction, the final people could be expected to suffer terribly as they aged and there were no younger people to produce food, provide health care, do the policing necessary for ensuring personal security, and bury the dead.[14] If procreation could save the ageing generation from this apocalyptic finale then the dilemma would arise. This, of course, is not the situation in which current procreators find themselves, given the vast amount of procreation that is taking place. Instead it is a theoretical possibility.

Whether one thinks that procreation is permissible, let alone required, in such tragic circumstances, will depend heavily on one's moral theoretical commitments.[15] For example, it will depend in part on what view one takes about whether one may seriously harm some in order to prevent serious harm to others. However, if procreation is justified (or

required) under some such circumstances it must surely be as an interim measure only. To save the lives of members of vulnerable groups it must be a stopgap until a non-procreative solution can be found. To avoid the suffering of the final people, it must be a mechanism for phased extinction.

The reason why it cannot be a more enduring "solution" is that continued procreation in order to save existing people from harm is a giant procreative Ponzi scheme.[16] Each generation has to procreate in order to save itself from the fate of the final generation, thereby creating a new generation that must procreate in order to spare itself the same fate. Like all Ponzi schemes, it cannot end well. It merely delays the inevitable. However, unlike other Ponzi schemes, the procreative one also causes vast amounts of suffering before the bubble bursts or the pyramid crumbles.

Although sparing any generation from the misery of being the final generation is arguably the most powerful consideration in favor of continuing humanity, it is by no means the only one. Just as many people are invested in the continuity of some subspecies grouping, such as a cultural group or a nation, after their own deaths, so many humans are invested in the continuity of the species as a whole. They want human life to continue even after they themselves die. They want there to be humans and human civilization in the future.

However, even if it is true, as has recently been argued,[17] that the continued existence of the species gives purpose and meaning to the projects of many currently existing people, it is hard to see how these could be sufficiently weighty considerations to warrant the severe harms and risks of being brought into existence. And even if one did think that they were sufficiently weighty, one would again

become trapped in the futile *finite* regress that is the procreative Ponzi scheme. As a species we can tread the perilous waters of purposelessness by procreating, but only for so long. The final people's problems of purpose will be no different whether the final people are the current generation or some distant future one. The difference between the two scenarios is how many suffering generations there will be between now and then.

## CONCLUSION

Far from being the innocent, or even noble, activity that it is often taken to be, procreation is an inherently problematic practice. In creating a child, one is creating a new center of consciousness, a new subject of desire. One must know that that child will experience considerable unpleasantness, pain, and suffering during the course of its life. The font of desire one creates will regularly be thwarted and frustrated when one seeks to satisfy those desires. This is all unnecessary in the sense that the conscious existence subtending these experiences was unnecessarily created. It could have been avoided. In procreating one creates a being for whom things can—and, sooner or later, will—go very badly. Every birth is a future death. Between the birth and the death there is bound to be plenty of unpleasantness.

Procreators inflict these harms on their progeny obviously without the latter's consent. Nor can they inflict those harms for the sake of the children they create. None of the reasons for procreating have anything do with the interests of the beings that are brought into existence. Procreation serves the interests of others—the parents,

grandparents, already existing siblings, the nation or state, or the broader human community into which the child is born.

Inflicting serious harm—or even the risk of it—on one person, without his or her consent, in order to benefit others, is presumptively wrong. The misanthropic argument for anti-natalism deepens the presumption against procreation. None of the reasons for procreating are sufficiently strong to defeat this presumption.

## NOTES

1. Genesis 1:28
2. *Sefer HaChinuch*, Mitzva 1. See *Sefer haHinnuch*, Vol. 1 (Jerusalem and New York: Feldheim, 1978). The English translation and annotation was done by Charles Wengrov. The authorship of the book is in dispute, but the common attribution is to Aaron HaLevi.
3. Some might reply that any move that renders a commandment void takes Biblical hermeneutics too far. However, there is precedent for interpreting a commandment in such a way as to void it. For example, the Talmud applies numerous restrictive interpretations on the commandment to execute a "stubborn and rebellious son" (Deuteronomy 21: 18–21) and records a view that there was never and will never be a case of somebody being executed under this law. (Sanhedrin 71a.)
4. This argument has been advanced or considered by Saul Smilansky, "Is There a Moral Obligation To Have Children?" *Journal of Applied Philosophy* 12, no. 1 (1995): 46; and Marshall Missner, "Why Have Children?" *The International Journal of Applied Philosophy* 3, no. 4 (1987): 2, 4.
5. See S. Katherine Nelson et al., "In Defense of Parenthood: Children Are Associated With More Joy Than Misery," *Psychological Science* 24, no. 1 (January 2013): 3–10.

6. See Tanya Rothrauff and Teresa Cooney "The Role of Generativity in Psychological Well-Being: Does it Differ for Childless Adults and Parents?" *Journal of Adult Development* 15, no. 3–4 (2008): 148–159.
7. Sara McLanahan and Julia Adams, "The Effects of Children on Adults' Psychological Well-Being: 1957-1976," *Social Forces* 68, no. 1 (1989): 124–146.
8. Nelson et al., "In Defense of Parenthood," and Luis Angeles, "Children and Life Satisfaction," *Journal of Happiness Studies* 11, no. 4 (2010): 423–538. Others did not find that increased happiness was restricted to partnered or married parents but did find that the happiness levels were greater for this group of parents. (See Arnstein Aassve, Alice Goisis, Maria Sironi, "Happiness and Childbearing Across Europe," *Social Indicators Research* 108, no. 1 (2012): 65–86.
9. Nelson et al., "In Defense of Parenthood," 9.
10. Angeles, "Children and Life Satisfaction," 532.
11. Smilansky, "Is There a Moral Obligation To Have Children?" 47.
12. Ibid., 47–48. The cultural argument is also considered by Missner, "Why Have Children?" 2.
13. By contrast, the imperative may either weaken or even vanish for a given person if enough other people in the group are procreating.
14. See Benatar, *Better Never to Have Been*, 182–186.
15. For a much more detailed discussion of this, see *Better Never to Have Been*, 186–193.
16. Although it has been drawn to my attention that Mark Johnston has also used the term "Ponzi scheme" with reference to procreation, albeit in a slightly different context ("Is Life a Ponzi Scheme?" *Boston Review*, January 2, 2014, accessed October 1 2015, http://www.bostonreview.net/books-ideas/mark-johnston-samuel-scheffler-death-afterlife-humanity-ponzi-scheme), I employed the term not only unaware of his review article but also before it was published.
17. Samuel Scheffler and Niko Kolodny, *Death and the Afterlife* (New York: Oxford University Press, 2013).

# PART II

# PRO-NATALISM

DAVID WASSERMAN

# 6

# Better to Have Lived and Lost?

IF NO ONE IS BORN, no one suffers. If any possible birth is foregone, then someone who would have enjoyed the benefits of existence will not exist. These two propositions are the fixed points for the debate on the ethics of child creation. On the one hand, most of us do not believe that the inevitable suffering of a future child gives its potential creators an obligation or strong reason to desist if they expect it to have a good life on balance. On the other hand, most of us do not believe that the prospect of a good or even great life gives fertile couples or other potential child makers an obligation or strong moral reasons to have children.

In my contribution to this volume, I will focus on recent attempts to develop an ethics of procreation that supports both beliefs: that it is often permissible to have children despite the serious harms they will suffer, and that it is never a requirement, despite the great benefits they may enjoy. I will begin by framing the challenge for such an ethics as one of establishing a middle ground between those who reject

the very idea that procreation needs defense and those who argue that it is categorically or presumptively indefensible.

For some philosophers writing from a religious background, it reveals a loss of ethical moorings to even question the reasons or justification for having children. Elizabeth Anscombe began her essay "Why Have Children?" by asserting that "this very title tells of the times we live in."[1] Describing those times as ones in which the creation of a child is little more than a vanity purchase, she concluded "It is distressing to live in a world where this question . . . so intelligibly presents itself . . ." Just over twenty years later, reviewing a book by Christine Overall with (perhaps ironically) the same title as Anscombe's essay, Gilbert Meilaender expressed similar, if slightly gentler, doubts about the very question:

> If we ourselves are grateful to be alive, there must be some instances (probably many) in which it would be good to transmit life to the next generation. And if, on the other hand, we are not prepared to affirm the goodness of our own existence, it's hard to know why we should take an interest in the question posed by Overall's book.[2]

For Meilaender, it is not only ironic but perverse that the question of what justifies procreation should arise at a time, and in places, where having and rearing children was never safer, easier, or more assured of material success.

Another challenge to the very idea that having a child requires justification comes from a very different, secular direction. David Heyd argues that we cannot harm or wrong individuals by the acts responsible for their existence. Because "existence is not a predicate," it cannot be regarded as a harm or benefit to those "receiving" it.[3] For this

reason, progenitors are not morally accountable to the children they bring into existence for its unavoidable bads or goods, whatever their balance. Heyd would find it reasonable for prospective parents to ask "why have children?" because he would hold them accountable to individuals and institutions that exist independently of their procreative decisions. It is unclear whether the religious traditions that Anscombe and Meilander draw upon impose similar accountability. But Heyd defends a view that is certainly congenial to theirs: that progenitors never can wrong a child merely by creating him and need not justify their decision to that future child—a convergence suggesting that procreation makes strange bedfellows.

At the other extreme, a number of philosophers over the past decade have not only raised the question of justification dismissed by Anscombe and Meilaender, but answered it, more or less categorically, in the negative. Several rely on moral differences between imposing harms and conferring benefits on a future child. David Benatar presents the most categorical argument, based in part on the asymmetrical valuation of the absence of bads and goods in nonexistence.[4] Others argue that extreme risk aversion is appropriate in deciding whether to have a child, either because (1) unlike harms imposed to prevent greater harms, those imposed only to confer "pure benefits"—those that do not prevent or mitigate harms—cannot be justified without a consent that is unobtainable prenatally[5]; or (2) the worst possible consequences for the child created are so much greater than the 'consequences' for that child of not being created.[6]

For Benatar and some other anti-natalists, categorical arguments are fortified by claims about how we should

assess the lives we actually lead and what conclusions about their goodness or badness a proper assessment would yield. Thus Benatar argues that we typically see our lives through rose-colored glasses, and that when we remove them, we see those lives, or almost all of them, as very bad when viewed in their totality. His position rests in part on a normative claim about the how we should weigh goods and bads postnatally, and in part on empirical claims about the frequency, duration, and intensity of those goods and bads.[7]

I will suggest that these anti-natalist positions, though quite distinct, give some kind of priority to the avoidance of harms over the conferring of benefits. This priority assumes different forms, and plays different roles in their arguments. It may ultimately reflect a bedrock conviction rather than a debatable proposition. The responses to anti-natalism challenge the specific priority claims that are made, but they do not, and perhaps could not, refute the underlying conviction. My own response, concerning the moral complaint children could have against their progenitors, does not question the priority of harm over benefit as an axiological claim, although I do not accept it. It just maintains that this priority itself would not provide the basis for a complaint.

Other philosophers make more contingent or qualified anti-natalist claims. Some consequentialists—who judge the rightness of actions solely by their outcomes—argue that the massive cost of bearing and raising children in wealthy societies is unacceptably high, in terms of lost opportunities to give desperately needed aid.[8] This judgment, however, is contingent. If procreation increased rather than reduced total or average good, then "be fruitful and multiply" would be a moral imperative.[9] Other non-consequentialist

philosophers argue that procreation is presumptively impermissible when there are needy children available for adoption, since most prospective parents can fulfill their interests in rearing children without bearing them.[10] Like the consequentialist objection, this one is contingent: it would permit procreation it if there were no adoptable children.

There is, or appears to be, a vast middle ground between those who regard procreation as categorically or presumptively wrong and those who hold that procreation—in all, most, or many circumstances—requires no defense. Most philosophers writing on the subject reject all forms of anti-natalism, but *do* regard procreation as requiring a defense.[11] It has long been recognized that unfettered procreation could cause harm to third parties, from other family members to the global community—concerns emphasized by the more contingent anti-natalist arguments. The categorical anti-natalist arguments make the stronger claim that is it never possible to justify procreation to the child created, a child who always faces a life with serious harms and grave risks.

Most arguments for procreation have been negative; they claim that the burden of justification is not as great as anti-natalists claim; nonexistence either cannot be compared to existence or need not be better; subjecting a child to the inevitable harms of existence does not require a consent that is impossible to obtain prospectively; and, although the worst outcomes of existence are awful, it is permissible to risk them if their probability is sufficiently low.[12] Many pro-natalists then proceed to offer minimum standards for permissible procreation: for avoiding wrong to the child, to third parties, or to the world at large.[13] Many also argue that adults have a moral as well as legal right to

procreate because of the highly personal character of reproductive decisions and their central importance to those making them. "Procreative liberty" insulates individuals and couples from moral reproach as well as legal sanction, as long as long as they do not fall below the prescribed minimum standards.[14] A similar but perhaps more comprehensive immunity is recognized by those who maintain that the decision to become a parent is, like the decision to gestate, an "intimacy of the first order," which cannot be the subject of moral duty.[15]

Yet it is not enough, or so I will claim, to reject antinatalism and propose minimum standards for procreation. The arguments against procreation may fail, but some of them raise concerns about the awful, unpredictable, unpreventable fates of some humans that resonate even with the most resolute defenders of procreation. There appears to be a dearth of strong secular reasons to have children that would justify exposing individuals to the risk, however slight, of such fates. The good for existing individuals of another sibling, child, grandchild, or playmate not only seems less compelling; it provides reasons that seem to justify the creation of a future person as a mere means to the good of others. The survival of humanity, which many—though by no means all—philosophers regard as a critical good,[16] is just marginally advanced by the creation of a single child. Finally, it is difficult to justify procreation in terms of the good lives of future children without acknowledging—as most of us are reluctant to do—that we have a strong moral reason to create children. In the absence of good justifications for having children, it may appear that procreation is a marginally permissible but highly problematic enterprise.

Although few philosophers have attempted to provide secular reasons for procreation, many have proposed standards that serve, in effect if not intent, to mitigate the concerns raised by anti-natalist critiques. Thus some claim that if we are to procreate we should try to select those children least likely to suffer the worst harms that life brings, to suffer less harm than other possible children, or to enjoy the greatest possible benefits.[17] Other argue that since children are demanding beings who consume substantial resources and require substantial investment, we should select children who will impose the least burden, contribute the most benefit, or do the most good.[18] These considerations seem to suggest that procreation, if it is to be more than barely acceptable, needs to be a highly selective enterprise.

Such selectivity is becoming possible because of modern reproductive technology. Our possibilities for choosing among future children were extremely limited before the advent of prenatal and pre-implantation genetic diagnosis. With the availability of technologies that enable us to predict an increasing number of features genetically, we can make a stab at picking the "best," as well as excluding the "worst." These capacities pose hard questions for those who previously found it largely unproblematic for parents to bear a couple of children. Are prospective parents obliged to generate large numbers of fertilized eggs to raise the odds of finding one with great potential for happiness or achievement? Would it be acceptable to settle for a child expected to be merely happy or modestly successful, when, by going a few more cycles, the parents would be likely to get an ecstatic or brilliant one? Or is any such selectivity incompatible with the duties of prospective parents in bearing

children and forming a family; in establishing uniquely intimate relationships and uniquely inclusive associations? These are among the questions that arise if the categorical anti-natalist challenge is rejected.

In chapter 7, I will review what I regard as the three principal anti-natalist arguments: comparative, consent, and risk. The arguments claim, respectively, that existence involves harms that cannot be morally outweighed by its benefits, given the alternative of nonexistence; that the benefits of existence, however great, cannot justify its inevitable harms without a consent that is impossible to obtain; and that prospective parents must seek to avoid the worst possible outcome for their child, which they can only do by not procreating. I will contend that none of these arguments succeed in establishing that bearing a child necessarily wrongs her. They do, however, show that procreation is an activity fraught with risk, which should be undertaken only with great caution and serious reflection.

In chapter 8, I claim that even if the categorical anti-natalist arguments are mistaken, they suggest that we must have a good reason to bring a child into the world, given the serious harms and grave risks she will inevitably face. That reason cannot concern the impersonal good of a new life—the net good it brings to the world—or it will give all of us a reason to procreate whenever adding a child would make a positive contribution. Rather, I will consider the reasons that a parent can offer the child for having brought her into a difficult and dangerous world—reasons that must in some way concern her own expected good. I will argue that such reasons can justify that decision to her without implying any moral reason to have created her, or to procreate again. This justification can

be found in two closely related reasons, often expressed by prospective parents: to give the goods of a life initially lived with the parents and their family to a now-unknown or unknowable child; and to form an intimate relationship, in which those goods initially will be conferred, with a now unknown or unknowable child. To be able to offer this justification, these must have been among the reasons for having the child. But these reasons do not require the creation of a new being; they can also be reasons for adoption. They are similar to the reasons people can, and perhaps should, have for seeking a variety of intimate relationships with unknown partners.

This account does not directly address anti-natalist claims that the expected goods of a future life, whether intended or not, cannot be balanced against the expected bads. But it offers prospective parents a kind of justification many pro-natalists have been reluctant to acknowledge: that the risks and costs of procreation to the future child, if not to other individuals, can be offset by the value to the child of the goods it is intended and expected to enjoy, and the value of the parent-child relationship it is intended and expected to enter.

I will begin chapter 9 by distinguishing two approaches to setting moral standards for procreation. The first treats "same-number" choices by prospective parents about which child to have as governed by impersonal considerations—considerations about increasing the good or reducing the bad in the world at large. The second approach treats procreative choices as grounded in the "birthrights" of children or the role-based duties of prospective parents. Most writers who adopt this approach see those rights or duties in "person-affecting" terms: held by or owed to present or future

individuals, whose violation wrongs those individuals. I will focus on the first approach in chapter 9. I will argue that defining the domain of procreative decisions in terms of "same-number" choices is untenable, because that is a domain that is difficult to define, arbitrary in scope, and, ultimately, unable to treat procreation as a strictly permissive enterprise.

In chapter 10, I will consider "birthright" and role-based accounts. I will begin by examining the former accounts, which impose a minimum standard of expected well-being as both a necessary and sufficient condition for permissible procreation. I will then consider two kinds of role-based accounts. The first claims that prospective parents have a role-based duty to select the future child expected to enjoy the most well-being, or experience the least suffering. I will then present and defend a second kind of role-based account, which denies that selection among future children is morally required, as long as their lives are expected to be worth living, and holds that such selection may be incompatible with role of prospective parents.

I will conclude chapter 10 by considering the moral force of family, community, and global interests as constraints on procreative decisions. No plausible account of the duties of prospective parents can ignore the actual and opportunity costs of having and raising children. These concerns are raised by the decision to have, or risk having, more children or particular kinds of children, such as those expected to have expensive medical needs. I will argue that in assessing costs, it is critical to distinguish the roles of prospective parents from those of public officials. The latter have role-based duties that may conflict with those of prospective parents. Potential conflicts are

limited by the fact that, in a just society, parents should bear some of the costs of the children they have chosen to bring into the world, and are entitled only to limited partiality toward those children. Those conflicts can also be mitigated by the availability of means for containing costs that do not directly infringe the "procreative liberty" of prospective parents.[19]

## NOTES

1. Elizabeth Anscombe, "Why Have Children?" in *Proceedings of the American Catholic Philosophical Association* 63 (1989): 48–53, 52.
2. Gilbert Meilaender, "The Blessing of Children," *The New Atlantis* [pdf version 92–98, 92, originally appearing Summer 2012], accessed April 18, 2014, http://www.thenewatlantis.com/publications/the-blessing-of-children.
3. David Heyd, *Genethics: Moral Issues in the Creation of People* (Berkeley: University of California Press, 1994).
4. David Benatar, *Better Never to Have Been* (Oxford: Oxford University Press, 2006).
5. Seana Valentine Shiffrin, "Wrongful Life, Procreative Responsibility, and the Significance of Harm," *Legal Theory* 5, no. 2 (1999): 117–148.
6. Matti Hayry, "A Rational Cure for Prereproductive Stress Syndrome," *Journal of Medical Ethics* 30, no. 4 (2004): 377–378.
7. Christopher Belshaw argues that the uncomprehending pain and distress we, or our biological precursors, suffer in gestation and early infancy are great enough to outweigh whatever good follows (or to make us guilty of exploiting those precursors to experience that good). See "A New Argument for Anti-Natalism," *South African Journal of Philosophy* 31, no. 1 (2012): 117–127. Although he does not offer this as an empirical claim about the badness of gestation and early

infancy for those undergoing them, his position appears to rest on empirical assumptions about the badness of animal and early infant life—assumptions that we cannot verify and that many would likely find implausible.

8. Stuart Rachels, "The Immorality of Having Children," *Ethical Theory and Moral Practice* 17, no. 3 (2013): 1–16.
9. Indeed, total consequentialists must accept what Derek Parfit has called "the Repugnant Conclusion": that if it continued to maximize the good, we should continue having children with lives of steadily diminishing well-being indefinitely, or until everyone had a life just barely worth living. *Reasons and Persons* (Oxford: Clarendon, 1984), 381–390.
10. Daniel Friedrich, "A Duty to Adopt?" *Journal of Applied Philosophy* 30, no. 1 (2013): 25–39; Christina Lyn Rulli, "The Duty to Adopt" (PhD diss, Yale University, 2012); "Preferring a Genetically-Related Child," *Journal of Moral Philosophy* (2014) online, http://booksandjournals.brillonline.com/content/journals/10.1163/17455243–4681062 (accessed February 5, 2015).
11. David DeGrazia, *Creation Ethics: Reproduction, Genetics, and Quality of Life* (Oxford: Oxford University Press, 2012); Christine Overall, *Why Have Children? The Ethical Debate* (Cambridge, MA: MIT Press, 2012).
12. DeGrazia, *Creation Ethics*, ch.5.
13. DeGrazia, ch. 6; Bonnie Steinbock, "Wrongful Life and Procreative Decisions," in *Harming Future Persons*, eds. Melinda Roberts and David Wasserman (London: Springer, 2009), 155–178.
14. John A. Robertson, "Procreative Liberty and Harm to Offspring in Assisted Reproduction," *American Journal of Law & Medicine*. 30, no. 1 (2004): 7–30.
15. Margaret Olivia Little, "Abortion, Intimacy, and the Duty to Gestate." *Ethical Theory and Moral Practice* 2, no. 3 (1999): 295–312.
16. Yes: Samuel Scheffler and Niko Kolodny, *Death and the Afterlife* (New York: Oxford University Press, 2013); No: Mark Johnston, "Is Life a Ponzi Scheme?" *Boston Review*, January 2, 2014, accessed April 18, 2014, http://bostonreview.

net/books-ideas/mark-johnston-samuel-scheffler-death-afterlife-humanity-ponzi-scheme.

