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# Genetic Modification and Future Generations

*David Sackris*

## **Introduction**

One of the most difficult issues to sort out morally is our obligation to future generations. Most individuals feel that they do indeed have some kind of obligation, but face difficulty in explaining the exact nature of the obligation. For one, it seems impossible to know the wants and desires of future generations, and furthermore the existence of the persons we are obligated to is entirely dependent upon the choices that we in fact make. In essence, we could shape future generations so that they desire exactly what we provide for them. It seems that no matter what principle we adopt that is based upon these potential individuals we are led to absurd conclusions. Gregory Kavka calls this moral grappling the Paradox of Future Individuals.<sup>1</sup> I believe that the ethical concerns surrounding genetic engineering should be seen as a specific instantiation of this Paradox and that by examining both we may be able to come up with some sort of working solution. Derek Parfit pleads ignorance as to a solution to this Paradox after an extensive exegesis on the issue, but as we may not be that far from shopping a genetic supermarket to determine the characteristics of our children I don't believe we can settle for that conclusion. We will begin by examining the Paradox and suggested solutions to the Paradox. Next I will address how the Paradox relates directly to genetic engineering and discuss how rights-based arguments aimed against genetic engineering fail because of the nature of identity. Then I will consider how David Heyd's Genero-centric principle applies to genetic

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<sup>1</sup> "The Paradox of Future Individuals" *Philosophy and Public Affairs*, Vol.11, No. 2 (Princeton University Press: Spring, 1982) 93

engineering specifically and how a modified version of that principle may guide us out of the Paradox of Future Individuals in general. This solution may not be acceptable to utilitarian sensibilities, but it is because the numbers don't add up that we may need to appeal to a different principle entirely.

### **The Paradox of Future Individuals**

In his essay, "The Paradox of Future Individuals," Kavka brings to light the contingent nature of our very existence and the implications it has on our moral decision-making process. "Which particular future people will exist is highly dependent upon the conditions under which we and our descendents procreate, with the slightest difference in our conception being sufficient, in a particular case, to ensure the creation of a different person."<sup>2</sup> What this means is that if someone had called your parents at just the right moment, you might not be you; actually, *you* would not exist. What policies we decide upon determines who meets whom, along with when and where individuals choose to procreate. Each future person's identity is dependent upon our decisions, so they should have no complaint concerning the situation they are born into. Derek Parfit sums up this situation with the Time-Dependence claim: our identity is determined by the moment our parents did in fact have sex.<sup>3</sup> Our parents' genetic material could have combined in almost an infinite number of ways, and the way that they did in fact combine was dependent upon when and how it happened. The Time-Dependence claim relies upon the fact that different genetic combinations result in different identities. This has important implications for genetic modification, as its very definition involves the manipulation and interchanging of genes. If our identity depends upon when we were conceived, then our identity depends upon our exact set of genes. We should view the Time-Dependence claim as a component of the Gene-Dependence Claim: different combinations of genes result in different persons, or more weakly, that it becomes impossible to determine if we have the same person once genes are swapped.<sup>4</sup>

This raises an interesting paradox when considering future generations. It seems that no matter what we do our decision is

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<sup>2</sup> Ibid

<sup>3</sup> 1984, 352

<sup>4</sup> Parfit's empty question: "If we accept a reductionist view, we shall believe that the identity of such a thing may be, in a quite unpuzzling way, indeterminate," 213. See Chapter 10 of *Reasons and Persons*.

beneficial to futurity as long as we provide them with a life that is marginally worth living; their existence depends on our actions, good or bad. This Paradox of Future Individuals can be seen most clearly when we consider Derek Parfit's Risky Policy.<sup>5</sup> The Risky Policy involves the decision between utilizing solar power now and maintaining our current quality of life, or utilizing nuclear energy so as to slightly raise our quality of life now. The consequence of choosing the nuclear policy is two fold: 500 years from now people will be born who are affected by radiation in such a way as that they will have lives worth-living but they will die painlessly at the age of forty. Secondly, none of the same persons will exist by choosing this policy that would also exist by choosing the solar policy. If we choose one policy, one group of people will actually exist in the future and if choose the other policy a different set of individuals will actuate, and there in lies the problem. We can see the nature of this problem if we consider Kavka's Obligation Principle:

*The Obligation Principle:* one can have an obligation to choose act A over act B only if by choosing B some person would be worse off than had one chosen A.<sup>6</sup>

The difficulty here lies in the fact that by choosing the Risky Policy, no one is worse off, for they would not have existed were it not for our decision; the obligation principle is strictly *person-affecting*<sup>7</sup> and does not help us decide a case where different sets of individuals would obtain. Whether or not we want to view being born as a benefit in itself is up for debate, but if for the most part these radiated people live lives worth living, we have indeed benefited them.

