

WHY SHOULD ONE REPRODUCE?
THE RATIONALITY AND MORALITY OF HUMAN REPRODUCTION

by

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A dissertation submitted to the Graduate Faculty in Philosophy in partial fulfillment of the requirements for the degree of Doctorate in Philosophy, The City University of New York

2014

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This manuscript has been read and accepted for the Graduate Faculty in Philosophy in satisfaction of the dissertation requirement for the degree of Doctorate of Philosophy

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Abstract

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Human reproduction has long been assumed to be an act of the blind force of nature, to which humans were subject, like the weather. However, with recent concerns about the environmental impact of human population, particularly resource depletion, human reproduction has come to be seen as a moral issue. That is, in general, it may be moral or immoral for people to continue propagating their species. The past decade's philosophical discussions of the question have yielded varying results. This dissertation takes on the issue in a broader moral perspective and asks not only whether it is moral to reproduce but why one should. That is, are there positive normative reasons, whether moral or rational, to reproduce? This thesis approaches this problem first by facing three general philosophical challenges to its resolution: from contemporary population and environmental ethics and rationality theory; from traditional Western schools of moral philosophy; and from recent attempts to answer the narrower question of whether one should reproduce. The thesis finds that exploring these challenges cannot yield a clear response. However, taking cues from many of these approaches, such as care ethics' emphasis on values, the dissertation proposes that lacking from recent attempts is recognition of a source-value for all human values, viz. the valuing of life in and of itself. Proposing that this valuing is a characteristic of humans and of how they value, it looks to anthropology for empirical justification. It observes that many cultures and individuals frequently prioritize their values so

as to devalue this source valuing. Yet, when those value prioritizations give this valuing high priority, there may be some moral justification for reproduction. Furthermore, if one subscribes to the tenets of rationality, which enjoin agents to formulate their beliefs for action based upon the results of rational inquiry, this normative force may invest this descriptive (empirical) hypothesis about values with normative force to guide actions. That is, given certain value prioritizations, it may be rational as well as moral to reproduce. The thesis question of why one should reproduce would then at least have a plausible answer.

Preface

Many people want to have a child. After all, despite all the attention they require, children are delightful. However, moral concerns may arise: In many contemporary societies, people increasingly worry about overpopulation. In reproducing, placing the main focus on what the agent wants—what “*I want*”— may border on egoistic. This act involves another life after all, one to whom one may or should be at least as dedicated as to oneself.

At least two basic types of concerns are at work here, and both, I suggest, are recent in human history. The first has slowly been mounting in industrialized societies at least since Malthus, and more overtly as a moral issue since the 1960s. The Earth may have a limited carrying capacity for X amount of consumers of R amount of resources. The second concern builds on older moral issues, such as Kantian worries about using another person solely for one’s own ends. However, in terms of an agent’s decision to reproduce, this concern had long seen little if any discussion until that first concern started building steam since the 1960s. After all, it had long been common to have children because one wanted wage-free farm hands. But older moral worries, such as those about using another person solely as means, finally got applied to reproduction: Is it right, in terms of the *offspring’s* future interests, for you to act solely upon your own interests in creating a new being?

A historical development bearing on these two concerns, and perhaps allowing them to grow increasingly widespread, is of course the development, in the same period, of effective and relatively safe birth control much less grueling than the forms of abortion and even infanticide that were long mainstays for humanity, not to speak of homemade potions of dubious efficacy. Safer and more effective birth control helped people especially women, to step back and view

reproduction as an action about which one did have a decision and thus could be weighed morally, as in terms of these two concerns: that of a new consumer's added environmental strain and that of the child as an end in itself.