17. Allen Buchanan et al., "Reproductive Freedom and the Prevention of Harm," in *Bioethics*, eds. Nancy Jecker, Albert Jonsen, Robert Pearlman (Sudbury, MA: Jones and Bartlett Learning, 2011): 416–425; Julian Savulescu and Guy Kahane, "The Moral Obligation to Create Children with the Best Chance of the Best Life." *Bioethics* 23, no. 5 (2009): 274–290.
18. Jakob Elster, "Procreative Beneficence–Cui Bono?" *Bioethics* 25, no. 9 (2011): 482–488; Thomas Douglas and Katrien Devolder, "Procreative Altruism: Beyond Individualism in Reproductive Selection," *Journal of Medicine and Philosophy* 38, no. 4 (2013): 400–419.
19. I thank my older son, Jacob, for suggesting the title of this chapter (and theme for this essay). The question mark is mine.

# 7

# Against Anti-Natalism

THE CLAIM THAT IT IS categorically or presumptively wrong to create new human lives has been based on several kinds of arguments. All concern the moral significance of harm, but none rest exclusively on empirical claims about how harmful life is or would be in particular times and places. Explicitly or implicitly, all understand harm, or specific kinds of harm, not as the mere absence of good, but in terms of discrete bads such as pain, suffering, injury, frustration, loss, and death. For Benatar, the absence of pain is good whether or not there is someone for whom it is good, whereas the absence of pleasure is merely not-bad unless there is someone for whom it is a deprivation. This asymmetry gives nonexistence an advantage in comparison with any existence containing even the slightest pain.[1] For Shiffrin, the unconsented infliction of harm can be justified to the individual harmed only by the avoidance of greater harm, not by the bestowal of "pure" benefits—benefits

that do not prevent or ameliorate harm.[2] For Hayry, the realistic possibility, however slight, of catastrophic harm, has greater prudential and moral weight than the likelihood of benefit, since the most reasonable rule to adopt for a future child is one of avoiding the worst possible outcome—a rule that precludes procreation.[3] I will refer to these, respectively, as the comparative, consent, and risk-based arguments.

The three arguments differ in the reliance they place on facts or predictions about the world into which future children will be born. The expectation of any serious harm suffices to make procreation presumptively wrongful for the consent argument, whereas the risk argument requires a realistic possibility of disastrous harm. According to the comparative argument, the certainty of *some* harm makes existence disadvantageous for the individual created, while the near certainty of grave harm makes her creation wrongful.

The comparative argument differs from the other two in a significant respect. It concerns what is *bad* or *harmful* in procreation, whereas the other two concern what is *wrong* in it. Neither of the latter two claims that it is necessarily disadvantageous to come into existence; neither rests on the net badness of existence. Criticism of the comparative argument has focused on the claim that bringing someone into existence is always a net bad or harm for that individual. I am more interested in how such a harm would constitute a wrong, a claim that is developed in Benatar's philanthropic and misanthropic arguments. I will conclude that none of the anti-natalist arguments establish even a presumptive wrong in procreation.

## BENATAR'S COMPARATIVE, QUALITY OF LIFE, AND MISANTHROPIC ARGUMENTS

### Benatar's Comparative Argument

According to Benatar, it is against the interest of anyone to come into existence, because the advantage of moving from the not-bad of absent pleasures in nonexistence to the good of pleasure in existence is outweighed by the disadvantage of moving from the good of absent pain in nonexistence to the bad of pain in existence. The latter outweighs the former because the absence of pain is good, even if there is no one for whom it is good, whereas the absence of pleasure is bad only if it is a deprivation for someone.[4] Several critics have questioned the coherence of this claim on the grounds that there can be no subject for the good of avoiding bad by nonexistence, since good cannot be attributed to merely possible people.[5] Other critics have maintained that even if such an attribution can be made, Benatar is mistaken in the way he values absent pain and pleasure in nonexistence.[6] Although I think there is much to these objections, I will not at present dispute Benatar's claim that existence is a bad bargain for the person created, in the sense that it is not in her best interests. My concern is rather with whether a person who is living a good life, as conventionally assessed, would have grounds for complaint against his parents for this bad bargain—with whether such a person could be regarded not only as disadvantaged by this bad bargain, but as wronged.

Benatar himself invites this separate appraisal by asserting that "[t]he conclusion that existence is *always* a harm tells us nothing about the *magnitude* of that harm"[7] (emphasis in text). There is no reason to think that if the harm were slight, it could not be counterbalanced by the benefits of life, or many lives, so as not to constitute an all-things-considered wrong.

Of course, Benatar argues that the harm is almost always great—a claim I will address in the next subsection. Here, I want to examine whether, by itself, the harm claimed by Benatar's wide-comparison argument could give rise to a moral complaint on the part of the individual harmed; whether, for the person created, the benefit of a good life could weigh against the harm sufficiently to nullify or trivialize any complaint.

Benatar does not appear to deny that this is a formal possibility. He does not regard his comparative argument by itself as making the case that all procreation is wrongful. That case also requires his philanthropic argument, which is designed to show just how bad our lives really are. But if it is the magnitude of the harm that gives rise to a complaint, not the conclusion that life is always a harm, then it is not clear what role the comparative argument plays in reaching that conclusion.[8] If careful scrutiny and critical assessment could show that life was very harmful overall for everyone, or almost everyone, then why would it matter for purposes of a moral complaint that it was also disadvantageous in comparison with nonexistence? The extremely high odds of a very bad existence would make procreation wrongful on any reasonable decision rule for risk or uncertainty. Benatar's philanthropic argument would then serve a similar function to the risk argument

discussed below, showing that procreation was unacceptably risky. It would, however, be more robust than the risk argument in relying not on the controversial maximin rule but on a bleak appraisal of outcomes and a rough estimate of probabilities.

Before assessing the philanthropic argument, I want to consider what sort of complaint a child with a great life, conventionally assessed, would have against his parents if the comparative argument were correct. It is instructive to compare the complaint Unlucky Child (UC), with an awful life, could make against his life, within which the bads vastly outweigh the goods, with the complaint available to Lucky Child (LC) for whom the opposite is the case.[9] Benatar would appear to hold that UC has a complaint against his parents for the poor quality of his life that LC lacks. Admittedly, LC, like UC, has been disadvantaged just by coming into being. As Benatar states, "although [LC] may be lucky relative to other children (who suffer more than he does), [he] is not lucky enough if he is actually brought into existence" (emphasis in text).[10] His interests would have been better served by not being created.

But even if this claim grounds an intelligible complaint, it seems a pretty feeble one. LC's parents, whom we may assume have been conscientious as well as lucky, could respond, "Sorry to set back your interests, but we really wanted a child and we expected that you would flourish. Sure, life is full of risks, but we had good reason to expect that yours would be highly rewarding on balance." Benatar would think the parents badly self-deceived about their child's prospects, but that's a separate issue. If their assessment is reasonable (or reasonably mistaken), this appears to be an adequate

response to his complaint. (I will argue later that they can also claim to have acted at least in part for his good in creating him, even if they were to accept that nonexistence would have been more advantageous for him in Benatar's sense.) Indeed, the contrast between the two children suggests that Benatar displays an insufficiently robust appreciation of the vast difference in their quality of life, and, more generally, of the vast differences in how well the lives of different people go. Even if we have a strong tendency to ignore, forget, or discount the pain and suffering in our lives, these differences remain profound. If UC's parents had good reason to expect his life to be as awful as it is, then he has a very serious complaint against them for a life they expected, or should have expected, to be awful.

Benatar does recognize that UC suffers two kinds of disadvantage, LC only one. First, the pains within UC's life vastly outweigh the pleasures; second, his very existence gives him good and bad instead of the good and not-bad of nonexistence. LC, in contrast, suffers only the latter disadvantage. Although I have suggested that LC's complaint on that basis is frivolous, I have assumed that it is coherent; one can always complain that one has not received what is in one's best interests. But it seems a perverse complaint for LC to make, one that would be belied by his attitude toward the life he leads. He presumably loves that life and craves more happy years. It is an understatement to say that from his ex post perspective he has no regrets about having been created. Not only did he lack an ex ante perspective; he does not see his ex post perspective as one he is merely resigned to, or incapable of escaping. If, like the protagonist of countless time-travel stories, he could make it the case that his parents never conceived him, he emphatically would not do

so. Benatar might respond that to do so would merely be a form of preemptive suicide, given that he already exists, or else that that this was a thought experiment he could not perform. But it remains the case that even if Benatar is correct that existence was not in his best interests, he has given LC no other, better reason to feel the slightest regret about it. So it could be argued that LC's complaint would be in bad faith, because he is wholeheartedly glad that this parents did not act to prevent it. In contrast, UC's complaint could be made in perfectly good faith.

This distinction between LC and UC would collapse if there were an independent wrong in creating LC as well as UC; if the bounty of life was his only because his parents had violated some right of his in providing it. There need be no inconsistency in enjoying the windfall but still regarding its source as a rights-violation. But I have suggested that Benatar does not make a case in his comparative argument that causing the harms of existence is a wrong, as opposed to a harm. It would be a wrong if (prospective) parents had a duty to maximally satisfy the interests any child they might create, which for Benatar would require them not to create any children. But apart from familiar issues about the identity of the rights-holder, it seems odd to claim that (prospective) parents have a correlative duty. Even the most spoiled child should recognize that his parents do not have a duty to maximally satisfy his interests; that their own interests, as well as those of a myriad of others, appropriately limit their duty to satisfy his. If bringing someone into existence is always a wrong, it can only be so because it is always a net harm. But I have argued that the lucky "victim" of this putative wrong could not reasonably regard it as such.

## Benatar's Quality-of-Life Argument

Benatar would argue, however, that few, if any, children are actually lucky. He regards existence as massively harmful to almost all individuals, and attributes the widely shared impression that it is not harmful to recalcitrant Pollyannaism and profound self-deception.[11] If he is correct, then LC is wronged as well as UC because his parents could have had no reason to believe he would beat the overwhelming odds and have a great life—even if, however improbably, he actually has or will have had such a life. No genetic constitution or external environment can be proof against the slings and arrows of such pervasive misfortune.

As well as claiming that life is truly awful for a great many existing people—a claim that few pro-natalists would deny—Benatar insists that it is very bad for almost all of us. The second claim is critical to his version of anti-natalism, since the first alone does not show that procreation is wrongful. Many of Benatar's critics have claimed that a lot of prospective parents, especially in more developed nations, have good reason to believe that their children are very likely to lead good lives, conventionally assessed.[12] They know, of course, that their lives may go very badly, as badly as those of the worst off in a developing country, but they may reasonably believe the odds of such a dreadful life are very slight. Without a radical reappraisal of lives conventionally regarded as good overall, Benatar could only reject procreation on the basis of a maximin rule—a rule that requires the avoidance of the worst possible outcome, however improbable it may be.[13] And that rule, as I will argue in discussing Hayry, is unreasonably risk averse.[14]

Benatar takes up this challenge, arguing that our lives—those of well-off people in more developed countries in the early 21st century—are really much worse than we think they are on any plausible theory of well-being. He provides an error theory for our mistakenly optimistic judgments in the adaptive value of those false judgments for evolutionary purposes. Basically, he argues that we have far more and more intense aversive mental states and unfulfilled desires than we acknowledge, and that our objectively valuable activities and achievements fall far short of any reasonable threshold for a good life.

Concerning aversive experience, Benatar argues that "[w]e tend to overlook the extent to which we experience negative mental states. Among the most common (even if not always the worst) [are] hunger, thirst, bowel, and bladder distention (as these organs become filled), tiredness, stress, thermal discomfort, (that is, feeling too hot or too cold) and itch. . . ."[15] These are certainly common states, but Benatar appears to overlook the extent to which they are locally balanced out, or even mildly pleasant in context. In our comfortable lives, we experience these states, to the extent we experience them at all,[16] with the reassuring or even pleasing anticipation of their relief. It is not even clear that it is at all aversive to be hungry just before a meal, thirsty after a vigorous workout, etc. Our knowledge of the almost certain, immediate, and pleasurable alleviation of these sensations may make their very experience innocuous or pleasurable. And their alleviation usually is as well, canceling out any residue of unpleasantness (Of course, it is possible to dwell on the aversive experience, as in the joke about the old man who repeatedly declares "Boy, am I thirsty!" then, after gulping down a tall glass of water,

repeatedly declares "Boy, was I thirsty!" But his theatrical preoccupation with a mildly aversive and easily alleviated state is amusing because it is perverse.) It is a very different, far more aversive experience to be thirsty in a desert or hungry in a famine—but these are rare occurrences in our privileged world.

More serious aversive states cannot be regarded the same way. I doubt many asthmatics enjoy their breathing difficulties in anticipation of their vaporizers, or migraine sufferers their headaches in anticipation of eventual relief. But such unquestionably aversive conditions (not to mention far worse ones) may heighten the appreciation of those experiencing them of the long periods in which they are absent. And many chronically painful or uncomfortable conditions are subject to a kind of adaptation that reduces their aversive character, somewhat like adjusting to a bright or dark room. This is not 'Pollyannishness' or self-deception, but an actual change in experience, a kind of natural anesthesia. Of course, not all injuries and diseases are subject to this benign process. But those suffering traumatic injury often experience a state of numbness before the pain sets in, and their pain can often be preempted by powerful analgesics.

A second problem with Benatar's hedonic assessment is that we experience our lives at various removes from particular experiences, and it is not clear why one perspective should be privileged over another. Why shouldn't the perspective of tranquil recollection count as much or more in a hedonic calculus as that of the untranquil states that are recollected? Certain sequences of sensations are "meant" to be experienced as a whole as well as in part, retrospectively as well as concurrently. Why should we give more weight to

the average or sum of mental states during a roller-coaster ride (assessed during the ride) than to the experience of relief and exhilaration immediately afterwards, in which the anxiety, terror, and pleasure of the ride play an integral role? This is a question that, writ large, needs to be addressed on any hedonic account.

Benatar succinctly states his case for thinking that life in generally bad in terms of a second account of well-being, based on the satisfaction of desires:

> [T]he general pattern is a constant state of desiring punctuated by some relative short periods of satisfaction. Therefore, there is very good reason to think we spend more time unsatisfied than satisfied.[17]

In its emphasis on comparative duration, this sounds like a hedonic version of a desire-satisfaction account. What matters on standard accounts, though, is merely the satisfaction or frustration of desires, whether experienced or not, rather than feelings of desire, satisfaction or frustration. In the terms of a standard account, Benatar asserts that most people have many more unsatisfied than satisfied desires. But he does not attempt to survey people, count their desires, or suggest how desires might be individuated; his argument does not rest on such a quantitative assessment. Rather, it appeals to our yearning for the impossible and/or improbable, to the undeniable fact that our reach is very often much farther than our grasp.

It is difficult to deny that the loftier our desires, the more likely they are to remain unsatisfied. But if a desire-satisfaction account leads to the conclusion that it is bad to live a life of self-conscious striving for unattainable goods, then so much the worse for desire-satisfaction theories. As

John Stuart Mill famously asserted in *Utilitarianism*: "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied."

Benatar gives the verdict of a desire-satisfaction account intuitive appeal with his hedonic inflection: the frustration of desires is a highly aversive experience, while their satisfaction gives only transient pleasure. The experience of frustration can indeed be deeply unpleasant, especially conjoined with jealousy or humiliation. But the tenacious pursuit of a goal that one that expects to be unattainable need not produce frustration in this sense; rather, it may lead to the satisfaction of a "higher-order" desires to be resourceful and persevering in trying to satisfy first-order desires, and to pride in whatever partial successes one has achieved.

If Benatar sometimes treats desire-satisfaction in hedonic terms, he also offers an objective appraisal of our desires as overly modest and unimaginative: "[W]e would have even more unsatisfied desires if we did not restrict some of our desires to the realm of the possible."[18] He gives as an example the fact that most of us do not desire to live to 1000 years, but at most to the current limits of human longevity. Benatar thinks we constrain such desires from a lack of imagination or to avoid inevitable frustration. It is, however, not clear that a desire-satisfaction account has any business prescribing desires; at most, it considers the desires we would have if we were fully informed. But unless "full information" is stretched to include the appreciation of the myriad benefits of conditions that are currently impossible to achieve, then our lack of desire to enjoy those benefits does not seem attributable to our ignorance. Rather, Benatar appears to be claiming that our

lives would be more valuable if these conditions obtained. If so, Benatar's claim does not concern what we do or would desire, but what is really desirable—it is a claim about objective well-being. And Benatar goes on to propose an objective account which virtually guarantees a massive shortfall.

His claim is that in assessing the quality of human lives for purposes of deciding "how good human life in general is," it is appropriate to assess human lives not in comparison with other human lives, but from the point of view of the universe. "The quality of human life is then found wanting."[19] This raises two questions: First, is it even meaningful to assess human life, or any life, from that viewpoint; second, even if it is meaningful to do so and life is found wanting, why would that verdict mean that human life was objectively bad?

Concerning the first question, it can be argued that the universe does not have a point of view; to attribute one to it is to anthropomorphize or deify it. It does not value at all—even to attribute indifference to the universe is to humanize it. We might be able to adopt the view of some superior species that landed on Earth, so as to perceive our lives as sadly wanting. Since we have not had the dubious fortune to encounter such a species, however, why should we be tempted to adopt their viewpoint? Moreover, as Bernard Williams has pointed out, we might discover a now-dormant partiality toward our biological humanity, and prefer a life with human imperfections to life in which we would become smarter, stronger, kinder, and longer-lived, at the price of estrangement from our human ways of life.[20] Admittedly, we can imagine tremendous improvements in our capacities that would leave us recognizably human.

And we can reasonably conclude that our lives might have been much better with such improvements. But, As Aaron Smuts observes, Benatar fails to see that the opposite of better is not always bad; sometimes, it is just less good.[21]

An ordinary human life in a developed country in the early 21st century may well lack many of the valuable experiences and achievements of ordinary lives a century later—at least if the world as a whole does better than Benatar thinks it will. But if it is arbitrary to assess our lives objectively against existing norms or averages, it seems no less arbitrary to assess them against the norms of any more advanced society. We might hold that above some minimum level of objective functioning—a minimum that is highly debatable—we may reasonably choose our own comparison class, or if possible, avoid comparisons altogether. No doubt, it might be devastating to acquire and then abruptly lose some of the physical and mental enhancements that contemporary visionaries seek.[22] But although we may be able to imagine having some of them, and can even yearn for them, their absence does not make our lives go badly—unless, like some of those visionaries, we obsess over their absence. Benatar's assessment of humanity from what amounts to a visionary perspective is an effective antidote for the complacency expressed in the old beer commercial that concludes "it doesn't get any better than this." Benatar reminds us that it could indeed get much better. But that hardly means that the imperfect lives we lead in the shadow of such possibilities are bad.

No one reading Benatar's account of the suffering experienced by individuals who die of fairly common diseases, such as cancers, can fail to take seriously his claim

that even the best lives can end very badly. Prospective parents should certainly be aware that their children are likely to die from some disease that may have very painful symptoms, and they would be naive to assume that medical or palliative breakthroughs will dramatically improve their children's odds of living longer and dying well. Nor should they discount the disturbing prospect of social and economic upheavals that will make their children's lives worse than their own. But they need not be either insensitive or naive to reject Benatar's conclusion that almost all lives, realistically appraised, will be too harmful to start. This is so for several reasons.

First, as I have stated before, there is no authoritative vantage point from which to assess the most physically or psychologically painful experiences in life. Benatar implicitly privileges the testimony of individuals currently in or just out of the throes of suffering. He certainly would be warranted in doing so against a claim that such experiences "really weren't so bad" made by someone who had never gone through them or largely forgotten their intensity. "He jests at scars that never felt a wound" is a fair reproach to someone who naively belittles the experience of suffering, but not to someone who gives it less weight in the overall evaluation of a life than Benatar does. Indeed many in the throes of a painful final illness still regard their lives as well worth living, even if they do not die surrounded by loved ones or narcotized into bearable pain without loss of awareness. Benatar may think they are mistaken and self-deceived. But it is not clear on what basis he can invoke their authority about their experiences while dismissing the weight they give them in the overall evaluation of their lives.

Or consider an even more routine experience: giving birth. Despite the early onset of "labor amnesia," many women recall it being the most painful experience of their lives, for which nothing could have prepared them. Some declare in the throes of labor that they wish they had never decided to get pregnant; that it is simply not worth the pain. But few conclude "better never to have given birth," even though most are aware of the (undoubtedly adaptive) amnesia that makes their worst pain inaccessible in a way that other awful pain may not be. Many go on to have other children, aware as they are of how painful the final hours of pregnancy can be. Why should their experience *in* labor be authoritative, or have decisive weight, in determining whether having a child contributes to their well-being? Now that women in developed countries rarely die in childbirth, we—especially men—may unduly discount labor pain as insignificant 'in the larger scheme of things.' But almost no one gives the most painful experiences of labor the authoritative weight in evaluating an individual's life that Benatar gives the most painful experiences of cancer. This may be because even the most protracted labor is comparatively brief, because it is overshadowed by the frequent joys of childbirth, because there is obvious adaptive value in discounting its weight, or because it comes in the middle of a life, not at its end. But Benatar needs to defend his selective invocation of immediate experience in his quality-of-life argument.