The difficulty with this dilemma is that what might seem to be an acceptable principle to adopt at first glance usually leads to abhorrent conclusions. On a person affecting base, no one who ever lives is negatively affected in the Risky Policy, so it seems that an impersonal analysis of the situation is called for, yet this too seems to lead to equally perplexing results. An impersonal principle will allow us to view

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<sup>5</sup> "Future Generations: Further Problems" *Philosophy and Public Affairs*, Vol.11, No. 2 (Princeton University Press: Spring, 1982); also *Reasons and Persons*.

<sup>6</sup> *The Paradox of Future Individuals*, 95

<sup>7</sup> Person-affecting means that we base our decisions on benefiting and harming identified persons. In cases where different individuals will actuate, by choosing one group over another to exist, there is no one person who is being "harmed," as we can not harm people who never come to exist. Also it seems that no "person" has been harmed by the Risky policy, as their identity is dependent upon the policy decision, without which they would not exist.

the decision from a standpoint as to what is good for people as a whole, not as to how whole policies affect specific individuals. In situations such as the Risky Policy, Parfit suggests appealing to the impersonal Wide Total Principle of Beneficence:

*The Wide Total Principle:* One should weigh the potential benefits to different actual and potential people in considering option A or option B, and choose the option that creates the greatest net benefit.<sup>8</sup>

This Principle works on the decision of what to do in the Risky Policy; we should not build the nuclear plant so as to maximize the amount of benefit to future people. This seems fine, but this principle also leads to undesirable conclusions when we apply it to everyday life. For one, if a couple is considering having a child, this maxim obligates them to do so if it is reasonable that child will be happy. When weighing the options of bringing another child into the world who can be expected to have a good life, and since we have to include the potential benefits in our decision making process, it seems that not having another child would deprive some person of enormous potential benefit and rob the world of a net benefit overall. A person can never become happy if they never exist. It might be argued that a person can never become unhappy though either, but if we can reasonably predict the potential child will have a relatively good life, we are obligated to benefit him in such a fashion. Even further, it mandates that a person use every means possible to make the child as happy as possible, which would require using genetic enhancing drugs, if available. Taken to the extreme, this leads to Parfit's Z world: a world in which there are billions of people all living at subsistence levels, yet who believe their lives to be worth living. Parfit takes us through a course of reasoning using impersonal moral standards that when evenly applied, lead to a world where there is a great deal of happiness, but spread over a vast quantity of people.<sup>9</sup> It also seems that the person affecting principle can lead to this conclusion: if causing a person to exist is a benefit to them and that benefit outweighs the loss of utility to the rest of society, we will once again find ourselves in the Z-world with millions of people living the

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<sup>8</sup> "Future Generations," 137. There is also the Wide Average Principle, and in this version we should substitute "greatest net benefit" with "greatest average benefit." Since Parfit believes these both lead to the same conclusion, I will not differentiate them in this discussion.

<sup>9</sup> *Reasons and Persons*, Ch. 17

most marginally satisfying lives that we can imagine. We can image a different sort of Z-world coming into existence when parents are obligated to modify their children in order to measure up to some impersonal standard of good genes: millions of people with the same interests, or aesthetics, or intelligence level, or what have you. Perhaps to some this does not seem as repugnant as Parfit's Z-world, but it is bad in the same way in that there seems to be no moral principle to tell us why we should avoid this outcome.

Parfit does not know the solution to this conundrum, but believes some middle principle must be found to cover both our immediate offspring and farther away generations. These principles also present a difficulty for genetic issues we face now or will soon face. The closer to home analogy of the Risky Policy is the Motherly 14-year-old girl.<sup>10</sup> A 14-year-old girl wants to conceive a child, yet she is advised to put it off to give the child a better start in life. This seems like good advice, yet Parfit points out that if the 14-year-old girl has *that* child, it is not worse for that particular child. Parfit believes that the objection to this decision is that she could have given another child a better start in life (based on the Wide Total Principle). On the other hand, Parfit can imagine that this child would waive his right to a better start in life in order to exist, but the morality of this decision should not be based upon the fact that most people are happy to be alive. A person would waive a right to a good start in life in order to exist, but perhaps this is only because it is difficult to imagine never having existed. This is a perfect example of the conflict between the two views: on the person-affecting view it is just as good to have either child, as both will be benefited; on the wide impersonal view it is best to have the happier child, all things considered (and then as many more children as you can reasonably support).

It seems that by appealing to an impersonal principle we have solved the difficulty of what to do with the Motherly 14-year-old girl. Because either action will result in the same number of people coming into existence, the Wide Total Principle we established earlier mandates that she wait so as to provide the greatest net benefit and captures our general moral sentiments on the issue. But with the specter of genetic engineering on the horizon, it seems we are fast approaching the unwanted implications that led us to Parfit's Z-world above. Just as the Wide-Total Principle obligated us above to have as many children as we

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<sup>10</sup> 1984, 358-359

can support, it seems to force us to use genetic engineering on our children. Presented the choice between making our child smarter/stronger or not through modification, the Wide Total Principle requires that we choose that which creates the most benefit, genetic modification.