In contemporary industrialized/industrializing (I/I) societies, the agent may simply find that, despite the chore of childrearing, especially for women, being with children is the most beautiful experience in life, among a number of reasons to reproduce. While agents ascribe varying degrees of truth to the idea of impending overpopulation, most would have a response to it, such as "Human ingenuity will always find a way out of any problem," or "No, we're already over-capacity." For many people in I/I societies, the issue of reproducing is then coming to include at least the question of "May I reproduce?" (in the moral sense of "may," that is, morally permissible although not obligatory), with responses varying according to their subculture. However, for agents in I/I societies who have grappled with these worries, the question of "May I have children?" with its mere moral permissibility can be insufficient in prompting compelling reasons to reproduce. In such cases, "Should I have children?" can provide another, perhaps more illuminating angle on the issue. In fact, the "should," if sufficiently substantiated, can provide a perplexed agent a compelling motive for acting one way or another, reproducing or not. Some agents may well find that there is no doubt but that one *may* have children, regardless of what current Malthusians portend, but *should* they have children is altogether another issue. For example, Tommy, an atheist champion of reason and believer in humanity's manifest destiny may not doubt that he *may* reproduce but feels that whether he *should* is another matter. Other agents may feel that all people have moral permission to reproduce and in fact they should. Other agents, oddly, could find that people currently may not—are not morally permitted to—have children, perhaps because overpopulation is too problematic, even though there is compelling

moral reasons that they ought to, such as divine directive; these agents, of course, would be morally conflicted. Still others, more consistently, would find that people may not have children and should not.

The two questions then differ in moral content. The one concerns moral permission; the other, moral compulsion. If the first is answered positively, one is morally allowed to do an act but one has no duty to act one way or the other. If it is answered negatively, one has a moral duty not to act. By contrast, if the second question is answered positively, one has a moral duty to do it, and not doing it is breaking moral duty; while a negative answer morally compels one not to do the act. The two coincide in the negative answer to either: in such a case, one is morally compelled not to undertake the action. The population-ethics question of “May one reproduce?” prompts that of “Should one reproduce?”; and this latter question can come to be as pressing for agents as the former.

Furthermore, as some potential responses to the question evidence, it prompts answers that pertain not only to the morality of the act, but to its rationality. A deliberative act such as reproduction, linked to such strong and often overwhelming drives as sex and the need to express care and love (whether parental or amorous), understandably for many agents could bring up concern about the “rationality” of the act. If the act by its very nature cannot be “rational” or come under the rubric of rational concern, then questions about whether it can even be deliberative arise. However, the advent of birth control and widely promulgated ideals of one’s rights to person have weakened such dismissals of the act’s falling outside of “rational” deliberative control. Given these developments, especially in many I/I societies, it is plausible that agents would begin assessing whether they could and should, rationally, have children.

*

As the population ethics debate over the past half-century has intensified from the matter of moral permission to that of moral compulsion, some answers have appeared in terms of whether one's interests should trump another's future interests or whether the displeasures of existence trump the pleasures. Works such as *Better Never To Have Been* (Benatar 2006), *Why Have Children?* (Overall 2012) and *Why Have Kids?* (Valenti 2012), are appearing, with an eye (especially the first two) on this second question of "Should one reproduce?" These works offer significant contributions to what may prove to be only the beginning of a longer debate.¹

However, underlying issues need to be articulated and clarified for the debate: 1) The question of moral permission of the act needs to be distinguished from moral compulsion. (2) Is the act of reproduction (for humans) a morally isolable act? (3) If an isolable, deliberative act, is reproduction a morally assessable act? (4) What can the great moral traditions (in Western thought) tell us about this act, if, as it seems, they did not speak to it for most of their millennia (5) There has been a long history of some kind of connection between an act's morality and its "rationality." If it is an isolable deliberative act, then, since such acts are normally considered to be subject to standards of "rationality," can a specific act of human reproduction not be "rational"?