More broadly, there is a great deal of philosophical debate about how to weigh the goods and bads of a life, and its various parts, in assessing life as a whole.[23] Benatar must argue for a particular approach to such weighing in order to categorically reject those who, at or near life's end, judge their

lives to have been well worth living despite long and intense periods of pain and suffering at various stages.

Second, individuals have very different experiences of the physical conditions Benatar describes, and, if those conditions are not terminal, live with them in very different ways. Thus Benatar treats paralysis as a terrible fate, and for some people it undoubtedly is. But for others it is definitely not. They find ways to live rich lives with and despite their limitations, and not only because they may have a robust euphoria. Thus consider this short description of her life from Connie Panzarino:

> At 42 years of age I am mostly paralyzed; have full feeling; I cannot swallow food unless it has been pureed in a blender, use a BiPAP for respiratory problems; use a puff 'n' sip wheelchair; take medication for my heart, stomach, and body pain; and must be repositioned by my PCAs every 20 minutes. I also run my private psychotherapy/art therapy practice; own my own home and van; serve on several boards; maintain my sexual relationship with my lesbian lover; pet my cat with my chin; take my blender out to dinner with friends (and blend lobster, or whatever I like); travel; show the artwork I make by mouth or computer; write; read; plant a garden, and on and on. I have made a choice to live as fully as I can.[24]

In this passage, there is no reliance on feelings of pleasure or satisfaction, no claim that those feelings are impervious to the biomedical realities of Panzarino's life. Rather, there is a detailed description of valuable activities and achievements coexisting with those realities. Some will undoubtedly find Panzarino's appraisal of her life, as presented in this passage, unconvincing as evidence of well-being. In any case, I am not claiming that her account has

more authority than those of people in similar physical conditions with similar histories who regard their lives as constricted and demeaning. My claim is merely that in the absence of an authoritative vantage point, prospective parents in a privileged society like ours can reasonably take a rosier view of their children's prospects than Benatar does without being at all Panglossian.

Of course, even in the most privileged society, lives can go horribly, and no prospective parents can ensure that the lives of their own children will not. But they can reasonably conclude that the odds of such fates are low enough to be acceptable. To deny that such an assessment is reasonable, Benatar would either have to defend a specific calculus of risk that would reject it, or else adopt a principle of extreme risk-minimization for procreation, a position I criticize below. Benatar's risk argument gains spurious strength, I suspect, from the Russian roulette simile he employs, which has prospective parents pointing a gun at the head of their future child; a gun with a high proportion of chambers loaded.[25] This simile is misleading. As the literature on the ethics of risk imposition and distribution points out, it matters a great deal if the threatened harm will be imposed intentionally. Shooting someone with a loaded gun is intentionally harming him, even if the discharge of a bullet had been far from certain. As David DeGrazia points out in discussing Shiffrin's harm argument, parents do not impose harm on their children so much as expose them to it, while making a concerted effort to avoid or mitigate it.[26] And that is a far different matter for a nonconsequentialist than imposing harm.

I believe there is an unavoidably comparative aspect to acceptability judgments. Prospective parents may find

appropriate reinforcement for their decision to have children in the expectation that those children will have lives that are no harder or riskier than their own. One of the legitimate concerns for "baby boomers" deciding whether to have children in the past two decades is the lack of such assurance. Arguably, prospective parents should not create children they expect to have lives substantially harder or riskier than their own, or at least lives they would find unacceptable for themselves. Such a constraint would be akin to that imposed on combat officers not to impose risks and hardships on the soldiers they command, especially conscript soldiers, that are any greater that those they assume or are willing to assume themselves. Although I lack the space to examine this suggestion, it raises a difficult question about the moral constraints on prospective parents, a subject I will address in the last chapter.

## Benatar's Misanthropic Argument

Benatar has recently advanced a "misanthropic argument" against procreation, based on the incalculable harm that humans inflict on each other and other species.[27] I can only respond briefly, in part because I strongly disagree with Benatar's weighing of the suffering of minimally-sentient animals, a disagreement we cannot resolve here. I certainly do not doubt the enormous cruelty that almost all humans are capable of, and that many continue to exercise, with ever more lethal effects. But unlike Benatar, I think this aspect of humanity is well appreciated, at least by regular viewers of the evening news. I also disagree with Benatar in believing that many of those viewers recognize that they themselves would be capable of engaging in similar atrocities under different

circumstances—the vivid demonstrations of this capacity by Milgram, Zimbardo, and others have become well known in our society.[28] Where I disagree most sharply with Benatar, however, is on the implications of human destructiveness and cruelty for individual procreative decisions.

Setting aside the important but disputed issue of harm to animals, I believe that many prospective parents can reasonably conclude that their own children are unlikely to commit, or be significantly complicit in, the kind of harms that would (or should) make them ashamed of having borne them. I think that in reaching that conclusion they should recognize that some prospective parents who reached it have been and will be mistaken. But this recognition should merely make them more cautious; it should not be decisive unless they themselves harbor grave doubts about their capacity to create and nurture minimally decent children.

As I will argue in the last chapter, I do no think prospective parents must "universalize" about the likely consequences if everyone judged or acted as they do. I think the concerns about the consequences "if everyone did it" have far more relevance for policymakers than prospective parents.[29] Although the latter must be cautious in their predictions about their children and may reasonably have concerns about the fairness and cumulative impact of similar decisions, I believe that they do not need to give this the same weight in their decisions as policymakers or other impartial third parties should in theirs.

At the same time, Benatar's arguments rightly emphasize the moral importance of serious reflection and commitment on the part of prospective parents. They must be prepared not only to teach their children to respect their peers and their superiors, but to oppose them if they suggest,

initiate, or demand immoral conduct. Prospective parents must also be prepared to inculcate the kind of discernment necessary to recognize at an early age when conduct is immoral. It is not unrealistic to expect this effort. One has only to look at the large number of young Americans who, in the past fifty years, actively protested their country's foreign interventions or fought for minority civil rights—often with the active support of their parents.

## THE CONSENT ARGUMENT

Shiffrin argues that prospective parents cannot presume the consent of any child to being born.[30] She observes that all human life contains serious harms, such as pain, loss, frustration, and death. We can presume consent for imposing any such harms only to avoid greater harms, not for harms imposed to permit "pure" benefits—those that do not involve harm avoidance. Since there is no harm in not coming into existence, procreation confers a pure benefit. Shiffrin does not claim that serious harms cannot be outweighed by benefits, but that the balance cannot be struck vicariously. The only fact about human existence on which Shiffrin's argument relies is the same one on which Benatar's comparative argument relies: all lives contain some significant harm.

In illustrating the moral difference between conferring pure benefits and avoiding harms, Shiffrin offers examples of postnatal interventions. A doctor who comes upon an unconscious accident victim can amputate his arm to save his life or legs, but not to endow him with greater strength or intelligence. We would object to the latter at least in part

because we expect people to differ far more in the tradeoffs they would be willing to make between harms and benefits than between different similar harms of different magnitude.[31] Amputating for pure benefits would be presumptuous and paternalistic. But procreation does not face a similar objection: a merely possible person has no values or preferences to override.[32]

Shriffrin attempts to fortify her case with a more fanciful hypothetical, in which a wealthy man can enrich the residents of an island, with whom he cannot communicate, only by air-dropping gold cubes, predictably breaking an islander's arm. She maintains that the wealthy man acts wrongly, although his victim will be crying all the way to the bank.[33] The infliction of benefits, however great, cannot justify the infliction of harms, however minor, without actual consent. I suspect many people will agree, or at least share the intuition that the air drop is morally problematic.

Two factors, however, make it problematic in ways that bringing a child into existence is not. First, bombing the unlucky islander appears to violate his rights, however much it enriches him. We recognize rights against the imposition of certain kinds of harm, such as battery, though not (except in special contexts) against the net loss of benefits. But there is no reason to assume that people have rights against the infliction of all non-comparative harms. The actions of the wealthy man would have been less objectionable if he had found means of enriching the islanders that did not involve such a clear-cut rights violation. Say, for example, that he had dropped the gold in an uninhabited location, knowing that the sudden, influx of wealth, even if distributed fairly, would cause slight social and cultural disruption. This harm would be inflicted on all the

residents who benefited from the increased wealth, whether or not they tacitly consented to the benefit by appropriating the gold.[34] But I suspect that few people would think that he acted wrongly, so long as the disruption was minor and all of the islanders were better off despite the disruption. Any remaining misgivings would arise, I believe, from a concern that the disruption would actually not be minor: that the influx of wealth would violate strong cultural or religious norms or erode social relationships and institutions.

The second distinguishing feature of the air drop is that the islanders are stipulated to enjoy modest comfort already, so that the benefit of great wealth seems slight or uncertain. It is by no means clear that the additional wealth would improve the lives of the inhabitants in any but a narrow material way—we have many anecdotes and much evidence that would lead us to doubt this. Indeed, it may be that in "purifying" benefits to be free of a harm-prevention or harm-reduction role, Shiffrin has reduced them to mere luxuries. Perhaps, as Rivka Weinberg suggests (in her personal correspondence) it is difficult to make benefits more substantial without giving them a harm-prevention aspect. In the developed world, at least, significant increases in wealth come with significant increases in health and longevity, with greater avoidance of disease and death. The one substantial good of which this is clearly not true, if it is a benefit at all, is existence. So the difficulty in purifying postnatal benefits without making them luxuries does not threaten Shiffrin's basic claim. It does, however, threaten her reliance on postnatal benefit cases to defend it.

In contrast to the wealthy gold-bomber, it is not clear that parents would violate any right by bringing a child

into existence, although existence brings unavoidable harms. Unlike in postnatal interventions, there is neither a physical incursion on an individual with a right against such incursion, nor a disruption of plans and attachments already formed. Moreover, in contrast to the slight, uncertain, or two-edged benefits from the islanders' sudden enrichment, the benefits of life can be enormous—even if the harms can be as well.

Another significant contrast is that, unlike the gold-bomber, parents do not generally cause or impose the more serious harms their children suffer, but merely expose them to those harms. DeGrazia, who makes this distinction, argues that parents "faultlessly expose children to harm all the time, often as part of creating opportunities for greater benefits."[35] He gives the example of sending children to school, to which they often vocally dissent, and which exposes them to a variety of significant harms for the sake of rich opportunities.

Shiffrin's understanding of the moral gravity of harm does have powerful intuitive appeal. Certain experiences and conditions are bad regardless of the social context or overall "*eudaimonic* status" of the individual suffering them. Acute physical pain, the death of a loved one, the destruction of one's life work, rejection or betrayal by those one most loves or respects—these are bad whatever else is bad or good, unfortunate or privileged, about one's life. This does not mean that one may never inflict such non-comparative harm on one person for the sake of some benefit to another, or for some good or imperative not reducible to harm or benefit to particular people, such as corrective justice. But it does suggest a presumption against causing harm, and a priority to avoiding it, however elusive that presumption or priority may be as a guide to action.

One consideration supporting this priority, which seems to have influenced Shiffrin, is epistemic. In effect, she reverses Tolstoy, who claimed that all happy families were alike while each unhappy one was miserable in its own way. Shiffrin's assumption seems to be that while there are an indefinite number of ways to flourish, there are a limited number of ways to suffer; whereas we have an irreducible plurality of conceptions of the good, we recognize only a few basic forms of badness. But apart from epistemic considerations, it may appear that duties to prevent or not inflict harm are stronger than duties to confer or not prevent the receipt of benefits. It is hard, though, to be more precise about this difference, in part because of doubts that there can be a common metric of goods and bads; doubts dismissed by skeptics about the special moral status of harm like James Griffin.[36] Indeed merely adopting a single metric, as Griffin does, assumes what many proponents of a priority would deny: that harms and benefits can be so readily compared.

We are often willing to trade off harms against benefits, as Griffin notes, even when the harms and benefits go to different people. But we generally regard such tradeoffs as constrained by rights—rights more often against harms than to benefits. Intuitions, however, vary widely on what those constraining rights are, and even if there were greater agreement, any priority given to harm avoidance would be complex and context-dependent.[37]

## THE RISK ARGUMENT

Hayry gives priority not to harm in general, but to the risk of the worst possible harm.[38] He argues that in deciding

whether to create a life, the only rational strategy is Rawls's maximin, which requires maximizing the positions of the worst-off people. As adapted by Hayry, this rule requires minimizing the worst possible outcomes, and thus prohibits procreation, which can have disastrous consequences for the child created. Since the maximin takes no account of the probability of being in the worst-off group, the infrequency or slight likelihood of such a great misfortune is irrelevant. And since, like Benatar and Shiffrin, Hayry sees no harm in nonexistence, that is clearly the better alternative. The decision to have a child, with a very slight but foreseeable possibility of a life not worth living, "is morally wrong as well as irrational. . . ."

> [S]ince potential parents cannot guarantee that the lives of their children will be better than non-existence, they can be rightfully accused of gambling on other people's lives, whatever the outcome. Because of the uncertainties of human life, anyone's child can end up arguing that it would have been better for them if they had not been born at all. The probability of this outcome does not necessarily matter. It is enough that the possibility is real, which it always is.[39]

It is hard to deny the possibility that anyone's child could have a life that she reasonably regarded as not worth living. And it would certainly seem ad hoc to assign a numerical threshold to the expected odds of such a disastrous outcome, above which it would wrong the child to create her. But this hardly implies that any odds are too great. That requires a further argument. Hayry does not supply one, except to condemn progenitors for "gambling on other people's lives." However evocative the phrase, it does not do the work Hayry requires unless any gamble is unacceptable (or

any gamble with disaster as a possible outcome). As DeGrazia notes in response to Shiffrin, we do not look askance at many significant gambles parents take with their children's lives, as long as a reasonable parent could conclude that the payoffs were worth the risks.[40]

Perhaps Hayry would argue that many postnatal gambles seem acceptable only because there is a real possibility of disaster no matter what option is chosen. Take your child out and you risk her being fatally struck by a car; leave her at home and you risk her dying in a fire. Because there is 'nowhere to run, nowhere to hide,' the one safe haven is nonexistence. Since the parents could have chosen that uniquely safe option, they cannot excuse their risky postnatal gambles by claiming, correctly, that any choice would be a gamble.

This reconstructed argument, however, needs the maximin to rescue it from the charge of implausible risk aversion. When we condemn people for gambling with other's lives, we condemn them for imposing *unacceptable* risks. I do so when I drive drunk from a party, but not when I drive sober to a store. As countless authors have argued, we individually and collectively make many decisions that impose very small risks of disastrous outcomes on unknown individuals, from driving cars to building roads.[41] And our tradeoffs are hardly limited to risk vs. risk; we trade off risks with security, comfort, and mobility. Even when the trade-offs are explicit, we choose within a range of options, none of which is anywhere close to the safest possible option. Transportation statisticians produce tables showing how many lives we would expect to lose or save by raising or lowering the present highway speed limit. The differences are substantial, but a 20 mph limit would have

few takers, let alone a ban on nonemergency driving. Even if we cannot justify the trade-offs we make except procedurally (i.e., democratic decision making with adequate information, participation, and deliberation), we do not regard them as unprincipled, just imprecise. We also recognize that reasonable people can have different risk tolerances in different times, places, and contexts.

So if zero tolerance is to be the only moral option in procreation, we need an argument as to why that is so. Although Rawls argues that the strong risk aversion of the maximin is appropriate for decisions that affect future generations, we cannot derive an argument against procreation from his rationale for applying the maximin to decisions about the basic structure of society behind a veil of ignorance. Rawls suggests that a rule of minimizing the worst outcome (i.e., choosing the arrangement in which the worst outcome is better than in any others) is appropriate when 1) uncertainty about outcomes is too great to assign probabilities; 2) the affected individuals have conceptions of the good such that they care very little about outcomes above the minimum and very much about outcomes below it (i.e., "It is not worthwhile for them to take a chance for the sake of a further advantage, especially when [they] may lose something important to [them] . . .") and 3) "the rejected alternatives involve grave risks . . ." that they ". . . can hardly accept."[42] Although 1 and 3 do seem to apply to creation, 2 clearly does not. Of course, possible people do not have their own conceptions of the good, although Hayry could safely assume that they would if they were made actual. But on almost all reasonable conceptions, the goods foregone through non-conception are goods that any actual person would have reason to care about

immensely—all the goods of life. Those goods would be unimportant from a pre-conception "perspective" only if, per Benatar, their mere absence counted as not-bad. Creation certainly involves grave risks, with possible outcomes that are unacceptable. But Rawls's rationale for adopting the maximin rule does not justify the refusal to weigh the benefits of existing against its risks. As Weinberg suggests, applying Rawls's condition to procreation would require not a categorical ban, but a reasonable assurance of a minimally good life—a condition I will return to in the final chapter.

## CONCLUSION

The plausible idea on which Benetar, Shiffrin, and Hayry all rely is that the failure to create a life worth living is not a harm to anyone. For Benatar, treating nonexistence as a harm would preclude his claim that coming into being was always against the individual's interests. For Shiffrin, treating nonexistence as a harm might give prospective parents a duty to bring people into existence to avoid that harm—a duty that, however weak, presumptive, or prima facie, few of us recognize. For Hayry, treating nonexistence as a harm would deny it the status of an "safe haven" that is has in his risk argument.

The shared weakness in all their arguments, I suggest, is their reliance on the special urgency or priority of avoiding harm as grounds for claiming the opposing duty to not bring anyone into existence. For Shiffrin, that reliance is explicit in her prohibition of vicarious trade-offs between harms and benefits; for Benatar, it is reflected in his attempt to explain the priority of avoiding harm

over conferring benefits in terms of his own asymmetry between existence and nonexistence. It is also implicit, I think, in the appraisal of life's goods and ills he makes in his philanthropic argument. And for Hayry, the priority of harm avoidance supports the maximin rule he believes that prospective parents are required to adopt.

## NOTES

1. David Benatar, *Better Never to Have Been* (Oxford: Oxford University Press, 2006). For other purposes, as in assessing how well a life goes, Benatar adopts a (more) comparative notion of harm, treating it as the mere absence of benefit. Although it may be appropriate to treat harm comparatively in that context, since the lack of benefit can be seen as a deprivation, Benatar seems to elide these two notions in claiming that the benefits of existence can never outweigh the benefit/good of nonexistence so as to make existence a net benefit.
2. Seana Valentine Shiffrin, "Wrongful Life, Procreative Responsibility, and the Significance of Harm," *Legal Theory* 5, no. 2 (1999): 117–148.
3. Matti Hayry, "A Rational Cure for Prereproductive Stress Syndrome," *Journal of Medical Ethics* 30, no. 4 (2004): 377. For Belshaw, the net harm of infancy makes life not worth living, however beneficial it is thereafter. I will discuss only the first three anti-natalist arguments, because Belshaw's appears to involve an asymmetry of life stages as much or more than an asymmetry of harm and benefit. (Christopher Belshaw, "A New Argument for Anti-Natalism," *South African Journal of Philosophy* 31, no. 1 (2012): 117–127.
4. It does seem that, in treating existence as a harm to the one created, Benatar is shifting from a noncomparative to a comparative sense of "harm." He implicitly uses "harm" in the former sense in framing his asymmetry in terms of

the good and not-bad of absent harms and benefits; he uses "harm" in the latter sense in claiming that it is not in the interests of an individual to be, or to have been, created.

5. David DeGrazia, "Is It Wrong To Impose the Harms of Human Life? A Reply to Benatar," *Theoretical Medicine and Bioethics* 31, no. 4 (2010): 317–331; Elizabeth Harman, "David Benatar. Better Never To Have Been: The Harm of Coming into Existence," (Oxford: Oxford University Press, 2006)," *Noûs* 43, no. 4 (2009): 776–785.
6. Harman, "Benatar"; David Boonin, "Better To Be," *South African Journal of Philosophy* 31, no. 1 (2012): 10–25; Aaron Smuts, "To Be or Never to Have Been: Anti-Natalism and a Life Worth Living," *Ethical Theory and Moral Practice* 17, no. 4 (2014): 711–729.
7. Benatar, *Better Never To Have Been*, 61.
8. As Rivka Weinberg points out (in personal correspondence) he strengthens his case by defending an asymmetry between avoiding suffering and experiencing happiness. But even with that further claim, he would need more to establish that procreation is not merely non-negligibly harmful but wrongful.
9. The names come from Boonin, "Better To Be."
10. Benatar, David. "Every Conceivable Harm: A Further Defence of Anti-Natalism," *South African Journal of Philosophy* 31, no. 1 (2012): 128–164, 138.
11. Benatar, *Better Never to Have Been*, ch. 3.
12. For example, DeGrazia, "Is It Wrong?" 324–329; Smuts, *To Be or Never To Have Been*, 10–17.
13. Actually, maximum requires the maximization of the minimum outcome, which is a stronger requirement implying the avoidance of the worst possible outcome.
14. Jason Marsh has recently made a strong case for what he calls "procreative skepticism" (e.g., "Quality of Life Assessments, Cognitive Reliability, and Procreative Responsibility," *Philosophy and Phenomenological Research* 89, no. 2 (2014): 436–466. He argues that a life may still be good despite its inevitable bads, but that we have no basis for confidently concluding that this is the case for any given life,

present or future. He criticizes Benatar for inferring from our strong evaluative biases that our lives are bad, or almost all bad, rather than inferring that they are not as good as we typically think they are. Because of our biases, though, and the difficulty comparing various goods and bads in our lives, we cannot have reasonable confidence that any future life will be good. Marsh hesitates to offer moral prescriptions to prospective parents based on his analysis. But it clearly supports risk aversion in deciding whether to have children and a greater willingness to decline on the basis of unacceptable prospects.