### Possible Solutions

By considering the Paradox of Future Individuals we have seen that ordinary ethical principles break down when we try to apply them to future generations. This must lead us to one of two possible conclusions: we are applying our principles to future generations in the wrong way, or that our principles for dealing with existing persons cannot be applied to future generations. Most utilitarians argue that we are applying our Wide Impersonal Principle in the wrong way. I will consider these arguments and show that there is not any way to apply a Wide Impersonal Principle to future generations coherently.

One suggested way out of our quagmire is to postulate that we do have a moral obligation to prevent people from being worse off, i.e. genetic treatment, but that this does not oblige us to benefit persons (by having more, faster/stronger children). Let's see if this distinction can solve our problems by abandoning our Motherly 14-year-old, as she just wants to have some kids, and turning to a more morally clear-cut example, from a utility standpoint. If we know that we will produce a wretched child whose life will be short and filled with pain, we are morally obligated to avoid conceiving this child. On the other hand, even if we are able to give birth to what is expected to be a happy child, we have no moral obligation to give life to such a child.

Jan Narveson wishes to avoid the implications of the impersonal utilitarian view, notably that our obligation to benefit extends to having as many children as we can. He notes that utilitarianism does not demand the greatest happiness and the greatest number, but that we are to aim at the greatest happiness *of* the greatest number.<sup>11</sup> Narveson wants to argue that the question of whether or not to have a child is a non-moral one, similar to deciding on whether or not to engage in some pleasurable experience, such as eating a candy bar; one has no duty to make oneself happy. His argument turns on the fact that no one has been made *happier* by being born, and hence this issue is also out of the moral realm. "The child cannot be made happier as a result of being

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<sup>11</sup> Narveson, Jan "Utilitarianism and New Generations," *Mind* New Series, Vol. 76, No. 301 (Oxford University Press: Jan, 1967) 62

born, since we then have a relative term lacking some relatum...” and since no one else’s happiness is directly affected, there is no moral reason to bring him into existence. Unfortunately, this premise does not support his conclusion; although he believes that having children is non-moral, he wants to avoid causing the miserable child to exist: “Since if you cannot make someone happy by bearing him, you also cannot make him miserable by doing so, nevertheless in many such cases, e.g., the slum-dwelling case, you will actually have inflicted misery on the child, by underfeeding him...”<sup>12</sup> Narveson has already concluded that child-bearing is non-moral to avoid obligatory births, so therefore we cannot “create” happiness. But if causing the miserable child to exist is impermissible, on what grounds is it so? It must be because we are “creating” unhappiness; otherwise, this is just as non-moral as abstaining from creating the happy child. It seems that Narveson is trying to sidestep Parfit by replacing “benefit” with “happier.” With questions of existence, there is no one to be made *happier*, which is a utilitarian obligation, and so Narveson thinks he has defeated the objection. But this can’t work if he still frowns upon making someone who is unhappy. If a miserable life can be worse than never existing, how is a good life not better than never existing?

Timothy Sprigge also gives a penetrating analysis on the basis of symmetry similar to my own analysis of Narveson’s position. From Narveson’s non-moral stance on causing to exist he concludes that if existence cannot make people happier or less happy, when considering having a child, the interests of that child “cannot be considered as ‘those of a party whose interests are in question.’”<sup>13</sup> Narveson wants to avoid this conclusion and compares the desire to have a child to a consideration of “embarking on a course of action.”<sup>14</sup> If one can see that there will be insoluble problems on the road ahead, we should not embark on the journey; but even if one can see that the problems would be soluble, perhaps easily, he asks us, “Is that, in itself, a point in favor of embarking on the course of action? Most certainly not! ... There would have to be something else said for it, in its own right.”<sup>15</sup> This argument does not seem to appeal to any moral sensibilities, except maybe to avoid hardship. For one, even if one can foresee that a journey will or may have insoluble difficulties, one may still have

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<sup>12</sup> Ibid, 70-71

<sup>13</sup> Narveson, Jan “Moral Problems of Population.” *The Monist*, p. 75

<sup>14</sup> Ibid, 77

<sup>15</sup> Ibid, 76



reasons for embarking upon it. I'm thinking of a quest here, where it's more in the hardships endured than the end in itself. One may honestly believe that a hard life in the slums will provide his child with the strong fortitude he needs to survive this rough and tumble world. Secondly, I think one can morally reprimand someone for not embarking on a journey that they could easily undertake. Specifically I'm thinking of an article I read in an English newspaper in Germany. The columnist was berating German men for choosing to live with their mothers well into their thirties and not starting families. It was this writer's opinion that embarking on the journey of starting a family was part of being a man, and if you had the financial wherewithal, you had better get started. In her moral conception of what it is to be a man, included is finally "growing up," as I believe she put it, and starting a family. In fact, if this is your conception of what it is to be a man, then one should start a family regardless of the perceived obstacles. It seems that, on the basis of symmetry, an impersonal account has yet to be saved.

Perhaps we can escape the implications of the Gene-Dependence claim – that our choices result in different persons – by attacking its internal logic, which is the path Matthew Hanser takes. One of Parfit's basic premises, and the major source of our difficulty, is that if someone has a life worth living, this is better than having no life at all, regardless of some harm that might be inflicted upon that person. The logic in the instance of the Motherly 14-year-old girl can be laid out quite plainly: (1) The people or person a choice causes to be bad off still has a life worth living (by stipulation). (2) These people would not have existed had our choices that caused them to exist not been made. (3) "A choice benefits someone, in the morally relevant sense, if its consequence is that the person receives a benefit that he would not have received had the choice not been made." Therefore, (4) by causing someone to exist with a life worth living, our benefit to that person morally outweighs the way in which we may have caused that person to be badly off, assuming existence is a benefit.<sup>16</sup> Hanser believes (3) is wrong in that most actions only accidentally affect the identities of individuals because they only accidentally affect who has sex with whom. "Prior to people's actual conception there can be no fore-knowledge of who will come into existence if one policy is adopted and who will come into existence if another is adopted, no agent could

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<sup>16</sup> Hanser, Matthew "Harming Future People," *Philosophy and Public Affairs* Vol. 19, No.1 (Princeton University Press: Winter 1990) 59

possibly make a particular [decision] in order to ensure of [one group of] people's coming into existence rather than another's...When the choice between two policies is a same number [of people] choice, that choice cannot be based on the policies' respective effects on the identities of future people."<sup>17</sup>

This seems a fair assessment, if we want to assign moral worth to something, we should blame the mother for conceiving a child under such-and-such bad circumstances, but I'm not sure that we are on safe ground quite yet. For one, what if some woman lives in abject poverty yet desires to become a mother? It seems that in this instance we should either only consider the interests of that future person or only consider the interests of the mother. If becoming a mother would make this woman happy, and it is unforeseeable that her situation will improve, it seems we should not necessarily reprimand her for having a child, for she is increasing her own happiness by fulfilling her desire for children and having a child under the only conditions she could foreseeably have a child. In this instance it seems that we must choose one perspective from which to address this issue. Either this mother should do what will fulfill her desires, or should abstain from that fulfillment if she cannot be sure she can provide a decent life for her child.

We have seen how even a modified impersonal principle breaks down when considering futurity, but now it seems faced with an even greater difficulty; the impersonal principle cannot clearly tell us what the best decision is based on the consideration of the potential child alone. We have found ourselves in the warped situation of deciding if one unhappy poor woman is better over all than one happy poor mother plus an unhappy child. The more pertinent question this raises to our discussion is whether we can continue to consider the interests of the potential child when considering genetic modification, or in any decision.

### **Genetic Considerations**

The problem with banning genetic enhancement while at the same time allowing gene therapy is that we run into the same problem as above; that is, we can't justify a prohibition against creating miserable children without mandating that we produce happy children. Above we considered the difficulty of finding a principle that can tell us what to

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<sup>17</sup> Ibid, 61-62

do in an event in which our decision influences what persons will exist. The same is true in a much more immediate way when considering genetic engineering; when choosing to modify our offspring's genes, we are without a doubt creating new individuals. One of the problems surrounding the ethics of genetic engineering is that most ethicists have never considered it as a mere substantiation of the Paradox of Future Individuals, but due to the nature of the Gene-Dependence Claim it is exactly the same. Our decisions immediately effect what persons will exist, so it seems if we can find a principle to work with in this situation we should be able to apply that back to the general Paradox discussed above.

An appeal to the modified Impersonal Principle discussed above is clearly inadequate here for the same reasons. Although it appears that this situation should be easier to solve morally, as it always involves the same number of people who ever live, an appeal to Parfit's Same Number Quality Claim can do no good here.

*The Same Number Quality Claim:* If in either of two possible outcomes the same number of people 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.<sup>18</sup>

In cases of genetic enhancement, it is clear that being enhanced leaves someone better off, or there would be no fear of enhancement to begin with. Therefore not enhancing leaves someone worse off than a different possible person could have been.