15. David Benatar, "Still Better Never to Have Been: A Reply to (More of) My Critics," *The Journal of Ethics* 17, no. 1–2 (2013): 121–151, 141.
16. DeGrazia, "Is It Better," 325.
17. Benatar, "Still Better,"143.
18. "Still Better."
19. Benatar, "Better Never to Have Been," 86.
20. Williams, Bernard. "The Human Prejudice" In *Philosophy as a Humanistic Discipline*, eds. Bernard Williams and A.W. Moore (Princeton: Princeton University Press, 2006), 135–152.
21. Smuts, "To Be or Never to Have Been," 17.
22. Max More and Natasha Vita-More, eds. *The Transhumanist Reader: Classical and Contemporary Essays on the Science, Technology, and Philosophy of the Human Future* (New York: John Wiley & Sons, 2013).
23. For a recent discussion, see Joshua Glasgow, "The Shape of a Life and the Value of Loss and Gain." *Philosophical Studies* 162, no. 3 (2013): 665–682.
24. Connie Panzarino, "What Is Choice, and Who Is Choosing?" *Roll Call* 1990 (October/November), 7.
25. Benatar, "Better Never to Have Been," 92.
26. DeGrazia, *Creation Ethics: Reproduction, Genetics and Quality of Life* (Oxford: Oxford University Press), 153–154.
27. This volume, ch. 5.
28. Harry Perlstadt, "Milgram's Obedience to Authority: Its Origins, Controversies, and Replications," *Theoretical & Applied*

*Ethics* 2, no. 2 (2013): 53–77; S. Alexander Haslam and Stephen D. Reicher, "Contesting the 'Nature' of Conformity: What Milgram and Zimbardo's Studies Really Show," *PLoS Biology* 10, no. 11 (2012): e1001426.

29. I am speaking here of consequentialist univeralization, which is quite distinct from the Kantian injunction to act under maxims acceptable as universal law. The latter is claimed to be a general requirement or characterization of acting morally. I lack the space or expertise to adequately explain the distinction.
30. Shiffrin, "Wrongful Life."
31. The contrast would not be as great if the surgeon amputated the arm of an unconscious adult to prevent a different kind of harm (e.g., to prevent his false conviction of a crime that could only have been committed by a two-armed perpetrator).
32. "Wrongful Life," 126–127. This is not to deny that we would object to a mother's arranging the amputation of her fetus to endow it with great intelligence. But I think we would object far less strongly than in the case of an adult, and not only because of the lesser moral status of the fetus. That intervention would lack the objectionable paternalism in Shiffrin's original case.
33. "Wrongful Life," 127–128.
34. Thanks to Sean Aas for this point. It poses a defense against the example DeGrazia attributes to Frances Kamm of islanders suffering psychological stress over how to distribute the gold they appropriate (Degrazia, *Creation Ethics,* 162, n.28).
35. Degrazia, *Creation Ethics,* 153.
36. James Griffin, "Is Unhappiness Morally More Important than Happiness?" *Philosophical Quarterly* 29, no. 114 (1979): 47–55.
37. One difference between harms and benefits, though not a categorical one, may lie in the comparative burdens of the duties to avoid or alleviate harm and to confer benefits. On a global level, this distinction has lost force as we come to recognize the wide range of cumulative harms to which we

contribute (Judith Lichtenberg, *Distant Strangers: Ethics, Psychology, and Global Poverty* (Cambridge, Cambridge University Press, 2014) ch 4.). But if we restrict those duties to a much smaller population (e.g., of family and friends) the duty to alleviate harm to the extent we can becomes, at least in most circumstances, much less oppressive. In contrast, the duty to confer benefits remains oppressive, since we can almost always confer additional benefits on family and friends who have quite modest projects and appetites. It may be that the duty to avoid as much harm as possible, with suitable population restrictions, demands much less of us than the duty to confer as much benefit as we can on the same population, and that for this reason, we regard the former as a more stringent duty. But this is hardly a difference Benatar or Shiffrin could exploit to defend the priority of avoiding harm, since as they (differently) interpret that priority, it imposes an onerous presumptive duty not to have children—a duty that many would find more demanding than any duty of beneficence.

38. Hayry, "A Rational Cure."
39. "A Rational Cure," p. 378.
40. DeGrazia, *Creation Ethics,* 153–154.
41. See, for example, David McCarthy, "Rights, Explanation, and Risks," *Ethics* 107, no. 3 (1997): 205–225.
42. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1979), 154–155.

# 8

# The Good of the Future Child and the Parent-Child Relationship as Goals of Procreation

BENATAR AND SHIFFRIN STRESS a point acknowledged by many pro-natalist philosophers: that there is no basis for claiming a harm to a possible person in failing to make 'her' actual.[1] And if there is no harm in not coming into existence, the avoidance of harm cannot help to justify the harms and risks of existence. Nor is there any other moral duty or reason to bring future people into existence, no matter how bright their prospects.

This last claim is one side of what Jeff McMahan has called The Asymmetry—the widely shared, deeply held conviction that that there is a strong moral reason *not* to have a child expected to lead a miserable life, but no moral

reason to have a child expected to lead a great life.[2] This position, however difficult to defend, appears to be a tenet of the commonsense morality of procreation.

If, however, we have no moral reason, let alone duty, to bring potentially happy children into the world, can we still have good reasons for doing so? Even if we confidently reject the anti-natalist arguments that it is categorically wrong to do so, we should be keenly sensitive to the concerns they raise about the unavoidable harms and grave risks facing a child in even the most safe and comfortable environment. What can the parents of any child say to justify their decision to bring him into the world if they cannot claim to have had a moral reason, let alone a duty, to do so? Their own desire for a child, and the desire of others, may not be bad reasons, but if they are they only ones, prospective parent s face the charge of having created the child as a mere means to their own fulfillment.

In this chapter, I will argue that prospective parents can, and often do, have a different, albeit closely related reason for having children, a reason that concerns the good of the future children as well as their own. I think that reason can go along way to meeting the charge that they created their child as a mere means, or with insufficient sensitivity to the risks and harms it would face. But in order to offer that reason as justification to an actual child, or so I will argue, it actually must have been among their reasons for bringing a child into existence.

This reason concerns the value for the child of the kind of life they intend and expect it to live, and the value for the child and themselves of the kind of relationship they intend and expect to establish. Much of this chapter will be devoted to defending three claims: (1) prospective parents

*can* act in part on this reason, (2) if they do, they can adduce the value of the child's life for that child, and the value of the parent-child relationship for all of its participants, in justifying risks and harms to the child, and (3) if they do not act on this reason in having a child or continuing a pregnancy, they cannot adduce those values to justify the risks and harms the child faces. I will address the obvious objection that the only values prospective parents can seek concern their own good, the good of others, or the impersonal good. None provide an adequate justification to the child facing the harms and risks of any human life. I am more confident of the first two claims that the third. That claim requires a broader defense that I can give here of the necessity of appropriate intentions for the permissibility of a great many morally significant actions.

## Relational and Child-Centered Reasons for Having Children

I am, of course, hardly the first to suggest that the good of a future child, "nested" in a parent-child relationship, can be a reason for procreation. Susanne Gibson held that:

> ". . . reasons for having child may be judged morally desirable or undesirable according to the extent to which they enhance or detract from the particular kind of relationship with that child. The goals of this relationship will be many, although one of the most important goals will be to aid the child in developing a sense of her own value . . . [3]

This passage is vague about how reasons for having children can enhance or detract from the parent-child relationship—by their psychological effects on it, or by

providing an appropriately child-centered basis for establishing it. Christine Overall (from whom I take the Gibson quote) moves closer to the second view. Although denying that prospective parents can create a child to advance her interests, "because she does not preexist her own conception,"[4] Overall holds that they can seek a relationship in which the good of the child is an integral part:

> The best reason to have a child is simply the creation of the mutually enriching, mutually enhancing love that is the parent-child relationship. In choosing to become a parent, one sets out to create a relationship, and in a unique way, one also sets out to create the person with whom one has that relationship.[5]

Overall views the choice to become a parent as entirely optional; the commonsense view that is part of the Asymmetry. Gilbert Meilaender, however, takes her as treating procreations merely as a personal project:

> Having children is for her an entirely individual project intended to deliver a product. It will require some collaborators, of course, but a parent is simply a person who undertakes and manages such a project.[6]

Overall may not regard a child, like Meilaender, as a "mysterious gift and blessing,"[7] or the attempt to have a child as an expression of gratitude to a Higher Power for one's own life. But there are alternatives to his theological view besides the consumerist one Meilander attributes to her. An individual seeking to create a child with whom she will have a unique kind of mutually enriching, mutually enhancing relationship is hardly a project manager trying

to make a product. Not all people have such a yearning, and not all people should become parents. But it verges on caricature to treat the often-difficult decision to have a child or continue an accidental pregnancy as the choice of a project, akin to a couple's New Year's resolution to enliven their social lives by making more friends in their new neighborhood.

Overall's "best reason" for having a child is reflected in the views of many prospective parents. The motivational pull of doing good for a future unknown child is made explicit in a recent study of the reproductive attitudes and preferences of young men, which found the five most influential reasons for fatherhood to be as follows:[8]

> I want to share what I have and what I know with a child.
>
> I want the special bond that develops between a parent and a child.
>
> Raising a child would be fulfilling.
>
> I want to give love and affection to a child.
>
> I would give a child a good home.

Only the third of these reasons sounds even remotely like it treats procreation as "an entirely individual project," let alone as treating the future child as a product. The selfish, relational, and child-centered aspects are all woven into one prospective father's expression of interest:

> Being a father will really feel wonderful, to have someone who I helped create and to have my own child means that I would have someone to protect and be there for.[9]

None of these remarks suggest that the young men were motivated by a desire to bring new people into existence—except as a precondition of nurturing them. I am not claiming that most prospective parents would express or act on the reasons they gave, but that those reasons are perfectly intelligible. They require neither a metaphysically premature attachment to a possible person nor recourse to a theological posture of gratitude. As I will discuss later, those reasons could equally motivate prospective adoptive parents.

But this leaves the question of how, or whether, the future child can be treated as an end in herself in trying to create her. Overall insists, and I agree, that prospective parents should aim at a relationship in which the actual child is treated as an end in herself. Can a stronger claim be made? In seeking to establish such a relationship, can they act for reasons that concern the good of the future child? A number of philosophers have doubted that prospective parents can act for such a reason, even in an attenuated sense.[10] In the next section, I will attempt to analyze and address the most plausible grounds for those doubts. I will not claim that prospective parents can treat future children as ends in themselves in the same way they can treat existing children. I will merely argue that they can act for reasons that concern the good of those future children, reasons they can adduce to justify to them their decision to bring them into existence.

## How Can There Be Child-Centered Reasons for Procreation?

I will defend a justification for having children that many pro-natalists have been reluctant to recognize: not merely

that prospective parents can act permissibly in bearing a child they expect to have a worthwhile life, but that in justifying that decision to the child who results from it, parents can adduce the good of the life and relationship they sought with an unknown and unknowable child. Like the reasons that often motivate the attempt to establish other respectful and mutually beneficial relationships, these reasons concerns the good of the unknown partner, but give rise to no duty to create that relationship in order to confer that good.

That justification may fail, however, for any number of reasons. The prospect of giving the child a good life may be slight because of an extremely harsh or inhospitable environment. The prospect of forming a mutually rewarding parent-child relationship may be slight because external circumstances are likely to disrupt it, or because the prospective parents are unlikely to sustain an adequate commitment. In either case, prospective the parents acted negligently toward the child they had, even if they hoped to beat formidable odds and were lucky enough to do so.

Further, it is not enough that the justification available to prospective parents is adequate for the (future) child. It may still leave them open to the charge that they breached a duty to others or displayed a lack of more general beneficence. They may violate duties to specific existing individuals, especially their existing children and other individuals whose welfare depends on their limited resources, time, and effort. Procreation also may have considerable opportunity costs, requiring the prospective parents to forego valuable projects, whether humanitarian, intellectual, or artistic.

Often, prospective parents could have conferred the goods of a shared life and a loving relationship by adoption,

which would also have rescued an actual child from the prospect of a grim life.[11] Admittedly, adoption may also pose substantial risks of harm, both to the adopted child and its biological parents. The child may have been better off living with a poor, even dysfunctional birth family than torn away and placed in a wealthier, better-functioning adoptive one. The judicial termination of their parental rights may have been based on error or prejudice. The biological parents may have been coerced into giving up a child they loved and sought to nurture, or exploited by monetary incentives too good to refuse in their desperate circumstances. Nonetheless, there may be means of protecting against these risks, and a strong case can be made that prospective parents should consider adoption seriously before deciding to procreate.

Thus I am hardly offering a complete or unqualified defense of procreation in claiming that prospective parents who seek the good of a future child can adduce that good to justify the risks and harms it will face. I will argue in the final chapter that prospective parents are partially exempt from some of the moral demands faced by citizens in general. For example, they need not take account of the social costs of having a "medically complex" child to the extent they should take account of the social costs of buying a gas-guzzling SUV. The adverse impact likely to result if "everyone" acted as they did is, I will claim in chapter 10, less of a moral constraint on prospective parents.[12] But that is not to deny that they are morally accountable to many others beside the future child, or to claim that a justification adequate for that child will be adequate for those others.

My focus here, however, is not on the accountability of prospective parents to others, but to the child they create.

Creating a child for reasons that concern its own good is as close as they can come to treating a future child as an end-in-itself, and not as a mere means. I will therefore refer to such reasons as "respectful," using the Kantian idiom without making any claims about the direct applicability to procreation of Kant's third formulation of the Categorical Imperative: "Act in such a way that you treat humanity, whether in your own person or in that of another, always at the same time as an end and never merely as a means."[13]

As I will argue in chapter 10, the claim that prospective parents can and do seek the good of future children in having them does not suggest that they should seek the child for whom they can do the most good. Nor does it lend support to the view, discussed in chapter 9, that those bearing children have a *pro tanto* duty to bear a child with the best possible life.[14] It might well be perverse, and disrespectful, for prospective parents to seek a child who will have a *less* happy life than others they might have.[15] But, as I will argue in chapter 10, that does not imply that they must seek a better-off child. It is reasonable for prospective parents to be neutral among future lives expected to exceed a minimal threshold of net good or well-being.[16] This neutrality is not moral laxity; it reflects a lively appreciation of the separateness of persons, future as well as actual.

Here is an example to give some flesh, and plausibility, to the idea that prospective parents can create children for reasons that concern the good of the children, or at least their shared good. Consider a couple who very much want children and decide to adopt. They are normally fertile, but are moved by the need to find homes for the many orphaned children in their country now housed in institutions. This, however, is not their primary reason for

adopting; it merely tips the balance. Their reasons include wanting the fulfillment of raising a child from a young age, seeking the uniquely intimate relationship that a child develops with its parents, and giving the child a good home—among the reasons given in surveys of prospective parents. They regard these as reasons that could be served equally well by adoption or conception. Just as they are going to start visiting orphanages, their government prohibits adoption—orphans and abandoned children will be wards of the state, with temporary foster parents in special cases. The couple is very disappointed but quickly decides to go with "Plan B"—they conceive a child for the same reasons.

The point of this example is not just to illustrate that adoption and procreation may be done for similar reasons. As important for my purposes, it suggests the limited role that the actual vs. contingent existence of the child may play in the sorts of reasons prospective parents have. The couple in my example starts by seeking to find a child of their own who already exists, or whose existence is not contingent on their actions. Barred from doing so, they shift to creating a child. But their reasons for doing the latter are largely the same as their reasons for having sought the former. The desire to help existing needy children was just a tiebreaker.

The limited motivational role of actual existence is suggested by comparing procreation to the pursuit of other intimate relationships, where the existence of the other is assumed. You can seek a close, caring relationship with an unknown adult in part for that person's good—that relationship will be good for that other was well as for you. People "in search of" (ISO—the phrase in pre-internet personal ads) friends and lovers are often motivated in part

by the belief that they have "so much to give," as well as to receive, in a friendship or romance. You can likewise seek a relationship with a future child in part for its own good—you want to give a good life and a loving, nurturing relationship to a new being. Why should it matter that at the time you decide to procreate, the barrier to being motivated by the good of another particular individual is not only epistemic but metaphysical?

Jeff McMahan makes perhaps the strongest argument against the view that the good of a future child can serve as a reason for bringing him into existence.

> There may be good for the individual who comes to exist but it cannot be one's reason for acting, or one's intention in acting, to bestow *that* good on *that* individual. At most, one's reason might be to create additional noncomparative good which would then necessarily attach to and be good for someone. But the creation of that good would not be better for that individual, nor would not being created have been worse for him or her.[17]

The two italicized demonstratives ("*that*") in the quoted passage reflect, I think, two related problems, concerning the benefit and the beneficiary McMahan finds in the view that we can intend to benefit an individual by creating him. With respect to the first, McMahan claims that existence itself can be good for the individual who receives it, but not better for that individual than nonexistence. With respect to the second, McMahan contends that there is no individual to whom one's beneficent intentions could attach at the time the procreators act. I will concede both claims but deny that they support the conclusion that we cannot intend to benefit children in creating them.

**The Benefit**: I think that McMahan is mistaken in assuming that the benefit sought is, or must be, existence itself. The reasons I have defended for bearing a child do not treat existence as an initially free-floating good waiting to attach to a possible being. It may be that procreating is the only feasible or acceptable way to give a child the goods of a particular kind of life and create a parent-child relationship. But if not, these are equally good reasons for adoption. The goods sought are among those that the would-be adoptive parents in my hypothetical initially sought. When they went to Plan B, they need not have seen themselves as giving an additional gift, existence; they just may have seen that they could not give a child the goods of a particular kind of life, and an intimate relationship with them, unless they brought one into existence. They still shared with prospective adoptive parents the end of giving love, nurture, and a home to a child.

Those goods, unlike existence itself, *can* be better for an actual child (better, say, than the alternative of a loveless home or an orphanage), whether it exists independently of its adoptive parents' efforts, or came into existence because of the procreative acts of its biological ones. For both adoptive and biological parents, the child's "bare existence" is a necessary condition for fulfilling their primary end but is not, or need not be, a primary end in itself. (Nor, in an ordinary sense, is causing the child's existence a means to that end; existence is a presupposition or foundation of, not a way or means to, love and nurture.)

Importantly, the goods that prospective biological parents seek to bestow are not ones they have any moral reason to bestow. They can be seen as playing what McMahan calls a "canceling" role,[18] outweighing the harms and

burdens of life. In that limited role, they (or their expectation) are merely necessary for an act of procreation to be permissible. Although a parent-child relationship can be immensely valuable to its participants, and should be valued by their society if it is, prospective parents have no more moral reason to seek it than they have to seek any other valuable intimate relationship. It is only *if* they are seeking such a relationship that they have a moral reason to confer the goods associated with, or integral to, that relationship on their future, unknown partner.

Prospective parents then are only seeking to give the goods of life to a future child in the context of a specific kind of relationship, however much those goods will exceed the scope and duration of that relationship. They seek goods that their children will enjoy apart from their relationship and care deeply about how their lives will go when they are no longer around or alive. But these are the concerns of future parents; concerns associated with a particular kind of intimate relationship. The provisions they make in response to those concerns are those of a future parent, not those of an impersonal benefactor seeking to bring a little more person-affecting good in the world.

Prospective parents can certainly seek the 'bare existence' of a biological child to prove their fertility, to keep up with their peers, to please their relatives, to perpetuate their family lines, to help raise their country's dwindling population or workforce, or even, I suppose, to increase the total good in the world. But none of these reasons concern the good of the future child. The fact that parents often act on such other reasons hardly means, though, that they do not also (often in the same cases) create a child in order to love and nurture it, a reason that does concern its good.

There is a corresponding distinction from the child's perspective. Most children, to the (limited) extent they express gratitude to their parents, express it for their love, nurturing, and support, not (or rarely) for their very existence. Adoptive children may also, if they are aware of their origins, be extremely grateful for their rescue; biological children are unlikely to be grateful to anyone for having been rescued from the limbo of nonexistence. But this merely reflects one difference in parental reasons for adoption and procreation, noted earlier. Otherwise, prospective parents have many or most of the same reasons to procreate and adopt: adopted and biological children have many or most of the same reasons to be grateful.

At the same time, prospective parents do not create children in order to provide them with discrete goods like a trust fund or a comfortable house. Rather, they seek to bestow the more encompassing goods of family and home, material and psychological security—goods that will enable the child to grow and flourish. Overall observes that "it is unsurprising that many people want to pass on their property and money to their children, but to have children only for this purpose puts the cart before the horse. Handing down an inheritance benefits the children, but to have children in order to hand down an inheritance means that one is having a child in order to benefit the inheritance."[19] This might be the case if the funds would otherwise "escheat" to the state; a child created solely to prevent that outcome would be created as a mere means to wealth preservation. But creating a child to give it a nurturing environment, a home and family, is not creating her in order to confer a discrete gift; it is placing her in a network of mutually rewarding intimate relationships.

**The Beneficiary**: If the benefit prospective parents typically seek to confer is not existence, but goods that presuppose existence, what of the beneficiary? If they seek to confer more abundant and secure goods, they face a moving target. Pursuing many of the goods prospective parents seek to bestow is identity-affecting, since it involves delaying conception. Were they seeking to bestow existence on a "particular" possible child, their actions, by delaying conception, would be self-defeating. Prospective parents who wait to have children until they get tenure, make partner, or move to a comfortable house and neighborhood make it the case that they will create different children than if they had not waited. They seek to do the best for any child they have.