Whether or not these individuals are substantially changed is not the point, what matters is that we have no way of knowing whom we started with and whom we are ending up with, and the same is true in decisions regarding futurity. If we can set aside the disability rights movement for a moment, we should consider if we honestly believe that genetically "curing" a baby in the womb of Downs syndrome is really going to provide us with the "same" person. It is true that we don't want to use as a referent an "HIV infected person," but a "person infected with HIV," in order to separate the person from his disorder,<sup>19</sup> but in the case of genetic disorders that disorder literally constitutes

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<sup>18</sup> Parfit, 360

<sup>19</sup> Gunderson, Martin. "Human Rights and Genetic Engineering" unpublished, pg. 9 Gunderson is discussing germ-line engineering in the sense of preventing disease, so I am taking this a little out of context, but I think he would consent to my usage.

that identity. We can speak of someone returning to normal after fighting off an infection, but in the case of genetic disorder, there is nothing to return to. Although this position would maintain that somatic modification then results in a different person, I don't have a problem with that implication as we can imagine persons changing in trivial ways, especially if we subscribe to Parfit's theory of personal identity

It seems probable that we could genetically modify people in seemingly "harmless" ways, such as modifying eye color, but it seems impossible to know that after the modification that we do indeed have the same person in a meaningful way. Personhood can be fluid, and following Parfit we can say that some identity questions can be empty, but questions concerning genetic identity cannot be empty in the same way. The difference lies in that if there is some further fact that constitutes psychological identity, it is unknowable; on the other hand, we can actually know if a person's genetics have been changed. The question is still empty, but only in that we cannot be certain that a genetic modification is trivial or reconstitutive of identity; it is meaningful because we know that we do not have the same exact person genetically and never will (and perhaps this would add weight to deciding against altering a child). To decide which genetic changes are trivial and which are meaningful we would have to find a genetic "core" which constitutes identity, and this argument will be addressed shortly.

As most arguments against enhancement but for therapy seem to be person-affecting, I hope to show that on a basis of symmetry we cannot have one without the other and then suggest that we adopt a version of David Heyd's parentocentric model if we want some place to posit morality in all this. Above we wanted to commit people to avoid having the miserable child, but not obligate them to have happy children and that turned out to be untenable. We also wanted to dictate that the 14-year-old girl hold off on her conception, yet we are uneasy with the mandate that we must provide the most possible benefits for our child. Here we want to commit parents (or at least allow) to curing genetic disease but not require (or not allow) them to enhance their children. If we have learned anything from the discussion above, it seems that this distinction is set up to fail.

We have already seen that an impersonal position cannot guide us because of the implications it has on persons living now (namely, to have as many children as possible). But we disliked the person-affecting view because it seemed then no matter what we do it is morally good.

If we are still committed to focusing on the child, we have two options: a revision of the person-affecting view, or an appeal to the rights of the potential individual. I believe that a revision of the person-affecting view may have some merits, but that a right's based analysis is bound to fail. David Heyd notes that "It is exactly the individualistic factor characterizing the rights-based view that makes rights-based theories incapable of dealing with genesis problems."<sup>20</sup> A rights-based analysis, if successful, should tell us how we should genetically modify and by doing so generally establish a duty to future generations.

### **Rights of the Child**

One reason given for why we should not allow parents free reign in the genetics of their offspring is that there is a "concern about parents using genetic intervention to make their children suitable only for a particular and idiosyncratic conception of a good life that the parents happen to have."<sup>21</sup> What Buchanan is suggesting is that we need to allow potential children an "open future." Buchanan goes on to say that "the requirement that parents respect their children's right to an open future is important not only because it preserves some prospect of adult autonomy for the child, but also...the best interests of the child may not coincide with parental judgments about what is best."<sup>22</sup>

To start with, this whole principle is based on the assumption that through genetics parents could somehow program their child. Assuming parents could genetically engineer their children to have stellar physiques, this doesn't imply that because their genes program for a naturally toned body means those same genes will also cause that person to desire athletic exercise.<sup>23</sup> It seems that this would need to be coupled with basic parental coercion (something like crazy-gluing a plastic golf club to your three-year-old) in order to essentially wipe out any autonomy your child might have in choosing a future. The idea that we are violating "someone's" rights in genetic enhancement does not even make sense when we consider that our decisions are creating that person's identity. In fact this suggests that unborn people can somehow

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<sup>20</sup> *Moral Issues in the Creation of People* (Berkeley: University of California Press, 1992) 41

<sup>21</sup> Buchanan, et. al. 170

<sup>22</sup> *Ibid*, 172

<sup>23</sup> Dawkins, Richard "Genetic Determinism and Gene Selectionism," edited by Justine Burley and Richard Harris (Malden: Blackwell Publishing, 2005) 253-270. "Genes do not control behavior directly in the sense of interfering in [the person's] performance. They only control behavior in the sense of programming the machine in *advance* of the performance" (his italics) pg. 259 Most importantly Dawkins points out that you can't infer an "ought" from an "is." Because your son is in good shape does not mean he ought to love (and be good at) football.