Clearly they cannot do so with the particularized intention they would have to give the same benefits by the same actions to an existing child. But their reasons can be child-centered even when the only child who will benefit is a future one, whose identity is contingent on their actions. This is apparent from the fact that some parents who seek such goods for future children also seek them for existing ones—they seek a more comfortable home or better schools both for children to whom they have a particularized attachment and for intended future children, to whom they cannot have such attachment. These reasons may have greater psychological strength and moral weight for existing than future children, but they seem child-centered in both cases.[20]

Although prospective parents do not and could not seek to bestow a family and home on any particular future child, they seek to give those goods to *their* child, to a child with whom they will have a lifelong intimate relationship.

They might be equally willing to bestow those goods on a biological or adoptive child, but they rarely want them to "attach" to someone else's child—to a child, whatever its origins, who is to be raised by strangers. They also want to be the ones who bestow the good. Indeed what they typically want to bestow requires that *they* rear the child until it is ready to care for itself, or to go off to some educational institution that will help care for him or her.

The fact that prospective parents want to make it the case that *they* give myriad goods to *their* children may mean that there is an inextricably selfish aspect to their benevolence. But this feature hardly distinguishes them from many other benefactors we regard as acting for the good of the beneficiaries. Parents of existing children usually want to be the primary source of the tangible and intangible goods they receive, and they want to ensure that their own children and not others are the recipients.[21]

In sum, prospective parents want to share their lives, fortunes, and goods with someone, now unidentified or unidentifiable, who will become their child. Since they are motivated by the goal of giving and sharing, they can be said to act in part for the good of a future child. The good they seek for themselves is not only compatible with the good they seek for the child; both are aspects of a mutually rewarding parent-child relationship. As Adrienne Asch describes the aspirations prospective parents have for almost any future child: we seek to "give ourselves to a new being, who starts out with the best we can give, and who will enrich us, gladden others, contribute to the world, and make us proud."[22] In seeking such a relationship, prospective parents are seeking the good of a future child.

This anticipatory concern for the good of an unknown other is reflected in the pursuit of a variety of other intimate relationships, with persons whose existence is not contingent on the search. In some of these relationships, one or both parties are expected to provide material and psychological security. Provisions for future intimate relationships with unknown partners were once common; in many parts of the English-speaking world, unmarried women would fill "hope chests" with important household items in expectation of eventual marriage to a then-unknown man. They did not seek a husband in order to furnish their household; they sought an intimate relationship of which their furnishing a household was a part. Is it different when prospective parents buy a house with an extra room for a child they hope to have? Or can they act for the good of the child or the shared goods of an intimate relationship only when they can identify or apprehend the child as a particular individual? Can they act for the good of a future child when they choose its room before it has been conceived? Or can they do so only when they choose the room's color based on the child's sex, ascertained in utero[23] (a practice that may someday go the way of hope chests)?

Like the goods set aside in a hope chest for a future husband, the material provisions made for a future child do not provide reasons to establish the relationship in which they will be conferred. The intangible goods of matrimony or child-rearing do, or can. But those seeking such a relationship have a moral or prudential reason to acquire, give, or share those goods, tangible or intangible, only if they form such a relationship. And they have no moral reason to form such relationships rather than forming other kinds of relationships or conferring other kinds of goods.

I do not want to press the analogy to other prospective relationships too far. In attempting to establish a mutually rewarding relationship with an unknown child or adult who exists, or will exist independently of one's efforts, one is seeking to make someone's life better. This cannot be said of prospective parents—they only seek to make someone's life good, not better—even if, as I have argued, they can seek that good for the sake of their uncreated child. As in the comparison to adoptive parenting, this does mark a significant moral difference I would not want to deny or obscure.

## Are Child-Centered Reasons Necessary for Permissible Procreation?

There is an ongoing debate in moral philosophy about the relevance of intentions to permissibility; about whether or when bad intentions can make an otherwise good or neutral action impermissible, or vice versa. Most of this debate has focused, as Matthew Liao points out, on whether bad intentions can make an otherwise morally required act wrongful. But there has also been some discussion about whether certain acts must be done for specific reasons or with specific intentions to be permissible. There is broad agreement in the case of some types of acts. Thus most people agree that it is wrong to make a promise intending to break it—even if the occasion never arises. Many also hold that the promise also must be made with the intent to fulfill it, which requires the expectation that the promisor be able to do so.

Similarly many people also would agree that it is wrong to have a child intending to sell it into slavery, to reduce the inheritance of one's younger sibling, or even, perhaps,

to save one's marriage. My claim is stronger and similar to the second claim about promising—that procreating can be wrongful not only if it is done for bad reasons, or with bad intentions; it must be done for good reasons, or with good intentions. Those good reasons, as I have suggested, concern the good of a particular kind of life for a future child, and the good for her and her prospective parents of the relationship she will enjoy with them.

I can offer no general account of why certain types of action morally require certain kinds of intentions or reasons; I am not sure there is one. But procreation, I believe, is subject to such a requirement because the actual child is entitled to a respectful reason for having been brought into a world where she is exposed to the harms and risks so vividly described by the anti-natalists. Her progenitors must have intended to have a child in part so that he or she could enjoy a life whose goods would outweigh those bads. If bringing about a good life and a loving relationship was not part of their reason for having a child, only a side-constraint they respected, prospective parents would be disingenuous to offer it as justification to their future child. As I stated in an earlier paper:

> All prospective parents should expect their children to face significant hardships—death, loss, frustration, and pain. . . . They must be able to justify the decision to subject their children to those hardships, and they can do so only if part of their reason for having those children is to give them lives good and rich enough to offset or outweigh those hardships.[24]

In the final chapter, I will argue that this justification does not require the prospective parents to select a future child

expected to have the most favorable balance of goods to bads; indeed, that they may have a moral reason not to engage in such selectivity. For now, I want to focus on the justification owed any to child, regardless of whether or not a choice among future children was possible or available.

A skeptic might question why the mere expectation of a good life would not suffice for justification. Clearly the expectation is necessary. Prospective parents who intended a good life for a future child but had no confidence they could secure it would be acting irresponsibly in most circumstances. (Indeed it is not clear they could even have that intention if they believed that the odds of bringing about what they sought were truly negligible.) But some people may also find the expectation sufficient.[25]

I think that mere expectation is inadequate as a personal justification to a child exposed to the serious harms and risks of any life. Suppose the child's parents had her solely for reasons that were not child-centered but not obviously inconsistent with respect for the future child: for example, to please impatient relatives or to avoid the stigma of childlessness. They also took precautions to ensure, to the extent possible, that the child would have a good life, and were committed to establishing a loving parent-child relationship. Imagine that the child, facing some of the predictable harms or risks of her life, demanded to know why her parents, by creating her, had exposed her to them. It would not appear to be an adequate response to say that they merely had been confident that she would have a good life overall. She would not, in a robust sense, have been a "wanted" child, although she would not have been an unwanted one either.

This is not an argument, but let me offer a partial analogy. There is a debate in criminal law about whether the

intent to protect oneself or another against a deadly threat is necessary for the killing of the aggressor to be justified. Proponents of an intent requirement argue against the claim that knowledge suffices with cases like this: A woman is sitting at a bar. She sees a man walk in with a gun and announce that he is going to kill another patron over a trivial slight. She is indifferent to the fate of the prospective victim, but sees an opportunity to try out her new gun with legal impunity. As the aggressor is about to shoot, she shoots him. Although most people would agree that the law should not make a finely grained inquiry into her reasons or intentions for shooting a lethal aggressor, many believe that she would lack a moral justification for doing so, because her reason was not to prevent a clearly wrongful homicide. They argue that to enjoy a justification for conduct that would otherwise be a serious criminal offense, the agent must act for the right reason. And, although this is not a point stressed in the debate, she displayed profound disrespect for the man she killed by treating his lethal aggression as a pretext to use him for live target practice. Arguably, she displayed profound disrespect for the target of the aggression as well, by treating his rescue as a mere pretext.

As I said, this is only a partial analogy. The good of the future child need not be used as a pretext by prospective parents who do not have it as among their reasons, in contrast to the good of defending against lethal aggression. Moreover, the actual reasons for bearing her are hardly as disrespectful—if they are disrespectful at all—as the actual reason for killing the aggressor. But the shared claim is that in cases where the consequences of an action are as weighty as starting or ending life, the agent must act for the right reason.

The analogy might be made closer by taking on the moderate anti-natalist claim that the harms and risks of existence make procreation presumptively wrongful, like homicide. The shared claim in the cases of procreation and defensive homicide would be that the act was only justifiable if done for the right reasons. This is not the condition Shiffrin herself imposes for overcoming the presumption of wrongful procreation, though it is consistent with that condition—that the prospective parents take on the duties of nurturing the vulnerable child they create.

But we may be reluctant (I certainly am) to regard procreation as presumptively wrongful. Moreover, a requirement that prospective parents must intend the benefits which they expect to outweigh the harms in the child's life is still unresponsive to Shiffrin's claim that such benefits, however great, cannot justify the imposition of serious harms without consent.

Another basis for requiring child-centered procreative reasons may be found in a comparison to the formation of other intimate relationships. As I argued earlier, people ISO significant others can have the good of those unknown others as one of the reasons for their search. A "personals" ad that mentioned only the benefits the ad-placer sought to gain would be unlikely to elicit favorable responses. More important, it would reflect a morally deficient view of the intimate relationship sought. Of course we accept that many loving relationships are initiated with selfish intentions. Many loving romantic relationships began as singly or mutually exploitative ones; many deep friendships began opportunistically. Why set the bar higher for a parent-child relationship?

Two points, neither conclusive, are worth noting. First, even if we accept that morally attractive relationships can evolve from unattractive ones, we do not regard the exploitative genesis of a relationship as morally innocent. Let me illustrate with an extreme case, loosely adapted from David DeGrazia[26]:

> B initiated his romantic relationship with A to win a bet with a friend—that he could "score" with the first young woman who came around the corner on which they were standing in the next five minutes. At the point of forming his intention, A had no idea whom his target would be, or even if there would be one. I think B would be wronged by his reasons for acting, even if he planned and executed the gentlest seduction and soon proceeded to fall deeply in love with her.

Of course, A exists at the time B forms his intentions, so she's around to be disrespected. Their future child, ABey, isn't around to be disrespected at the time that A and B conceive her for disrespectful reasons—say, to ensure a large inheritance. But I fail to see why that gives ABey a lesser moral complaint after he's born. Indeed it appears that he has a stronger complaint, since he owes his very existence to intentions that treated him as a mere means, while A owes only her relationship to disrespectful intentions. Relatedly the emergence of the intimate relationship is unilateral for AB, interactive for A and B. A could have recognized B as a cad from the outset; she could even have made a complementary bet with her own friend. At the very least, I think A and B would owe ABey as profuse an apology as B owes her for the disrespectful inception of their relationship.

But even if this comparison is apt, it only makes a case that it is wrong to procreate with intentions that are disrespectful toward a future child, not that it is disrespectful to fail to have its own good as one of the reasons for bearing it. The more difficult claim to defend is that it is disrespectful to create a child only for reasons that are otherwise morally innocent, but that do not concern the good of the future child. I have suggested that having such reasons is the closest that prospective parents can come to treating a future child as an end but not a mere means, so that the failure to act on such reasons would treat the future child with disrespect. But the skeptic could respond that the positive requirement of treating individuals as ends cannot apply to future individuals, at least those whose existence depends on the procreative acts in question.[27] Without a resolution of that issue, or a general account of when intentions make actions permissible, I can only suggest that one factor is the magnitude of the harms that must be justified. In the case of existence, those harms, as the anti-natalists powerfully remind us, are great indeed.

## NOTES

1. David Benatar, *Better Never to Have Been* (Oxford: Oxford University Press, 2006); Seana Valentine Shiffrin, "Wrongful Life, Procreative Responsibility, and the Significance of Harm," *Legal Theory* 5, no. 2 (1999): 117–148. Melinda Roberts suggests that a possible person is harmed in not being made actual, because he suffers a loss. But she denies that that loss has any moral significance, so it cannot be a wrong. See "The Asymmetry: A Solution," *Theoria* 77, no. 4 (2011): 333–367.
2. Jeff McMahan, "Problems of Population Theory," *Ethics* 92, no. 1 (1981): 96–127.

3. Susanne Gibson, "Reasons for Having Children: Ends, Means and 'Family Values,'" *Journal of Applied Philosophy* 12, no. 3 (1995): 231–240, 238.
4. Christine Overall, *Why Have Children*? *The Ethical Debate* (Cambridge, MA: MIT Press, 2012), 215.
5. Overall, *Why Have Children?*, 217.
6. Gilbert Meilaender, "The Blessing of Children," *The New Atlantis* [pdf version Summer 2012, 92–98, 94] accessed April 18, 2014, http://www.thenewatlantis.com/publications/the-blessing-of-children.
7. Meilanender, "The Blessing of Children."
8. Rachel Thompson and Christina Lee, "Fertile Imaginations: Young Men's Reproductive Attitudes and Preferences," *Journal of Reproductive and Infant Psychology* 29, no. 1 (2011): 43–55.
9. "Fertile Imaginations," 50.
10. For example, David Benatar, *Better Never to Have Been* (Oxford: Oxford University Press, 2006), 34.
11. Daniel Friedrich, "A Duty to Adopt?" *Journal of Applied Philosophy* 30, no. 1 (2013): 25–39; Christina Lyn Rulli, *The Duty to Adopt*, PhD diss., Yale University, 2012.
12. Chapter 10, Sec. iv, this volume.
13. Immanuel Kant, *Grounding for the Metaphysics of Morals*, trans, by James W. Ellington. 3rd ed. (Cambridge, MA: Hackett: [1785] 1993), 43. (reference courtesy of http://en.wikipedia.org/wiki/Categorical_imperative, accessed October 10, 2014). I am grateful to Rivka Weinberg for pressing me on this way of understanding child-centered procreative reasons, and for the insights she and her co-author offer on the subject in Paul Hurley and Rivka Weinberg, "Whose Problem is Non-Identity?" *Journal of Moral Philosophy* (2014) 1–32.
14. Julian Savulescu and Guy Kahane, "The Moral Obligation to Create Children with the Best Chance of the Best Life." *Bioethics* 23, no. 5 (2009): 274–290.
15. Chapter 9, Sec. iv., this volume.
16. Chapter 10, Sec. iii, this volume.
17. McMahan, "Asymmetries in the Morality of Causing People to Exist," in *Harming Future Persons*, eds. Melinda Roberts and David Wasserman (Netherlands: Springer, 2009): 49–68, 52.

18. Jeff McMahan, "Asymmetries," 49–68.
19. Overall, *Why Have Children*? 63. Similarly, Mianna Lotz argues that because prospective parents cannot act for the good of a *particular* future child, the provisions they make for future children cannot provide a reason for creating them: "we might regard 'inheritance of the family fortune' as compatible with the good of any child, even if we can't thereby count it as a reason or bringing the child into existence." ("Procreative Reasons-Relevance: On the Moral Significance of Why We Have Children," *Bioethics* 23, no. 5 (2009): 291–299. 294).
20. Melinda Roberts suggests (in correspondence) that a biological or adoptive parent's reason for action is child-based "only given the supposition that the child does or will exist." This is true in the sense that the parents must presuppose the future child's existence to have or act on the reason. But it is false if it implies that the characterization of their reason as child-based depends retroactively on whether they actually succeed in creating a child. Consider prospective parents who set up a trust fund for a future child. Their reason may clearly be child-centered—to provide economic security for a child who does not yet exist, even if doing so imposes significant financial hardship on them at present. Their reason may only makes sense on the supposition that the child "does or will exist"—or at least is likely to exist. If, however, that supposition turns out to be false—if say, the parents are infertile and can't adopt, or die in a car accident—their reason simply loses its point; it does not become, ex post, parent-centered rather than child-centered because there is or will be no child.
21. Indeed, it is only in more impersonal forms of beneficence that the connection of donor and recipient matter less. If I give money through a reputable organization to a designated child or village, I do not mind permitting my donation to be directed elsewhere because the donations of others have already met the need of that individual or place.
22. Adrienne Asch, "Reproductive Technology and Disability," in *Reproductive Laws for the 1990s*, eds. S. Cohen and N. Taub (Clifton, NJ: Humana Press, 1990), 69–124.

23. David Velleman in effect takes this position, holding that love in a full-bodied sense requires the acquaintance-based knowledge that comes with seeing or touching. "Persons in Prospect," *Philosophy and Public Affairs* 36, no. 3 (2008): 221–288, 269.
24. David Wasserman, "The Nonidentity Problem, Disability, and the Role Morality of Prospective Parents," *Ethics* 116, no. 1 (October 2005): 132–152, 135–136.
25. Prospective parents, especially first-time ones, often worry about whether they will be able to love the child they are creating, and whether they will be able to form a truly intimate parent-child relationship. Should we regard such parents as acting impermissibly when they go ahead despite their doubts?
26. David DeGrazia, "Procreative Responsibility in Light of What Parents Owe Their Children," in *Oxford Handbook of Reproductive Ethics*, ed. Leslie Francis (New York: Oxford University Press, forthcoming).
27. Sam Kerstein, whom I thank for a discussion of this issue, expressed skepticism about the applicability of the Categorical Imperative to future people.

# 9

# Impersonal Constraints on Procreation

BENATAR ACCEPTS THE ASYMMETRY described at the start of the last chapter; the view that there is a strong moral reason not to have a child expected to lead a miserable life, but no moral reason to have a child expected to lead a wonderful life.[1] In fact, he argues that this asymmetry is best explained by his own, about the harm of coming into existence, fortified by his assessment of the magnitude of that harm.[2] Defenders of procreation who reject Benatar's arguments need to provide standards for when it is morally permissible to create a child, standards that do not imply that it is ever morally required to do so. There have been two general approaches to setting such standards. One is based on the claim that since we cannot have personal duties to merely possible people, impersonal standards must play a significant role in selecting which of "them" will become actual. Our choices should be guided, in other words, by

the good or value they realize, or contribute to the world. In having children, we should seek those who will be best off or most altruistic, or who will increase or promote the good in other ways.

The second approach holds that those intending to bear and raise children are constrained by the rights to the actual children they may bear, or by the duties specific to their roles as prospective parents. I will refer to these respectively, as "birthright" and role-based views. The duties they posit do not exclude all considerations about the broader impact of their choices, but for most such views, those considerations are secondary. Moreover, these duties may conflict with impersonal duties claimed to govern procreation.

The two approaches are, somewhat confusingly, combined in arguments that the role-based duty of prospective parents is to select the child with the highest expected welfare, as the closest approximation to parental concern they can now achieve. I will review these maximizing arguments in their impersonal form in this chapter, and in their role-based form in the next one.

Perhaps the clearest way to distinguish the two approaches is that impersonal standards, with one notable exception to be discussed below, are comparative: one should choose the child expected to be *better* off, *less* vulnerable or limited, *more* beneficent, etc. This comparative feature sometimes calls for maximization, requiring the selection of the *best*, *least*, or *most*. But even then the required maximizing is constrained by the burdens on the agents and third parties. Accounts based on birthrights or role-based duties are, with the exception of those that treat the role in maximizing terms, non-comparative. They

require the individual or couple to have a child only if they expect it to meet the proposed standard, not to select the child they expect to most exceed that standard. On these accounts, prospective parents owe it to a future child not to create it unless they expect it to have a sufficiently good life. If they violate that duty, they wrong the actual child they create. But they have no duty, to the future child or anyone else, to instead create a different child expected to have an even better life.

The two approaches both treat prospective parents or guardians as the appropriate agents for selecting future children. It is they who have the duty to satisfy the applicable standard, however impersonal or demanding. As far as I know, no one defending an impersonal standard claims that the decision should be made by a more impersonal agent like the state. I will argue, however, that recognizing prospective parents as the agents for selection raises a serious problem for impersonal accounts.

The impersonal approach regards the domain in which special moral rules apply as one of "same-number" choices. That term comes from Derek Parfit, who defines such a choice as one that will ultimately result in the same number of people coming into being.[3] Birthright and role-based accounts focus on the choices of couples and individuals who have already decided to bear a child, about which future child to select or whether to select at all. Those choices often appear to be same-number ones, but they need not be. Prospective parents who seek a boy for "family balance" may try to have an additional child if they do not succeed that time; fertile couples who opt for IVF and PGD over standard procreation may greatly increase the probability of having more than one child.

The impersonal approach faces a threshold problem in defining its domain. As McMahan argues, it's not clear that we can regard *any* choice as "same number."[4] The problem is not just that we can never be sure that a particular choice among embryos, or time for conception, will not affect the population of the universe. It is that we can be fairly sure that it will, since even slight differences among individuals are very likely to ramify over time in population-affecting ways. So if Parfit's definition were strictly applied, a same-number choice would be a rare occurrence, and one that could never be ascertained. There are other ways of defining "same number" (e.g., in terms of the proximate outcomes or the parents' intentions). But these also have problems, since the former would exclude unexpected twinning from the domain of impersonal criteria, while the latter would face the uncertainties arising from indeterminate or conflicting parental intentions.

Even if same-number choices can be clearly defined, an impersonal approach must explain why they provide a special occasion for a beneficence that is not generally required. If, for example, we are required to seek the happiest child when we are having a child, why should we not be required to have some, or indefinitely many, children? In contrast, those who hold that the prospective parents merely have a duty not to create children whom they expect to fall below some threshold of well-being are not committed to having any children at all.

A related challenge for impersonal approaches lies in explaining why the comparative criterion applies only to prospective parents. Why does it not apply to choices involving the same number of mammals, or living beings, or choices

between creating a human or some other living being? As McMahan observes, it is unclear why it does not permit a couple to select a child with a life expected to be just better than barely worth living over one expected to flourish, but does permit that couple to breed goldfish rather than bear children, when any goldfish will have a life with less well-being than a child with a minimally adequate life.[5] This question does not arise on birthright and role-based accounts. Those who chose to bear children have duties specific to that role, but the decision to assume that role, rather than (or along with) that of goldfish breeder, does not need to be justified in terms of the comparative well-being of different species.