“prefer” one identity over another. Of course I’ll ask the obvious question: where can this preference come from?<sup>24</sup>

The potential person has no more interest in a certain identity than in being born. Within a person-affecting view it is only the interests of actual people [the parents, maybe society] which can dictate the choice of identity of new people. Beyond the general debate on the legitimacy of applying principles of distributive justice to genetic endowment, we can affirm that people do not logically have a right to any genetic endowment, if that constitutes their identity.<sup>25</sup>

The right to a certain identity seems to imply a right to be born, as this is the only way we can express our identity, which we have a right to. It also seems to imply that parents should refrain from influencing their children in identity constituting ways. It is worth keeping in mind that parents purposely shape their children with each decision they make: to raise them as religious or agnostic, to send them to private school or public school, etc., etc. We expect parents to mold their children in a certain way and basically give them free reign in that decision-making process. On top of this, we often blame the parents for morally bankrupt children, yet the right to an open future seems to imply that impressing a specific code of ethics upon one’s children is far too restrictive, that we should toss them into a Hobbesian environment and let them figure out their own social contract.

One further consideration is worth addressing. Some may postulate that there is some kind of “core” identity which cannot be violated and which children have a right to. I am sure it is clear from my argument that I do not believe in such a thing, and furthermore the burden of proof is on those who do, but besides this we must ask how we would even know if that core had been violated.<sup>26</sup> Of course we can’t, but if such a thing existed we would have to know for legal reasons what exactly it comprised for cases of genetic treatment. If some doctor, while performing genetic treatment for Tay-Sachs violates (in utero, we must assume) that person’s “core” identity, can we sue? To suppose that having Tay-Sachs is less identity composing than being tall (or being intelligent) seems arbitrary. If we engineer for either we are producing a different person. The answer as to what constitutes an

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<sup>24</sup> Buchanan, 165 "The notion of choosing one's character... when taken literally is incoherent. One must have a character to make judgments on sets of values and preferences." What we have here is an existential problem.

<sup>25</sup> Heyd, 120

<sup>26</sup> Parfit, *Reasons and Persons* I owe this point to his person-spectrum thought experiment. Though I think the experiment is somewhat tainted, it is still convincing. Also, we can imagine it working equally well with some real world affliction like Alzheimer’s.

identity is that there is no one thing and that is exactly why we cannot weigh certain genetic traits against each other. It is easy to imagine being black or Asian or extremely tall, but it is not easy to imagine how that would influence your personality. One is inclined to think that one would have the same personality inside that body, when that is not the case at all. We can't imagine being raised with different genes, and so we cannot base these decisions on how the children will feel about the genes they have been given or deprived of. In reality they have not gained or lost anything. There is nothing to base these considerations upon besides the desires of the parents.

Although that was not a full account of all rights-based considerations, I believe I have shown that rights-based considerations cannot give us a good frame of reference on how to treat even our immediate offspring, let alone far further generations. We could take into consideration notions of equality of opportunity for future generations, but then this would mean we have no reason to try to improve things, which also seems absurd. We can now turn to reforming the person-affecting principle. Above I took Hanser's statements to imply that we should levy our moral condemnation against the mother who ill-advisably conceives. This is the parent-affecting view of Heyd. This is not Hanser's view; he wants to focus on the morality of the action as it affects those who are created by it.

### **Considerations of Symmetry and the Genero-centric Model**

In considering future Non-identity problems, Hanser argues for an asymmetrical person-affecting position against Parfit's Non-identity problem by arguing that in the case of the Risky Policy, we are in fact harming future individuals, even if we don't know "who" we are harming. He states, "I conclude that there is no special explanation needed for why choosing Parfit's Risky Policy is objectionable. The fact that it is a same number choice and not a same people choice is irrelevant... So when we choose [the] Risky Policy, we risk becoming responsible both for people suffering harms and for people having a disease that it is bad for them to have. I think that either risk is sufficient to provide a recognizably "person-affecting" objection to our choice."<sup>27</sup> He believes that the consequence of our choosing the risky policy is "that people end up being harmed more than they would have been had we chosen differently."<sup>28</sup> This does not seem to make much

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<sup>27</sup> Hanser, 65

<sup>28</sup> Hanser, 56

sense, how can these people end up being “harmed more than they would have been” when had we chosen differently, they would have never existed in order to feel that they were harmed? Here we will consider Heyd’s response to Hanser’s claim that we are affecting persons and then turn to Heyd’s Genero-centric (same as parento-centric) view as a possible alternative to the various principles that have been discussed.

Heyd believes that there is “a characteristic equivocation in Hanser’s argument, as he simultaneously contends that, ‘had the radiation not leaked, they would have gone on leading happy lives’ (Hanser, 1990, 56). But this is obviously not the case, since the leaking of the radiation is tied up in their very existence. The equivocation is in [Hanser’s] description of the event...”<sup>29</sup> Hanser wants to view the immorality as allowing radiation to leak that causes the death of actual people, but then he is brushing aside the stipulations in Parfit’s argument. The nuclear radiation leads “both to the existence of certain people and to the radioactive catastrophe.” It seems we still need to find a more impersonal theory.