These problems with the impersonal approach are best illustrated by looking at specific accounts. The four I will consider are the Non-Person Affecting Principle (N), which asserts an impersonal *pro tanto* duty not to have a child expected to experience serious suffering or limitation[6]; Procreative Beneficence (PB), which claims a strong moral reason to select the best-off child[7]; General Procreative Beneficence (GPB), which claims a strong moral reason to select the child expected to contribute most to total welfare[8]; and Procreative Altruism (PA), which claims a strong moral reason to select the child most likely to do good for others.[9] Of the four accounts, N is the most modest in requiring only the prevention of serious harms, but not the minimization of lesser harm. PB and N are more modest than PA and GPB, limiting themselves to the welfare of the future child, not the world at large. Greater modesty has a price, however. It requires some justification of the narrower scope of the impersonal criterion; some explanation of why prospective parents should be

concerned with one aspect of impersonal goodness but not others.

All four proposals claim that prospective parents act wrongly in failing to adopt their proposed selection criteria; none claim that this failure wrongs the child selected. I will argue that none provide a plausible basis for restricting beneficence to the context of child-bearing, and that that context is particularly inhospitable to impersonal considerations. I will then argue, drawing on McMahan and Christopher Belshaw,[10] that the judgments relied upon to support PB, PA, and GPB support or imply a duty to have more children as well as better ones. This is a problem that birthright and role-based accounts do not confront.

## BUCHANAN ET AL.'S NON-PERSON-AFFECTING PRINCIPLE (N)

N is worth reviewing in some detail, because it attempts to resolve some of the problems confronting a context-specific impersonal morality, and because its ambiguities, largely acknowledged by its authors, suggest the challenges that confront any such principle. N is presented as a hybrid: a role-specific but impersonal duty of harm-prevention, applicable only in same-number choices but analogous to the duty (M) caretakers have to prevent harm to actual dependents. It has the obvious advantage of avoiding the oppressive demands of a maximizing morality: individuals can always produce more happiness, but N requires only that they prevent a high degree of suffering. Unlike the other impersonal principles, it is non-comparative.

Here, then, is Buchanan et al.'s non-person affecting principle N:

> Individuals are morally required not to let any child or other dependent person for whose welfare they are responsible experience serious suffering or limited opportunity or serious loss of happiness or good, if they can act so that, without affecting the number of persons who will exist and without imposing substantial burdens or costs or loss of benefits on themselves or others, no child or other dependent person for whose welfare they are responsible will experience serious suffering or limited opportunity or serious loss of happiness or good.[11]

N faces the same limitation as any same-number principle: It does not cover harms that are caused by acts that affect the number of people who will exist. A decision to create and implant more embryos, at great risk to each, would not be covered. A problem share by other impersonal principles but well-illustrated by N is the mismatch between the holders of the duty it imposes and the impersonal content of the duty. Why should the impersonal duty to prevent suffering or lost opportunity be imposed on present and future caregivers? A consequentialist might regard caregivers as having such a duty because they were best positioned to minimize the suffering or limitation of those in their care. But this is not the basis most of us—including Buchanan et al.—accept for imposing special duties on caregivers—their responsibility does not rest, at least primarily, on the practical value of the arrangement, but on their special relationship with the present and future objects of their care. Indeed, the special duties of caregivers are usually regarded as quintessentially personal, often

exempt from, rather than embodying, impersonal imperatives. Yet under N, individuals in these roles have a special impersonal duty to make the world a "less bad" place.[12]

Buchanan et al. do not explain why N should have roughly the same content as the person-affecting duty (M) they impose on parents to prevent harm to their actual children. N is drafted to cover both the failure to prevent harms to existing children and the failure to prevent them "by substitution"—by selective abortion or implantation. But this parity produces some anomalous results. Most of us would consider parents' failure or refusal to prevent their infant's painless loss of a toe by easy safeguards as culpable, if relatively minor, neglect. In contrast, I suspect that many who believe that parents have a duty to select against serious impairments would deny they had a duty, even a *pro tanto* one, to select against minor ones like a missing toe.[13] The lack of parity in the duty to prevent minor impairments may suggest that N is simply narrower and weaker than M. But it may also suggest that there is something fundamentally misguided in treating the failure to prevent harm by substitution as the moral equivalent of failing to prevent it in existing children.

A similar absence of parity suggests that N's "burden" exemption may be too permissive in some contexts. We *do* expect the caregivers of existing children to incur "substantial burdens or costs" to avoid or alleviate harm to their charges. We may regard the parents in *Lorenzo's Oil*, who devoted their lives to finding an elusive cure for their son's fatal illness, as having displayed supererogatory devotion, but we do expect a great deal. We would regard middle-class parents as neglectful if they refused to travel across the country to obtain the only therapy available to

treat their child's serious but non-fatal illness that would leave it with a decent life. In contrast, few of those who support selection against serious disability would regard middle-class parents as neglectful if they failed to undertake the same travel and incur the same costs to obtain IVF and PGD to avoid bearing a child that would have that disease, even if it could not be treated postnatally.

In conclusion, it is mysterious that prospective parents should face even a modest impersonal duty, and one that only applies in same-number cases. Not only is it is a duty that prospective parents could circumvent by implanting different numbers of embryos, it is a duty that specifically applies to roles we usually regard as less subject to impersonal imperatives.

## PROCREATIVE BENEFICIENCE (PB)

As most recently formulated by Julian Savulescu and Guy Kahane, the principle of Procreative Beneficence holds that:

> If couples (or single reproducers) have decided to have a child, and selection is possible, then they have a significant moral reason to choose the child, of the possible children they could have, whose life can be expected, in light of the relevant available evidence, to go best or at least not worse than that the others.[14]

Several objections to this controversial proposal have been raised that I will not consider here. In particular, it has been argued that PB, even qualified as above, is too demanding on prospective parents, and that there is no

generally accepted way to assess well-being, let alone the well-being of a future child.[15] Although I sympathize with these objections, my concern is with the success of PB in limiting maximization to same-number choices.

Like N, PB is circumscribed to apply only to the choice of a single child, if selection is possible. Kahane and Savulescu also note that although PB is a maximizing principle, "it may often clash with total act consequentialism,"[16] which would dictate the choice of a less well-off child if that would increase overall welfare or good. They present PB instead as "simply the application of a general constraint on practical reason . . . Roughly, we have reason to choose what is good, and we have more reason to prefer what is better. If A and B are identical in all regards save one, and A is superior in that regard to B, we have a reason to choose A."[17] But this can hardly be a general constraint on practical reason. If A and B were twins competing for scarce lifesaving treatment, and the only regard in which they were not identical was that A was more productive than B, it would hardly be practically irrational to flip a coin instead of selecting A. Obviously embryos lack the moral rights of people; my point is only that the claim of practical rationality is untenable. The fact that embryos A and B would become different people matters greatly if we believe that the separateness of future persons limits the relevance of impersonal comparisons. The fact that A's life would be better for A than B's life for B has limited moral significance if A and B are numerically different individuals.

If PB cannot be regarded as a constraint on practical rationality, why should it provide even a strong moral reason for selection? Savulescu and Kahane suggest, like Buchanan et al., that their principle can be seen as based

on the role-specific concerns of prospective parents: "To the extent that parents have reasons to care about the expected well-being of their future children, these reasons can be seen as extensions of parents' special relations to their children, not as the external demands of an impartial morality."[18] But this suggestion fares no better than the argument from practical rationality. Prospective parents have special reason to care about the well-being of their future child, whoever it will be. But they can also recognize that possible children A and B will have different lives. If B will live a good life, it is not clear why concern for his welfare gives them a reason to select A, who will lead an even better one. (Some arguments that it does not are discussed in the next chapter.) Given the difficulties faced by both the practical-rationality and parental-role rationales, it is not clear how PB can justify its limitation to same-number cases or to procreative decisions.

## GENERALIZED PROCREATIVE BENEFICENCE (GPB) AND PROCREATIVE ALTRUISM (PA)

Other philosophers have questioned the limits and selection criteria that PB imposes on procreative choice. Rebecca Bennett has argued that it fails to take the non-identity problem seriously—the problem in the moral evaluation of procreative acts arising from the fact that they often produce different individuals. Bennett suggests that PB just appeals to the intuition that it is wrong to choose a worse outcome, an intuition that the fact of non-identity challenges.[19] There is also criticism from the other direction—that PB has an

unmotivated concern with the best-off child, as opposed to the best outcome. Given that neither the appeal to practical rationality nor parental role can justify PB, this argument is complementary to the one I raised above—that if prospective parents should procreate beneficently, there is no apparent reason for them to limit their beneficence to the well-being of the future child. Jacob Elster argues on this ground for a position that Savulescu and Kahane explicitly reject—that prospective parents should choose the child likely to make the world best off, not the child likely to have the best-off life.

Elster's alternative, however, raises the question arises of why prospective parents should limit their beneficence to procreation, if other activities could produce even greater good[20]—a point made by consequentialist critics of procreation, as noted in chapter 6. Perhaps GPB could serve as a reasonable compromise for generally consequentialist agents who regarded childbearing as a central project. It would, however, be just one of many such compromise positions, including PB itself, and there does not seem to be a good reason to accept the particular line that either draws.

Tom Douglas and Katrien Devolder offer a friendlier amendment to PB. They suggest that parents have moral reason to select for the most altruistic as well as best-off child.[21] Clearly, these desiderata can conflict, except on an implausible theory of well-being or in the particular circumstances where individual well-being is tied to an altruistic project. Douglas and Devolder merely regard the expected altruism and well-being of the future child as two of the factors that have moral weight in procreative decisions. They share with Kahane and Savulescu the view that parents should, all else equal, choose children highest on all relevant factors over those lower.

## CAN IMPERSONAL COMPARATIVE ACCOUNTS PRESERVE THE ASYMMETRY?

All three comparative impersonal principles may be in tension with the Asymmetry mentioned earlier: that while we have a strong moral reason not to create a miserable child, we have no moral reason to create a happy one. (This tension does not appear to arise for N, which is non-comparative, in that it does not require the selection of a happier or less unhappy child among those not expected to face "serious suffering . . . .") The conviction that none of us has a duty to create a child, no matter how well off it is expected to be, appears to conflict with the claim that if we are choosing a child we should choose the better off. The problem is not just that restricting benefit-maximization or harm-minimization to procreative choices seems ad hoc or perverse; it is that such a restriction may imply a duty to have a well-off child.

Belshaw argues for this incompatibility by comparing two propositions:

> (A) Given a certain number of lives, then (other things being equal), their quality should be as high as possible and
>
> (B) Given a certain high quality of lives, then (other things being equal), their numbers should be as high as possible.

(A) is the demand of procreative beneficence; (B) is the demand that the Asymmetry explicitly rejects. Belshaw argues that although "the former doesn't straightforwardly imply the latter . . . they are intimately connected."[22]

> For when it's made clear that (A) is held to be true even when different lives are involved, such that no one is made better

> off by selecting the higher-quality lives, then it seems to me that (A)'s only hope of defense goes via a commitment to something like total utilitarianism, which has, of course, implications for the acceptance of (B).[23]

McMahan goes further, arguing that the choice of better implies, on what he regards as plausible assumptions, the choice of more[24]:

1) (General Assumption): Creating A, who will live to eighty, is better than creating B, who will live to sixty (if these are the only choices).
2) (General Assumption): Creating A, who will live to eighty, is neither better nor worse than creating no one.
3) Since the "actual consequences" of creating A are the same in 1 and 2, they are morally equivalent.
4) Given 3, then if creating B is worse than creating A, it must be worse than creating no one.
5) But this is absurd—creating a person who will live sixty good years is *definitely not worse* than creating no one. (If you think sixty is a sadly truncated lifespan these days, substitute eighty and one-hundred as the two lifespans.)
6) There are two ways of avoiding this unacceptable conclusion:
   i/Deny 1, that it is better to create A than B (or worse to create B than A);
   ii/Deny 2, that it is no better to create A than no one.

McMahan finds ii more plausible, since he is willing to accept that the noncomparative good (good that doesn't

involve making things *better* for someone) of bringing a happy person into existence has *some* moral weight, even if less weight than comparative good (good that is better for someone); in support of this view, he adduces the widely accepted imperative to avoid human extinction. But if we accept ii, then we have at least a weak moral reason to create new people.[25] And this, as McMahan goes on to show, has some very counterintuitive implications in choices between creating and saving lives (e.g., it will sometimes be morally required to create new ones rather than save existing ones).[26]

I find i more plausible for prospective parents, in part because of the implications of ii, in part because I think that prospective parents have no duty or moral reason to select among future children whose lives are all expected to be acceptable. They have *no moral reason* to pick a child expected to live to eighty over one expected to live to sixty, as long as they regard the latter lifespan as acceptable (except for reasons concerning the well-being of third parties who may be affected by their choices).

Another way to challenge McMahan's conclusion is to reject 3. The actual consequences are *not* all that matter in bringing new people into being. Although a couple or individual deciding whether to start a family could have a perfectly good reason for not wanting a child at all, it's hard to think of a good reason why they would want a child who would live to *sixty rather than eighty*—even if with sufficient effort we might fill in details to make that preference reasonable. But it *would* be reasonable, as I argue in the final chapter, for prospective parents to flip a coin between embryos A and B in an IVF array, recognizing that they are, or would become, distinct individuals who would both have good lives.[27]

I believe that an argument similar to McMahan's can be made against GPB: if it is worse to select the child that would produce less good overall when either would produce a substantial amount, but not worse to have no child than one who would produce the most good, then it must be worse to select a child who that would produce less but still substantial good than to create no life at all. PA, despite its pluralistic character, faces a similar objection, because it regards it as better to select a child with the most of some weighted combination of altruism, well-being, and other desiderata than one within less of that combination, while not worse to have no child than one with the best combination. That implies that it would be worse to choose a child with some lesser combination than not to have a child at all. Any maximizing principle for child selection will confront a similar problem.

The difficulties in defining same-number choices and in restricting maximizing duties or reasons to such choices are reflected in the ongoing discussion of what Derek Parfit has termed "Theory X": the theory that will best integrate the same-number intuition stated in McMahan's proposition 1 above with other deeply-held moral principles. Parfit generalizes that intuition as the *Same Number Quality Claim or Q*:

> If in either of two possible outcomes the same number of people would ever live, it would be worse if those who live are worse off, or have a lower quality of life, than those who would have lived.[28]

Parfit suggests the need for a Theory X "that will tell us how Q should be justified, or more fully explained" and would as well apply to different-number choices.[29] He concedes in

*Reasons and Persons* that he failed to find such a theory.[30] In the thirty years since the publication of that book, no generally accepted theory has emerged.

## NOTES

1. Jeff McMahan, "Problems of Population Theory," *Ethics* 92, no. 1 (1981): 96–127.
2. David Benatar, *Better Never to Have Been* (Oxford: Clarendon), chs. 2,3.
3. Derek Parfit, *Reasons and Persons* (Oxford: Clarendon, 1984), 356.
4. Jeff McMahan, "Preventing the Existence of People with Disabilities in David Wasserman," in *Quality of Life and Human Difference: Genetic Testing, Health Care, and Disability*, eds. Robert Wachbroit and Jerome Bickenbach (New York: Cambridge University Press, 2005), 146.
5. Jeff McMahan, "Wrongful Life: Paradoxes in the Morality of Causing People to Exist." in *Rational Commitment and Social Justice: Essays for Gregory Kavka*, eds. Jules Coleman and Christopher Morris (New York: Cambridge University Press, 1998), 208–247.
6. Allen Buchanan et al., *From Chance to Choice: Genetics and Justice* (Cambridge, MA: Cambridge University Press, 2002), 247.
7. Julian Savulescu and Guy Kahane, "The Moral Obligation to Create Children with the Best Chance of the Best Life," *Bioethics* 23, no. 5 (2009): 274–290.
8. Jakob Elster, "Procreative Beneficence–Cui Bono?" *Bioethics* 25, no. 9 (2011): 482–488.
9. Thomas Douglas and Katrien Devolder, "Procreative Altruism: Beyond Individualism in Reproductive Selection," *Journal of Medicine and Philosophy* 38, no. 4 (2013): 400–419.
10. Jeff McMahan, "Causing People to Exist and Saving People's Lives," *The Journal of Ethics* 17, no.1–2 (2013): 5–35; Christopher Belshaw, "More Lives, Better Lives," *Ethical Theory and Moral Practice* 6, no. 2 (2003): 127–141.

11. Buchanan et al. *From Chance to Choice*, 249.
12. David Wasserman, "The Nonidentity Problem, Disability, and the Role Morality of Prospective Parents," *Ethics* 116, no. 1 (2005): 132–152, 141–142.
13. Indeed, such an exclusion might even be regarded as violating what we could call, inverting Frances Kamm ("The Choice Between People, 'Commonsense' Morality, and Doctors." *Bioethics* 1, no. 3 (1987): 255–271), the principle of "irrelevant disutilities"—a principle condemning the use of relatively trivial considerations to make decisions with grave consequences.
14. Savulescu and Kahane, "The Moral Obligation," 274.
15. Jonathan Glover, *Choosing Children: Genes, Disability, and Design* (Oxford: Oxford University Press, 2006), 51; Michael Parker, "'The Best Possible Child,'" *Journal of Medical Ethics* 33 (2007): 279–283.
16. Savulescu and Kahane, "The Obligation," 283.
17. "Obligation," 281–282.
18. "Obligation," 283, (citing Wasserman, 2005, n. 14).
19. Rebecca Bennett, "When Intuition is Not Enough. Why the Principle of Procreative Beneficence Must Work Much Harder to Justify Its Eugenic Vision," *Bioethics* 28, no. 9 (2013), 447–455.
20. Elster, "Procreative Beneficence: Cui Bono?"
21. Douglas and Devolder, "Procreative Altruism."
22. Belshaw, "More Lives," 132.
23. Belshaw, "More Lives."
24. McMahan, "Causing People to Exist," 25–26.
25. McMahan, "Causing," 26.
26. "Causing," 31–34.
27. Savulescu and Kahane might also try to reject 3, for a very different reason. They might argue that 1 involves an interpersonal comparison, while 2 does not. 1 claims that it is better to create more person-affecting value than less. 2 claims that it is neither better or worse to create person-affecting value than not to, but this does not mean or imply that the outcomes are equal; they may be incommensurable. And if they are incommensurable, then we cannot conclude

that it is worse to create a sixty-year-old than to create no one. I do not feel equipped to evaluate this response, only to claim that it places a great deal of weight on the notion of incommensurability.

28. Parfit, *Reasons and Persons*, 360.
29. Parfit, *Reasons,* 361.
30. Parfit, *Reasons,* 451.

# 10

# Alternatives to Impersonal Approaches: Birthrights and Role-Based Duties

THE PREVIOUS CHAPTER CONSIDERED the challenges faced by impersonal accounts in limiting the imperative to maximize happiness or prevent serious suffering to "same number" choices. Drawing on arguments by McMahan, I concluded that it was very difficult to limit impersonal considerations to such choices. First, it is unclear whether there are such choices; second, a duty to choose better rather than worse lives appears to imply a duty to choose more rather than fewer—a prescription most philosophers would find hard to swallow.

In this chapter, I want to consider moral constraints on procreative choice that are based on the rights of children against their procreators or on the role-based duties of prospective parents. Although these rights and duties apply for

the most part to choices that will yield the same number of children, that feature has no special moral relevance. The decision to have a child is itself a different-number choice—a choice to have one or more children rather than none. Prospective parents may then make what appears to be a same-number choice by deciding when to have a child, by deciding whether to terminate a pregnancy and start over, by choosing embryo(s) to implant from an IVF array, or by selecting an embryo or gamete provider for collaborative reproduction. But these are not strictly same-number choices (if any choices are), since they may not be willing or able to have a child after a long delay or an abortion, or may have multiple children after IVF.

I will begin by briefly reviewing several claims that children have against their parents; rights to be created with the expectation that their lives will meet a minimum standard of well-being. These rights belong to actual children, and give them a complaint against parents who did not expect their lives to meet that minimum standard. Although proponents of these "birthrights" sometimes invoke the role of prospective parents, their standards appear to apply to any agent bringing a new human life into being. All would condemn the creation of a child expected to have a life of unremitting suffering devoid of pleasure or joy, regardless of whether the progenitors were prospective parents or synthetic biologists. It is less clear how much the non-comparative birthrights really differ in the standards they impose for responsible procreation.

I will suggest the most plausible standards are really robust requirements for a life worth living. Although they explicitly demand more than that, I will maintain that their doubts about the permissibility of creating lives

*barely* worth living mainly reflect concerns about misfortunes and tribulations impossible to predict by prospective parents. I will suggest that their additional requirements for a minimally decent life are either "insurance" against the risk that the children's lives will not be worth living or requirements that specific individuals—their parents—commit themselves to loving, nurturing, and protecting them. While conceding that some degree of risk aversion may be appropriate in procreative decisions, I claim that the best understanding of procreative constraints is found in the latter requirement, involving the role-based duties of prospective parents. That is the subject of the rest of the chapter.

## MINIMUM STANDARDS AS BIRTHRIGHTS

Of the minimum standards that have been proposed, some are comparative in the sense of requiring a life expected to be as happy, or no less difficult, than the population average. But all are non-comparative in another way: the permissibility of having a child who meets the standard is not affected by the possibility of instead having one who exceeds it. Furthermore, these standards underwrite a personal complaint by the child created. It is not only wrong for prospective parents to fail to meet the prescribed standard; it wrongs the child they create.

There *appears* to be widespread divergence about what higher standard, if any, is appropriate. Some regard a life barely worth living as acceptable, especially if it is the best the prospective parents can expect to provide, given their circumstances and endowments. Most, however, reject this

standard as implausibly permissible in allowing parents to bear children whose lives are expected to be at the very margins of acceptability.

This general view is sometimes expressed as the claim that children have a right to a decent or minimally good life, not one that is barely worth living. This standard may be seen as a "birthright" for the child or as a duty for the prospective parents. Perhaps the most demanding standard is Michael Tooley's, which holds that children have a right to a life expected to be of at least average well-being.[1] Under this standard, about half of all births in any comparison group would violate the child's right, except perhaps in Lake Wobegon, where all children are (and are presumably expected to be) above average. Several philosophers have proposed less demanding standards. These include Elizabeth Harman[2] and David Benatar[3] (as an alternative for skeptics of his view that procreation is always wrongful), who both propose that it would be wrong to create children expected to face "usually severe hardships." (As discussed in the last chapter, Buchanan et al. proposed such a standard, although they frame it in impersonal terms.) If such a right were understood to trump even a highly favorable balance of goods to bads, it would condemn the birth of Stevie Wonder—if blindness were regarded as a hardship and if his parents had reason to expect both his blindness and his long, rich career. Even more problematically, it would permit many or most births in many developing countries, if it permitted any, *only* on the grounds that the hardships imposed by their difficult or hostile environments were not "unusual."

Two more flexible and appealing standards are proposed by Bonnie Steinbock and David DeGrazia. Steinbock

defends a "decent minimum" standard, which she spells out as follows:

> A decent minimum is reached only if a life holds the reasonable promise of containing the things that make human lives good: an ability to experience pleasure, to learn, to have relationships with others. If someone's life will be irreparably and irremediably bereft of these goods, we do that person no favor by bringing him into existence; indeed, knowingly and voluntarily to conceive a child a person under such conditions is a harm and a wrong to the person. . . . In addition, the ability to be a good enough parent is also part of the decent minimum. I maintain that it is wrong, irresponsible procreation to have a child if one knows that one lacks either the ability to love the child or the capacity to care properly for him or her.[4]

In a similar spirit, DeGrazia presents a tentative list of what he calls "essential interests" or "basic needs" of all children. These include minimal material and medical provisions, as well as "freedom from slavery, other forms of wrongful coercion, and physical abuse; education and adequate stimulation; opportunities to play and experience enjoyment; the opportunity to develop interests and gradually find their own path; . . . and the love, kindness, and attention of at least one reasonably competent parent."[5] He claims this list "approximately captures a norm that is far more demanding than a worthwhile life but less perfectionist than the very best an advantaged parent can provide."[6] DeGrazia is willing to let parents "off the hook" for failing to meet most of the individual items on his list if that failure is due to circumstances beyond their control. The one nonnegotiable item is parental love, care, and commitment.[7]

Both these standards are fairly permissive. DeGrazia believes that most of the world's prospective parents could satisfy his standard with sufficient commitment to their children.[8] Steinbock recognizes that her decent minimum may be achieved, and expected to be achieved, even by a child with a fairly serious impairment.[9] Although I find these standards attractive, I am wary of the effort to set a threshold above a life expected to be judged worthwhile by the person living it (or by some more objective standard). Those who propose a higher threshold face two challenges: justifying the specific threshold they set, and justifying a higher threshold at all. I do not want to press the first challenge, in part because the standard for a life that is just worth living is itself quite vague, if not arbitrary in the same way as a specific higher threshold. But I think the second challenge is formidable: Why would the mere fact that a child had *only* a worthwhile life give it a complaint against loving and committed parents, if that was the best possible life it could have and its parents had displayed no indifference to its expected hardships in conceiving it? And if such a child had a complaint, what about one who had *only* a minimally decent life when her parents could have had a child expected to lead a wonderful life?

I am inclined to regard Steinbock and DeGrazia as instead having offered plausible specifications of a worthwhile life, in terms of objective goods, rather than setting a higher threshold. Prospective parents should not have children they expect to be unable to experience what DeGrazia calls "undeluded joy" in and about their lives—at least at some points during those lives. But arguably an individual who could not do so would not have a life worth living. And it is unclear how one could have a "wretched"—as opposed to

very difficult—life that was worth living (as opposed to not ending). Even if one could, it is not clear how that judgment could be made before life had unfolded, let alone prenatally. Indeed, recent work on well-being and "the shape of a life"[10] argues that the value of a life for the person living it is often largely determined by its unpredictable vicissitudes—a wretched life redeemed by heroic acts or great achievements; a wonderful life undone by betrayal or disaster. But such vicissitudes can hardly be predicted, unlike many of the items on Steinbock's and DeGrazia's lists.

I suspect that some of the intuitive appeal in setting a margin above the minimum may reflect one of two reasonable but misplaced concerns: that a life without such a margin runs too much risk of not being worth living; and that it would be perverse for parents to prefer a life at just over the threshold to one significantly above it. (I am not claiming that the proponents of these standards rely on these concerns in making their arguments.) As to the first, it is difficult, as I have argued, to assess a life prospectively, and it is not meaningful to assign numerical probabilities to most outcomes. Although I have rejected the maximin rule imposed by Hayry,[11] some degree of risk aversion does seem warranted in procreation. It is easier to prescribe risk aversion, however, than to exercise it in this context, for the reasons given in the last paragraph. The development of increasingly comprehensive and sophisticated prenatal genetic tests is unlikely to make more than a marginal contribution to risk assessment. With the exception of a small number of genetic mutations that virtually guarantee intense pain and early death, the risks posed by most genetic variations will not even be quantifiable, in part because the outcome depends on their complex and often

unpredictable interactions with a myriad of other genetic and environmental factors.

As to the second concern, it would be perverse to seek a child with a worse life than others one might have. But prospective parents can act in ways they know will increase the odds of having a child with poorer prospects for many reasons besides such a preference. First, they may simply refuse to choose among future children. The choice to risk having a child with worse genetic prospects seems less perverse if prospective parents have the option of not choosing at all—if, for example, they can refuse PGD and choose randomly among their IVF embryos. Indeed, as I argue below, a refusal to select may be the most appropriate posture for prospective parents, expressing a benign neutrality among possible future children with worthwhile lives.

Moreover, prospective parents rarely if ever act with the intention of choosing a worse-off child. The refusal to choose a child with better genetic prospects appears less perverse if it is embedded in a decision about the timing of children—to have them now, when the couple is poorer but more energetic, or later, when they are wiser and more prosperous, but less energetic and perhaps more likely to conceive children with genetic challenges. In such a family-making context, prospective parents can expect to have children with worse genetic prospects without intending that result. They may be balancing the interests of other family members against that expectation, and hope that it is not fulfilled. Finally even selection for disability does not reflect a preference for a worse over a better life. It is based either on the belief, however reasonable, that a child with that disability will have a better life with these parents than a child without it, or a preference for a child who

shares a parent's disability—a preference that may be selfish but not perverse.

I think there is an implicit recognition of the importance of the reasons or attitudes of prospective parents in DeGrazia's willingness to let parents "off the hook" for failing to meet some of their children's basic needs except for love and commitment. Take one such need, "freedom from slavery." Consider slave parents, several of whose basic needs are unsatisfied, who chose to have children they know would be similarly enslaved. DeGrazia would appear to regard their choice as permissible if they expect to love and protect their children to the best of their limited abilities, and if they expect that their children's lives would be at least tolerable.[12] The parents would not commit a wrong excused by the added burden of childlessness, but rather make a permissible choice under extremely harsh circumstances beyond their control. In contrast, free prospective parents would act reprehensibly if they contracted for a large fee to bear a child to be consigned to a far more benign slavery (an example adapted from Greg Kavka), a child expected to enjoy greater well-being than the child of the enslaved parents. To explain this difference, I will argue, it is necessary to look beyond the expected well-being of the child to the parent's reasons for having a child, or one child rather than another.

## A ROLE-BASED DUTY TO MAXIMIZE THE EXPECTED WELL-BEING OF THE CHILD?

In chapter 8, I challenged the assertion made by several philosophers that we *cannot* create a child for reasons that

concern the expected well-being of the future child. Here, I will reject the claim made by several philosophers, including some of he same ones, that we *can* have reasons for choosing one child over another that concern the expected well-being of the future child. Like the claim about the decision to have a child, the claim about the decision to have one rather than another rests on a mistaken inference from the undeniable fact that prospective parents cannot relate to future children as particular individuals.

Two approaches with radically different implications have been proposed about how the identity-affecting character of prenatal selection affects the duties of prospective parents. The first relies on the impossibility of apprehending a future child as a particular individual to treat it as a single, generic individual, or as a role that can be filled by different individuals with different characteristics. The duty of prospective parents toward "their future child" is to increase "its" happiness or decrease "its" suffering in the only way they can—by selecting a happier or a less unhappy child. I will argue that it is simply mistaken to assume that because prospective parents cannot relate to the future children they are choosing among as particular individuals, they must treat them as, or as if they were, the same child, who can be made better or worse by selection. This false assumption reflects a failure to adequately respect the separateness of future persons.

The second approach, which I will defend, also recognizes the impossibility of apprehending a future child as a particular individual. But it does not regard that limitation as supporting any kind of selectivity. Because each future child would be a distinct individual, there is no reason to choose a happy or less unhappy one for the sake of "the

child," since no actual child would be made any happier or less unhappy by that choice. Rather, prospective parents have no reason to choose a more over a less happy child, as long as the latter is expected to have a life that would be acceptable, subjectively or objectively. Indeed, favoring a happier child may be in tension with duties arising from their role in creating a certain kind of relationship and association.

In making this last claim I will suggest that a plausible source of constraints on selection by prospective parents arises from the kind of relationship and association they should be seeking to establish: a loving and respectful relationship that lasts a lifetime, with many years of intense care and nurturing, in a family whose members are expected to be highly partial and deeply devoted to each other, and in which membership, once established, is virtually unconditional. These are, of course, only ideals; I offer them not as standards for assessing the performance of actual parents, but as a source of moral reasons that prospective parents have for refusing to choose among future children.

As mentioned in the previous chapter, the first approach is suggested by some philosophers who defend an impersonal approach to procreative choice. Thus, Buchanan et al. argue that parents and caregivers have the same type of duty toward future as present children—to prevent "unnecessary" suffering and limitation. For future children such prevention requires selection. Savulescu and Kahane justify their principle of procreative beneficence in similar terms. They suggest that the special bonds of parenthood give prospective parents reason to seek the best-off children as well as the best for their children.[13] Several

philosophers have gone beyond such suggestions to argue that prospective parents have role-based duties toward their future children to select the best off or least badly off.

Casper Hare offers an approach to procreative choice that attempts to transmute impersonal duties into duties that, if not quite personal, are owed to a specific class of people: the currently unknowable individuals who will be affected for better or worse by those who have a special responsibility for them. This latter class includes prospective parents. Hare claims that in certain contexts, we expect a person to display a "psychological attitude that involves caring, not that the occupant of a certain role be as well off as possible, but that a certain role be filled by someone as well off as possible." These contexts have two features: "First, it is appropriate to expect the person in question to be partial . . ." toward a group picked out by a definite description. Second, because "of the causal circumstances the person finds herself in, that partial concern has no de re expression."[14] Prospective parents are expected to be partial toward their future children. But because they cannot express this partiality toward particular individuals, they must settle for expressing it toward whoever is picked out by a definite description—"our nth child."

As I've argued elsewhere, the inability to show such partiality toward future children provides at most an explanation, not a justification, of the attempt to have the role of one's next child filled with someone as well off as possible.[15] Hare, I contend, confuses the claim that we should select the best-off children with the claim that we should do as much as we can to make our now-unidentifiable future child better off. Doing the latter often involves actions that delay procreation and thereby alter the identity of the

children. But it does not consist in the deliberate selection of some possible children over others. It is done with the intention of doing more for our children—*whoever* they may be—not with the intention to have children who will be better off irrespective of the quality of care and nurture we provide for them.

Perhaps the most forceful defense of the view that prospective parents must apprehend their future children as occupants of a role, and select accordingly, comes from David Velleman. Velleman gives a poignant description of parents and their severely disabled child, both "doomed to love" the child and his "regrettable" life.[16] The child, like the victim of a cruel seduction, cannot help loving a person—himself—who will bring him only sadness and misfortune. The parents are also in a tragic bind, but it is of their own making if they could have prevented the existence of a child with a severe disability. The parents cannot invoke their present love for the child to justify their failure to prevent his existence, since they "could not choose to create him in particular, considered demonstratively, as he would subsequently be loved."[17]

Velleman's last claim is hard to dispute; it echoes Robert Adams' observation that only God can love in prospect the particular beings we love at present.[18] But although parents cannot love a particular child before he is conceived, they can certainly recognize that any future child has, so to speak, but one life to live; that a child cannot live a life without the "unfortunate" or "regrettable" aspects that are necessary for his actual existence. Velleman may also be correct that prospective parents should not "doom" their future child to a love that will be unrequited by the goods of life—such as rich sensory experience, deep friendships

and other commitments, satisfying personal achievements, and extended periods free of physical pain and emotional suffering. Such a life would not be, in a robust sense, worth living; it would not be a life that could be joyously affirmed despite its many adversities. But few severe disabilities would "condemn" a child to such a life. In another passage, however, Velleman appears to hold prospective parents to a higher standard:

> In creating human lives, we must take care that they afford the best opportunity for personhood to flourish. We are obligated to give children the best start that we can give to children, whichever children we have, so we are obligated to have the have those children to whom we can give the best start. A child to whom we give an initial lesser provision will have been wronged by our lack of due concern for human life in creating him—our lack of concern for human life itself, albeit in his case.[19]

This passage is breathtaking in its ambiguity. Does Velleman think that prospective parents can be faulted for failing to aim for the child who can most fully realize the attributes of personhood; the child who will be most rational, self-conscious, or empathic? Or does he merely claim that parents should ensure that their children meet the minimum standards for personhood, whatever they are? Like Hare, he appears to elide distinct duties in his claim that parents must give their children the best start or provision. They may be obliged to give their children the most material and psychological support that they can give (consistent with their other duties and their own needs) and that those particular children can receive, but that is a far cry from choosing children

whose genetic endowment will give them the best start and "provision." It also seems permissible for prospective parents to select against children for whom they reasonably doubt that they could adequately provide, whether because those children are likely to have extraordinary talents they could not nurture or severe, complex medical conditions for which they could not adequately care. But unless the "flourishing of personhood" requires the greatest excellence prospective parents can bring about by nature and nurture, it is difficult to see how they can be held to anything more than a strong commitment to help their children achieve a good life.

Contra Hare and Velleman, the fact that prospective parents cannot identify or love their future children (except, possibly, if they select them from an IVF array) hardly requires them to express their anticipatory concern and partiality by choosing the best off ones. The fact that some prospective parents believe that are acting for the welfare of "their child" not only in delaying conception, but in selecting among embryos or aborting and starting over, just goes to show that they—no less than some philosophers—are capable of overlooking obvious, morally relevant considerations.

## A ROLE-BASED DUTY AGAINST SELECTION?

The recognition of the distinct identities of future possible children informs the second approach to prenatal selection by prospective parents. In emphasizing the separateness of future children, proponents of this approach reject not only comparative standards like Savulescu's and Buchanan's, but

higher-than-minimal non-comparative standards. They require only the expectation that the child have a life that is, or that she would consider, worthwhile.

One version of this approach emphasizes the role of prospective parents and the moral character of the relationship and association they are, or should be, seeking to create. The family, in its contemporary form, is in one respect the most inclusive human association, encompassing members who may differ widely in many of their most significant attributes. In contrast to other associations, family members cannot be excluded except for the most egregious misconduct. Moreover, the children in a family are expected to be loved not only unconditionally but equally, even if actual parents rarely live up to either ideal. Although unconditional love is a demanding ideal, parents are expected to continue to love, and love equally, children who *become* very difficult or severely impaired, or who display unexpected musical or mathematical genius. The virtue that would help satisfy these ideals has been called "acceptingness" by Rosalind MacDougall.[20]

Asch and Wasserman propose that an ideal of "unconditional welcome" for prospective parents best reflects the moral character of the parent-child relationship and the family. That ideal enjoins prospective parents not to condition their willingness to bear and raise a child on the expected presence or absence of virtually any trait. They argue that this posture distinguishes prospective parents from prospective friends and lovers, who should exercise some measure of selectivity in forming intimate relationships and whose commitment to each other is more dependent on valued attributes than is the commitment of parents to their children.[21]

Admissions criteria affect the moral and psychological character of any association. Even within exclusive associations, with high standards and competitive admission, there is a tension between those admission standards and the equality expected among members, expressed in an ideal of collegiality. Many a member of an academic search committee has remarked, only half in jest, that he or she would never have been admitted under current standards. More poignantly, institutions that raise their standards often relegate their older members to a kind of second-class citizenship. This kind of tension may be well worth bearing to maintain and enhance the excellence of academic institutions. But it would be toxic in a family.

Imagine a family formed during an era of rapidly improving genetic testing, in which the capacity to detect predispositions to disease and disability grew ever more comprehensive, discriminating, and accurate. The prospective parents avail themselves of the latest selection technology in having children spaced two or three years apart. Each child, if he knew about the selection process, would have the disturbing awareness that he might well have been selected against on the latest round—that he would no longer pass muster. This would not, of course, preclude the parents from displaying unconditional and equal love for all their actual children, to the extent any parents can. But it would lead to a profound moral, if not psychological, unease.[22]

A different version of the second approach is offered by Peter Herissone-Kelly. He argues that to assess the prospects for future children, a prospective parent must "imaginatively inhabit" their expected lives. Like an actual parent, she should identify with each of their lives, an

identification that bars selection against any life the child herself would find acceptable.[23] Herissone-Kelly calls this an "incumbent model" of procreative choice, since prospective parents are to take the perspective of each potential child as if she were the actual one[24] He subjects this approach to the "Principle of Acceptable Outlook," holding that the future life must be expected to be acceptable to the individual living it.[25] This proviso appears merely to express in subjective terms a life-worth-living requirement. The internal perspective otherwise provides no moral basis for choosing among future children.

Asch, Wasserman, and Herissone-Kelly argue that prospective parents have a distinct moral role, with constraints and prerogatives different from those of citizens or public officials. This position could have a number of theoretical foundations. It could be based on a notion of role-moralities embedded in, or distinct from, ordinary morality: It is widely recognized that actual parents have duties and prerogatives toward their present children that others do not have to those children and that they do not have to other children. Prospective parents arguably have similar, if attenuated duties and prerogatives, to have children in ways consistent with the moral character of the families they seek to form. Such an account, however, faces the daunting task of explaining how such a role-based morality is derived from, or relates to, the more general moral claims to which the individuals in the role are subject. A role-based morality might also rest on a qualified extension of widely accepted notions of parental partiality to prospective parents. As we will see, however, such an extension may yield a different set of duties and prerogatives than those put forward by Asch, Wasserman, and Herissone-Kelly. Less

plausibly, the special duties and prerogatives of prospective parents could be justified on the grounds that they are welfare-maximizing.

Hallvard Lillehammer extends parental partiality from present to future children, arguing that prospective parents are governed by a fundamentally different morality than the state. There are incommensurable impartial and partial moralities, the former requiring the maximization of value for an indefinite number of actual or possible objects; the latter, the maximization of value for a subset of those objects. Lillehammer holds that under a "partialist" morality, prospective parents may choose children whom impartial considerations would disfavor.[26] They may choose to have children who will be "their own" genetically, even if they could have had healthier or smarter children with third-party gametes. And they may choose a child with genetically based affinities, like deafness, that they expect to enrich their relationship with her, even if the affinities are disadvantageous, viewed impartially. Lillhammer denies that partiality can be justified by or grounded in some deeper morality; as Niko Kolodny has held with respect to the relationship between parents and existing children, partiality is "basic."[27]

Lillehammer shares the view that a state or society may have moral reasons prospective parents do not for promoting the creation of certain kinds of people—better off, longer-lived, or more talented.[28] But his approach diverges from the other two in recognizing a partiality-based prerogative to choose among possible children based on affinity and other reasons with little impersonal weight.[29] For Herissone-Kelly, Asch, and Wasserman, the appropriate moral posture toward possible children is benign

neutrality. In contexts where a choice has already been presented, that neutrality would be expressed by random selection.[30] (Such neutrality would also be consistent with, but not required, by views like Steinbock's and DeGrazia's, which find it permissible to bear any child expected to have a good-enough life.) On their views, selecting *for* deafness because the prospective parents were partial to deaf children—Lillehammer's example—would be problematic for the same reasons as selecting *against* deafness.

## REASONS FOR SELECTION NOT BASED ON THE CHILD'S EXPECTED WELL-BEING

I have argued that prospective parents do not (except in the case of "lives not worth living") have reasons to delay child bearing based on the genetic constitution of the child they will actually create, because they should recognize that the children they will create in selecting or delaying will be different children. On my account, the expected well-being of a child is relevant for the permissibility of creating it mainly in an indirect way: the poorer the child's prospects, the harder it may be for prospective parents to claim appropriate, respectful reasons for seeking to bring it into being. But except in the case of lives expected to be utterly awful, prospective parents may have respectful reasons for having a child they expect to be less happy than another they might have had. They may, for example, have family reasons for having a(nother) child sooner or professional reasons for having a(nother) child later. And they may also have appropriate reasons for selection based on

their perceived duties and on the kind of relationship they seek to have.

Prospective parents also may have two related, arguably child-centered reasons to favor some future children over others. The first is that they may more adequately fulfill their duties as parents if they acquire children at some stages of their lives rather than others. This may be a good reason for Parfit's fourteen-year-old girl to wait[31]—not because "her child" will be better off if she waits, but because she will be a much better mother to any child she has if she waits than she would be to any child she would have if she didn't. And this also may be a reason for a sixty-year old man not to wait—because he is unlikely "to be there for his child" as long as he should if he conceives one at seventy.

A related reason for delay concerns the prospective parents' capacity to shield their future children from a hostile environment—social, physical, or uterine. Because parents have a duty to protect their children from harm, prospective parents have an anticipatory duty to avoid, if they can, environments in which the harm will be too great for them to do so effectively. They should perhaps wait to have a child until they can flee a country where their ethnic group is brutally persecuted or lives in a region too arid to feed its population, or until they can modify a uterine environment that will seriously damage any fetus.