The conclusion that Heyd reaches is that the only way to genetically treat our immediate offspring is by considering our own personal desires, for appealing to the wants and identity of someone who may or may not actuate only leads to absurd conclusions. A mother who refuses to wait to give birth to a child, that if she did so he would not be born with some handicap, is the one we should direct our moral condemnation towards. The conception itself, on Heyd’s parentocentric view, is neither good nor bad, better or worse than nothing. All that there is possible is good and bad decisions made by actually existing parents.

My contention is that the moral status of potential beings is denied on logical grounds, the prospects of the value of the potential being cannot be of any relevance. There is full symmetry in [parentocentrism] between reasons for producing happy children and those for not creating unhappy ones... [Symmetry] means that it is equally meaningless to resent our parents for being unhappy as it is to be grateful for having been born happy<sup>30</sup>

This view allows us to treat our immediate generation consistently and evaluate decisions to have children independently of the effect it will have on them, even though this remains counterintuitive. Heyd suggests

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<sup>29</sup> Heyd, 113

<sup>30</sup> Heyd, 109



the limits of genetic engineering may be the “point where we would stop considering our offspring as ours.”<sup>31</sup>

Heyd’s parentocentric model works very well with what I wanted to accomplish, that any genetic engineering means all genetic engineering, but it is unclear if his view can help us decide upon issues of futurity. If this same seems principle can help us determine the morality of genetic engineering then it should determine our duty towards future generations. Yet a strict following of Heyd’s parentocentric model when applied to future generations leads to conclusions that he is willing to accept, but that I for one, cannot. Heyd says, “If we cannot take the nature of society or the nature of persons as given *a priori*, then we have to decide on both simultaneously.”<sup>32</sup> This means that our duty towards future generations should be determined solely by the desires and wants of actual people existing now, just as in the case above. Heyd admits that his theory “cannot in principle rule out the willful conception of a defective child, or an irresponsibly expanding population leading to an ‘overcrowded,’ Z-like world; nor can it prohibit the engineering of ‘happy pigs’ as substitutes for human beings, or indeed the total extinction of the human race by a voluntary act of collective suicide.”<sup>33</sup> Heyd is willing to accept these implications of his theory because he believes that there are many mitigating factors which will stop us from allowing these things to happen. For one, we actually do live with some future generations. “According to this view, the psychology of parental concern *is* the philosophical basis for ethical concern.”<sup>34</sup> A corollary of this is that we know in fact that there will be future generations no matter what we do, and this also gives us some sense of duty.

He is willing to admit that we can only plausibly feel connections with the next two or three generations, and if that’s what how actual people feel, than they should base their decisions upon those feelings.<sup>35</sup> Heyd believes that even though this is so, we should regard our concern with our immediate offspring, our desire to save for our children and grandchildren, as an empirical constraint on genethical principles. “In this case, transitivity guarantees that even in the long run the natural parental wish to see one’s children at least as well-off as

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<sup>31</sup> Heyd, 174

<sup>32</sup> Heyd, 83

<sup>33</sup> Heyd, 193

<sup>34</sup> Heyd, 193

<sup>35</sup> Heyd, 193

oneself could support a principle of just savings. These considerations serve to mitigate the repugnant implications of abstract generocentrism [same as parentocentrism].”<sup>36</sup> Heyd’s general argument, and what he sees as freeing us from many Parfitian implications, is that it is humans who value the world, not who add value to the world. Therefore, there is no best world, or optimal population. Good, on the person-affecting view, is whatever people deem to be good for people.<sup>37</sup>

I agree with Heyd that the only things that are good are those that are good for actual people, but this does not successfully capture our moral feelings towards future generations (as Parfit might say), by simply embracing that each generation is self-centered. Heyd basically believes we should do the best we can, within reason, and future people who will actually exist should just deal with it. “Notice too that human values and preferences gradually change with regard to the desirable conditions of the environment. We are willing today to accept many of the environmental changes brought about by motor transportation because we have become used to a less pristine environment.”<sup>38</sup> No matter what we decide, future people will become used to, and so in the case of the risky policy we can expect people to become used to living short lives. This doesn’t seem like a legitimate conclusion.

In the case of genetic modification, it is good for people that we eliminate disease, increase the immune system, and make people more intelligent if possible; but it does not seem good for many people now or in the future to genetically engineer for skin color or eye type, unless we can reasonably believe that people will always value diversity. And yet, the parentocentric models seems to condone the idea that we should “not ignore the desires of any, for they are all human desires,”<sup>39</sup> and Heyd would add, as long as they exist now. I do not want to bring myself to say this, as *laissez-faire* as I feel about genetic modification, but it seems we should ignore some desires if they would infringe on a pluralistic conception of beauty and the good life.