This also suggests a moral difference between two kinds of reasons for selecting against a child with mild cognitive impairments. Even if such a child is unlikely to lead as rich or good a life as a child with normal cognitive capacities (itself a debatable claim), it is likely to live well in many developed countries. Selecting against such a child to prevent the harm of its existence or impairment

is, I have argued, misguided. But there is another reason prospective parents may have for their reluctance to have such a child. One of the most common concerns parents have about such children is that when they become adults, they will not be able to care for themselves, and be left to an uncaring bureaucracy. Prospective parents may believe that they would have a lifelong duty of care to such children, one that they could not fulfill. It is not responsive to their concern to insist that in a better society, children with such impairments would be meaningfully employed, decently housed, and respectfully treated. Their fear, perhaps exaggerated but not unreasonable, is that this is not the case in their actual society; that as parents, they would have failed in their duties of care. At the least, these are the right *kind* of reasons for selecting against a child with a particular kind of impairment.

A second child-affecting reason for timing or selection may be more problematic: to have children who are best able to enjoy or appreciate the goods they will offer them—a reason based on a kind of "smart philanthropy." On this view, prospective parents should seek children whom they will be best equipped to raise and who be the most receptive beneficiaries of their gift of love, nurturing, and family. This reason would not favor the selection of the best-off child if the prospective parents were more qualified and motivated to raise children who were less well off, and if those children could benefit more from their rearing than other children. Indeed, it might favor the deliberate selection of children who would be much worse off than others they might have had.

Consider an example adapted from Robert Adams.[32] Most people would find it wrong for prospective parents

to seek a child with profound intellectual impairments, even with reasonable confidence that they would be wonderful caregivers for such a child and would develop a deep and loving relationship with him. Yet the good of such a child appears to be part of their reason for seeking to have one. Indeed, they might insist that they could do far more good for such a child that for an intellectually average child.

Their course of action would clearly be wrong if what they sought was a relationship that, on its own terms, would be disrespectful to the child. Parents who intended to have a child they would make permanently dependent on them would treat that child with disrespect, whether he was intellectually impaired or not. But the prospective parents in Adam's case might plausibly deny that this was the kind of relationship they sought. They might insist that they would aim to make that child as autonomous as possible given its cognitive limitations. Although I am troubled by the prospective parent's course of action, I find it difficult to identify the source of disrespect. It may be that despite their intention to form a respectful relationship with such a child, that prospect is precluded by the very fact that they sought a child who would be more dependent on them that the average child—however much they would strive to reduce that dependency. What would prevent a respectful relationship is not a psychological barrier but a kind of moral taint. Because they sought dependency in order to confer greater good on the child, they could not have the respectful relationship that parents could have with such a child had they had her unintentionally.

In general, I do not think prospective parents should select a future child based on the extent of the good they can give it. It may be reasonable for them to select against

future children who would be utterly impervious to their love and nurturing because of the most severe cognitive and psychiatric impairments. But they should not be like maestros, selecting students who will most benefit from their master classes. Nor should they be like social workers, seeking the neediest clients.

Parents can be loving and effective nurturers for a wide variety of children. There may be some children a prospective parent reasonably believes he cannot nurture, and some children who cannot benefit at all from parenting, or even form parent-child relationships. Prospective parents reasonably decline to have children impervious to nurturing, whether because they lack the biological capacity, like anencephalic infants, or, more fancifully, because they are born fully mature, like Athena emerging as an adult from the head of Zeus. But excluding such future children hardly implies or encourages a more general selectivity.

## TENSIONS BETWEEN DIFFERENT ROLES IN THE PROCREATIVE CONTEXT

In responding earlier to Benatar's "Misanthropic" argument, I suggested that prospective parents, like actual parents, are entitled to discount and even ignore some consequences of their decisions for third parties. Specifically, neither are required to universalize in making those decisions; to be constrained by the cumulative impact if "everyone" chose as they do.[33] Although I cannot offer a complete argument for those prerogatives here, I think they are critical to the practice of parenting as we understand it. In an earlier article, I considered a moral and social division of

labor that separated progenitors from parents, with the former having a more impersonal role, much like that envisioned by the accounts discussed in the last chapter. I argued that although such a role as impersonal gatekeeper would be coherent, it would be at odds, both morally and psychologically, with the parental role that succeeded it. If the same individuals occupied both roles, the transition would involve a jarring discontinuity, and would give rise to the tensions about selectivity that I discussed in the section before last. If different individuals occupied the two roles, it would replace the paradigm of parenting, in which the same individuals create and rear children. Although that paradigm should certainly be relaxed to encourage adoption, and perhaps other forms of acquiring children, its wholesale replacement would involve a radical break from our existing moral and social division of labor.

The existing prerogatives of prospective parents are especially strong in choices about what kind of child to have, or whether to choose at all; the prerogatives are weaker in choices about how many children to have, beyond the choice of whether to have them at all. The ideal of unconditional welcome described earlier applies only to decisions about whether to have a particular kind of child, not to decisions about how many to have. A parental decision to have no more children is not like a national decision to close the borders to immigrants. No one is excluded by the former; no one is disrespected. Parents and families are hardly expected to hold up a welcoming beacon to the infinite masses yearning to exist.

Constraints on the number of children have two sources: the duties of (prospective) parents to other dependents and societal needs that may override their

prerogatives. The former constraints arise because of the risk of harm to other family members. Since they are engaged in forming and maintaining a family, prospective parents have duties to any existing children that may constrain the number, and even the kind of future children they bear. Parents lacking the resources to feed their existing children should wait to have any others; parents at risk of having children with medically complex diseases should consider (though not exaggerate) the impact of having such children on their ability to care for their existing children. This last constraint may conflict with the ideal of unconditional welcome. Imagine parents who want one more child, but judge that they can only afford an initially healthy one, not one expected to have costly medical needs from birth. To avoid conditioning their welcome, they might decline to have another child at all (a decision often considered by parents who have children or close relatives with a severe medical condition[34]).

Some of the interests of the larger society (e.g., to correct a sex imbalance or expand the skilled workforce) appear less appropriate for prospective parents to take into account. Yet some consideration of the social costs of having more children, or particular kinds of children, may be incorporated into their role-based duties. The codes of most professions include at least some provision for societal interests, though how much weight they should be given is a matter of protracted debate. For prospective parents in a reasonably just society in conditions of modest scarcity, it may be unfair to impose on that society the costs of more than one or two children, or children with predictably expensive medical needs.[35] Few actual societies, however, may be sufficiently just to demand such self-restraint,

especially when so much of the cost of having additional, disabled, or medically complex children can be attributed to inadequate health- and child-care and public education, inflexible work arrangements, and exclusionary structures and social practices.

To the extent that concerns about justice and social impact are external to the roles of prospective parents, their role-based reasons will be "exclusionary" in Joseph Raz's sense,[36] barring or sharply discounting consideration of the impact of their decisions on third parties outside the family. If that is the case, prospective parents whose decisions threaten substantial adverse social effects may have an all-things-considered reason to "break role" in deference to their duties as citizens. Some insight into how to understand such conflicts may be found in debates over how to take account of third-party interests in institutionally defined roles. For example, some regard certain role-based duties, such as patient confidentiality, as absolute, but hold that the individual occupying the role may have an overriding moral reason to violate those duties in the case of imminent serious or catastrophic harm to third parties. This is an important, unresolved issue for the morality of both professional roles and social roles like parents and prospective parents. But I will not pursue it further here.

Agents of the state and other collective institutions also may have duties that conflict with those of actual and prospective parents. The former duties are, in general, consequentialist—concerned with the aggregate health, welfare, or good of the population.[37] As public servants, and even as citizens, individuals have such strong impersonal duties; as parents and prospective parents they do not. In the latter roles, I do not think they must take account

of concerns about population size or age distribution, or about population health, in their procreative decisions. But they are surely permitted to consider take population size; it is not wrong for prospective parents to decide to have only one child out of concern for overpopulation or many children out of concern for underpopulation (if they have justly acquired the resources to support a large family). And it is clearly justifiable for the state to attempt to manipulate population size in its tax policies, as long as it does not impose relatively stronger (dis)incentives on its poorer citizens.

The potential for conflict arises over concerns about "population health." It is the responsibility of the United States Centers for Disease Control to reduce the incidence of genetically based diseases and disabilities associated with intense suffering or tremendous medical costs. But it would be inappropriate for prospective parents to act as agents of the CDC by selecting against such conditions in order to reduce aggregate suffering or medical costs. Further, it would interfere with the exercise of their role for the state to offer them incentives for selection, such as tax breaks or subsidies for using IVF and PGD for selection. Similar objections have been raised by proponents of procreative autonomy on the basis of protecting the negative liberty of prospective parents against state interference. Those objections, although compatible, have a different focus: not on the different kinds of moral considerations that are relevant to state agents and prospective parents, but on the protection of the latter's rights against state interference.

Ironically, some state actions to improve population health by eliminating or reducing genetically based disease

and disability may be *less* problematic than selectivity by prospective parents—what Troy Duster has called "back door" eugenics.[38] On the one hand, deliberate state action would be explicitly eugenic, regardless of the absence of coercion. Even if it did not pressure or coerce prospective parents to select against undesirable traits or for desirable ones, its actions would clearly "send a message" about the desirability of certain traits and undesirability of others. It would have an expressive significance that, as several philosophers have argued, cannot be found in the decisions of couples or individuals to select for or against specific traits.[39]

On the other hand—and I think this argument is stronger—it is the state's role to promote the aggregate welfare of its citizens. It is permissible, even mandatory, for the state to promote "the genetic health" of the population in developing noncoercive public health and reproductive policies. Because the public health goals the state may justifiably pursue are not an appropriate concern for prospective parents, the state must be wary of pursuing those goals in ways that make them their concern, and that seek to influence their procreative decisions.

Thus, it might be less problematic for the state to reduce the incidence of genetically based diseases by interventions that affect the identity of future children but do not operate directly through parental choice. To take an extreme example, imagine that a drug company developed Leonard Fleck's Omega Pill, which would suppress the operation of the mechanism that causes up to 80% of severely deformed fetuses to miscarry.[40] It would likely place a severe strain on families, communities, and the society as a whole if the number of children born with severe, costly genetic

disorders dramatically increased. But it would be more objectionable to ban the possession or use of the Omega Pill by prospective parents than to ban its production and sale. The former would coerce prospective parents, the latter would not. To take a more realistic case, it would be more acceptable for the state to reduce the incidence of "birth defects" by putting chemicals in the water that would immobilize mutation-bearing sperm than by offering prospective parents financial incentives for gamete screening or prenatal testing.

More broadly, conflicts between the duties and prerogatives of prospective parents and public officials can be mitigated by two kinds of state action: (1) measures that reduce the incidence of congenital or genetically based disability that are not directed at parental choice, such as public health interventions to reduce environmental mutagens; (2) measures that promote the integration of individuals with such disabilities into society, such as inclusive education and universal design in construction.

## CONCLUSION

I have offered a piecemeal defense of procreation: a critique of arguments that procreation is categorically or presumptively wrong; a proposal of my own intended to strengthen the justification for having children despite the undeniable harms and risks of bringing them into the world; and a critical assessment of various standards for permissible procreation. I have not addressed, except in passing, the more contingent arguments against procreation that challenge one of the basic prerogatives I have just defended—to have

a modest number of children. Those arguments claim that in a world with millions of adoptable children, dire poverty, and fragile ecosystems, it is unacceptably self-indulgent for well-off people in developed countries to tie up the considerable resources, and to impose the significant externalities, required to create and rear even a single child.

To the extent these contingent arguments do not rest on a consequentialist calculus, but on the moral claims of individuals, I find them more plausible and powerful than the categorical ones. But I have two reasons, or excuses, for not having given them closer attention. First, I think it is important to first challenge the categorical arguments, which, if correct, would render the contingent ones superfluous. Second, I am ill equipped to take on the latter without going well beyond the scope of this book. Although I have argued, or perhaps asserted, that prospective and actual parents have strong prerogatives against certain kinds of third-party claims, I have not attempted to defend a specific view of the content and scope of their prerogatives against the urgent needs and putative rights of existing people in dire straits.

Moreover, the issue of how much well-off people owe badly off people, especially from different countries, is hardly limited to the context of procreation. It is an general issue in ethical and political philosophy, and it can only be responsibly engaged by addressing sharply contested factual and policy claims.[41] What, for example, are the harms and risks to individual biological parents, family structures, and support services of adopting children from poor neighborhoods or poor countries? How could the resources saved by not bearing children be used in ways that help rather than harm badly off people in impoverished

communities or less developed countries? How much of an incremental burden to the environment is an additional child in a developed country with low birth rates and increasingly widespread and effective "green" policies and practices? Clearly, collecting and evaluating the conflicting evidence on any of these questions would require a separate essay.

A more general reason for the piecemeal character of my defense is that it is difficult or foolhardy to attempt a wholesale defense of practices as deeply embedded in our "way of life" as bearing and rearing children. This is not to deny, of course, that many aspects of those practices should be subject to close scrutiny. I believe the anti-natalists are correct on this important point. But it does mean that we should distrust our capacity to criticize those practices from an external perspective, from outside of a human community that takes its perpetuation as an unquestionable good. Of the anti-natalist arguments I have addressed, only Benatar seeks to do so, and I am not the first to criticize him for adopting a perspective that is beyond his, and our, reach. But most of his arguments, and almost all of the other anti-natalist arguments, do not adopt such a perspective. They seek to persuade us that procreation is wrong because it threatens 'bedrock' values, which cannot receive, and do not need, further argument to accept: the wrongfulness of harming other people without adequate justification; the importance of consent in imposing certain kinds of harms and risks, etc. Like most defenders of procreation, I have adduced the same values in defending it against anti-natalist challenges, and in defending my own view on the correct standards for permissible procreation.

## NOTES

1. Michael Tooley, *Abortion and Infanticide* (Oxford: Clarendon, 1983), 272.
2. Elizabeth Harman, "Can We Harm and Benefit in Creating?" *Philosophical Perspectives* 18, no. 1 (2004): 89–113.
3. David Benatar, "The Wrong of Wrongful Life," *American Philosophical Quarterly* 37, no. 2 (2000): 175–183.
4. Bonnie Steinbock, "Wrongful Life and Procreative Decisions," in *Harming Future Persons: Ethics, Genetics, and the Nonidentity Problem*, eds. Melinda Roberts and David Wasserman (New York: Springer, 2009), 155–178.
5. David DeGrazia, *Creation Ethics: Reproduction, Genetics, and Quality of Life* (Oxford: Oxford University Press, 2012), 168.
6. DeGrazia, *Creation Ethics*.
7. *Creation Ethics*, 169.
8. *Creation Ethics*.
9. Steinbock, "Wrongful Life," 165.
10. Joshua Glasgow, "The Shape of a Life and the Value of Loss and Gain," *Philosophical Studies* 162, no. 3 (2013): 665–682.
11. See ch. 9 this volume, sec. iii.
12. This may no longer be DeGrazia's position. See David DeGrazia, "Procreative Responsibility in Light of What Parents Owe Their Children, " in *Oxford Handbook of Reproductive Ethics*, ed. Leslie Francis (New York: Oxford, ms. forthcoming), 17–18.
13. Julian Savulescu and Guy Kahane, "The Moral Obligation to Create Children with the Best Chance of the Best Life," *Bioethics* 23, no. 5 (2009): 274–290, 283.
14. Caspar Hare, "Voices from Another World: Must We Respect the Interests of People Who Do Not, and Will Never, Exist?" *Ethics* 117, no. 3 (2007): 498–523, 518–519.
15. David Wasserman, "Hare on *De Dicto* Betterness and Prospective Parents," *Ethics* 118, no. 3 (2008): 529–535.
16. David Velleman, "Persons in Prospect," *Philosophy & Public Affairs* 36, no. 3 (2008): 221–288, 272.
17. Velleman, "Persons In Prospect."

18. Robert Adams, "Must God Create the Best?" *Philosophical Review* 81, no. 3 (1972): 317–332.
19. Velleman, "Persons In Prospect," 276.
20. Rosalind MacDougall, "Parental Virtue: A New Way of Thinking about the Morality of Reproductive Actions," *Bioethics* 21, no. 4 (2007): 181–190.
21. Adrienne Asch and David Wasserman. "Where Is the Sin in Synecdoche?" In *Quality of Life and Human Difference: Genetic Testing, Health Care, and Disability*, eds. David Wasserman, Robert Wachbroit, and Jerome Bickenbach (Cambridge: Cambridge University Press, 2005), 172–216. This ideal of unconditional welcome is fully consistent with limits on numbers. Prospective parents have limited psychological, social, and economic resources, and they should hardly be required to exhaust them on additional children. But setting limits on the number—even if those limits are affected by the costs of raising a particular child already in the family—is not a form of trait-based selectivity.
22. There would be the same kind of tension in a family formed by the kind of criteria, like psychological compatibility, used in forming other kinds of intimate relationships. Each child would, if he understood the selection process, be aware that he might not have been found sufficiently compatible by the more refined screening used to select his younger siblings. A standard of expected compatibility may conflict with the inclusive character of the family even more than a standard of expected well-being. A child aware that he might have been excluded as an insufficiently "good match" for his parents might reasonably take his hypothetical rejection more personally than a child who might have been excluded because of insufficiently good prospects for flourishing.
23. Peter Herissone-Kelly, "Two Varieties of Better-For Judgments," *International Library of Ethics Law and the New Medicine* 35 (2009): 249–264. Herissone-Kelly grounds his incumbent model in the duty of parents not to favor one of their actual children over another. An unqualified equation of the roles of prospective and actual parents, though,

would be oppressive and possibly incoherent. For those who deny that embryos have the same rights or moral status as children, it is untenable to require prospective parents to have an unconditional commitment to all the embryos in an IVF array. Actual parents would be obliged to overload a lifeboat to include all their present children; prospective parents are hardly obliged to implant all of their IVF embryos, at substantial risk to the survival and development of each of them. Those who implant even a large number, like the so-called "Octomom," are condemned for irresponsible procreation. The notion of parental commitment is even harder to apply to future children not embodied in embryos. It is difficult to understand how prospective parents could feel even attenuated love and devotion to the possible embryos they might conceive at a given time, let alone toward the possible children they might have together or with others.

24. Herrisone-Kelly, "Two Varieties," 258–259.
25. "Two Varieties," 259–261.
26. Hallvard Lillehammer, "Reproduction, Partiality, and the Non-Identity Problem," in *Harming Future Persons*, eds. Melinda Roberts and David Wasserman (New York: Springer, 2009), 231–248; "Benefit, Disability, and the Non-Identity Problem" in *Philosophical Reflections on Medical Ethics*, ed. Nafsika Athanassoulis (New York: Palgrave McMillan, 2005), 24–43, 34–39.
27. Niko Kolodny, "Which Relationships Justify Partiality? The Case of Parents and Children," *Philosophy & Public Affairs* 38, no. 1 (2010): 37–75.
28. None of these views preclude preferences for a more "viable" embryo—one more likely to become a child—and Lillehammer's, as noted, permit a preference for an embryo from the couple's own gametes, rather than one created from third-party gametes. Herissone-Kelly and Asch and Wasserman do not address the issue of third-party gametes, but their views would be incompatible with their use for trait selection by fertile prospective parents.
29. Lillehammer, "Benefit," 34–39, suggests that prospective parents may select children likely to share their own

weaknesses or impairments, if those features did not preclude a worthwhile life or impose ruinous costs on third parties. Wasserman himself entertains the idea that prospective parents can show partiality among their possible children, however suspect their preferences ("Ethical Constraints on Allowing or Causing the Existence of People with Disabilities," in *Disability and Disadvantage*, eds. Kimberley Brownlee and Adam Cureton (New York: Oxford University Press, 2009), ch. 11.) He recognizes that this position is in tension with the "unconditional welcome" he and Asch argue for (Asch and Wasserman, "Where is the Sin?") For Herissone-Kelly ("Two Varieties"), there seems to be no room in parental role-morality for favoring some possible children over others if all are expected to have lives they would judge to be acceptable.

30. Random selection would not require an actual equiprobable lottery, in any sense of probability, since possible children and IVF embryos do not have a right to equal chances of conception.
31. Derek Parfit, *Reasons and Persons* (Oxford: Clarendon, 1984), 358–359.
32. Robert Adams, "Must God Create the Best?" 317–332.
33. Chapter 8, 19–20, this volume.
34. Felicity Boardman, "The Expressivist Objection to Prenatal Testing: The Experiences of Families Living with Genetic Disease," *Social Science and Medicine*, 107 (2014): 18–25.
35. Stephen John, "Efficiency, Responsibility and Disability: Philosophical Lessons from the Savings Argument for Pre-Natal Diagnosis," *Politics, Philosophy and Economics* (2013): 1470594X13505412.
36. Joseph Raz, *The Morality of Freedom* (New York: Oxford, 1986).
37. Robert Goodin, "Government House Utilitarianism," in *The Utilitarian Response: The Contemporary Viability of Utilitarian Political Philosophy*, ed. Lincoln Allison (London: Sage, 1990), 140–160.
38. Troy Duster, *Backdoor to Eugenics* (New York: Routledge, 1990).
39. Nelson, James Lindemann. "Testing, Terminating, and Discriminating," *Cambridge Quarterly of Healthcare Ethics* 16, no. 4 (2007): 462–468; Adrienne Asch and David Wasserman,

"A Response to Nelson and Mahowald," *Cambridge Quarterly of Healthcare Ethics* 16, no. 4 (2007): 468.
40. Leonard Fleck, "Abortion, Deformed Fetuses, and the Omega Pill," *Philosophical Studies* 36, no. 3 (1979), 271–283.
41. Judith Lichtenberg, *Distant Strangers: Ethics, Psychology, and Global Poverty* (New York: Cambridge University Press, 2014).

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