### A Consideration of Values

Heyd touches upon some kind of solution to the possibility that actual human desires could lead to some sort of homogenous society, and does not rely solely on the thought that they just probably won’t.

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<sup>36</sup> Heyd, 193

<sup>37</sup> Heyd, Ch. 5

<sup>38</sup> Heyd, 207

<sup>39</sup> Parens, 247

Heyd believes that the number of people that there should be is limited by “our power to manipulate the environment so as to accommodate the numbers of people we wish to have without harming the interests of existing (actual) people or undermining the life of potential people as we would wish them to have.”<sup>40</sup> This last phrase, “as we would wish them to have” is interesting, and is a point that Heyd could elaborate upon. A generocentric model assumes an accepted system of ethics (we should condemn the mother who knowingly conceives a child while suffering from rubella, not judge the worth of that child), but doesn’t necessarily give us a good reason to care about the moral situation in the far future. If there is a chance that, through genetic engineering and the various policy decisions that are made, people in the far future are not much like us, is there any sort of life that we can wish them to have? I don’t believe genetic engineering will run amuck, but if parents living now do not instill the in their children the value of heterogeneity, then in some future it seems possible that all people will look uniform.<sup>41</sup> We can only wish for people to have a certain type or quality of life as far as we wish for future people to have the same ethical principles as ourselves. Although I am taking Alisdair MacIntyre completely out of context here, if “personal identity isolated from narrative, intelligibility and accountability is bound to fail”<sup>42</sup> is true, then it seems that considering future generations outside of our own society’s values and history are bound to fail, which Heyd himself seems to be getting at.<sup>43</sup>

Presently and throughout a great deal of human history, we value long life in order to complete our life projects, to be able to spend time with the generations that we beget, and the like. If we instill these values into our own children, regardless of where these values come from, it seems that this is where we should find the Risky Policy lacking. If we consciously perpetuate what is valued in our society, yet disregard those values in our social planning because no one is being harmed, what is being harmed are the values of our society. If we don’t think the Risky Policy is bad, we should glut it up as much as we can and make a pact to not have any more children, or have all the children we want but not bother to try and raise them. We feel the Risky Policy is bad because we think our society’s values (or whatever personal

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<sup>40</sup> Heyd, 208

<sup>41</sup> Not necessarily white, I might add, although this is usually the assumption. Asian seems like a good choice, as this would be the most expedient for achieving homogeneity.

<sup>42</sup> *After Virtue*. Notre Dame, Ind.: University of Notre Dame Press, 1984. 218

<sup>43</sup> This could be the “deep psychological motives” that he believes mitigates the chance of people choosing the risky policy on his person-affecting basis, 193

values make one detest the Risky Policy), for the most part, are good. The same goes with genetic engineering: if we think diversity is good, yet engineer our child to look a certain way, there is no way this value will be passed on. Although I don't agree with Heyd that begetting offspring has some transcendental, immortal purpose, I agree that "an awareness of temporal extension (both to the past and to the future) [is] a precondition for the meaning of life. This is a typically person-affecting value, that is, it views the identity of actual (present) human beings as partly constituted by the heritage of past generations and by the projects that can be achieved only by future ones."<sup>44</sup>

MacIntyre seems to agree with Heyd in the respect that our morals and the formation of our identity are influenced by those who came before us. "One of the concepts of a virtue... is that it always requires for its application the acceptance for some prior account of certain features of social moral life in terms of which it has been defined and explained."<sup>45</sup> In the case of the Risky Policy we have in a way deprived the future people of living a "good life" by the standards, or practice as MacIntyre would call it, of those who came before them, as many conceptions of a good life involve longevity and raising a family. Although their life might not be all bad, it might not seem worth much when viewed historically; it seems that previous generations deemed the future one unworthy of the life they had and not worthy of engaging in the established practices. By choosing the Risky Policy we choose to disown some of the values of our society, and this is person-affecting. It is person-affecting in the sense that existing people are willingly disowning some of their values, or believing the future does not deserve them. Just as we should hold a mother morally accountable for conceiving the child in poor circumstances, we should hold the decision makers morally accountable for disowning those things which we hold dear.

This is not a very utilitarian solution to what many would deem to be a utility problem. This doesn't tell us directly how many people there should be, or what those people should be like. But Heyd suggests a person-affecting model does indirectly: if we value natural beauty, then we should not overpopulate and pollute certain areas; if we value diversity, individuals should value it within their own offspring.<sup>46</sup> It seems the Paradox of Future Individuals for now cannot be solved by

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<sup>44</sup> Heyd, 222

<sup>45</sup> MacIntyre, 186

<sup>46</sup> Heyd, Ch. 7, Ecology

appealing to those very individuals, as they may or may not come to exist. What seems more effective is an appeal to the conditions that would allow such decisions to be made.

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