There may be other basic issues, but these five offer a start for the players — anyone concerned about whether to reproduce, whether academician or not—to clear out a playing field where the various perspectives on the morality and rationality of human reproduction can meet. As the story to follow unfolds, population ethics has, like a dividing cell, begun to form a division between the "may" of moral permission and "should" of moral compulsion concerning this topic. At least until recently with Benatar (2006), issue (2) has not been clear, that is whether the act is a deliberative and isolable one. But while Benatar has spoken to this possibility, he and

¹ In fact, Wasserman (personal communication April 2013) is co-authoring a new work on the subject with Benatar.

other recent commentators have not directly spoken to (3), whether the act is morally assessable—although many authors appear to assume that is. But is it, and why? Finally, overt discussion of the act’s rationality could help potential concerns about whether individual agents’ decisions concerning their own procreation are indeed rational and why, whatever the act’s morality. “Why?” then becomes an additional, stronger question than “Should I reproduce?” by evincing reasons for the moral and rational compulsion.

One goal of this thesis, then, is laying out these basics for the playing field. The other goal—I take these two sides to be like that of a coin, each inseparable from the other—is to answer the question that, as I see it, is the one for all the players: “Why *should* one reproduce?” All five of the above issues come into play in this answer. This question appears to contain the permission “may” question. I contend that the act is isolable and deliberative and morally assessable. And, given a clarified interpretation—or theory—of “rationality,” an agent may make a decision for the act based upon rational principles that are possibly distinct from moral principles. Setting forth that theory of rationality will thus be crucial in answering the question.

In short, “Why should one reproduce?” is the thesis’s central question, and “Should one reproduce?” is treated as a preliminary to the Central Question.

By Chapter 4, I attempt an answer: Given some specific social-cultural conditions, one in fact should reproduce. That is, reproducing, given these conditions, is moral. (I will still be unable to answer whether, given these conditions, restraining from reproduction would be immoral—but I conjecture it would not be.) What may be surprising for some readers is what these conditions are. They surprised me, when they first became apparent, as they are not those generally found in so-called First-World or industrialized societies. The result does not mean that First-World peoples should entirely refrain from reproduction. But the qualifications on their

doing so should become plausible in the course of the discussion. It will take the length of this thesis to attempt to justify and work out this result fully.

In this preface, I briefly outline how I reach this conclusion by backtracking from the conclusion of the work to the beginning. The result derives from one of the thesis's key concepts, that of valuing life in and of itself ("volio" for short²), described in Chapter 4. The concept is introduced to answer what gives human values any force that they have, and why values vary in degree and strength—why some are held higher than others. Most human values appear to be the values of their cultures, and yet individuals' values can vary from one agent to the next within a culture. Most people in all cultures value pleasure and disvalue pain. However, I contend in Chapter 3 that pleasure and pain cannot themselves be the ultimate arbiter of value. Instead, we value pleasure and disvalue pain because they contribute to or detract from something we value above all, and that is life in and of itself. This value, I will argue, underlies all other values and gives these values their value-content. However, within a culture, other values may come to be prioritized higher in value than this basic "progenitor" or source value. A prioritization of values may reflect whether they well-sustain volio or stray significantly from it.

For determining which value prioritizations are most consistent with, or faithful to, volio, I turn to a concept of *quod sunt homines*, or what humans are, distinguished from neighbor notions such as human purpose or human nature. Characterizing what humans are is complicated by the fact of culture; I look to cultural anthropology and archaeology to help solve this problem. In short, certain prioritizations of value, and resultant social conditions and environments, appear

² I use the lower-case "volio" for the acronym instead of the more standard upper-case for an acronym, because it will be used so extensively that a "VOLIO" would look like constant shouting, whereas I believe the concept is much quieter than that. (In fact, volio turns out to be not only strong in force in human lives but also fleeting and easily damaged.)

to fulfill *quod sunt homines* more than others. The surprise and dismay—because I am, after all, fully enmeshed in my culture—was that these value prioritizations and social conditions are not found evidently in I/I societies. But, given cultural conditions that best fulfill volio, conception and childbirth are parts of a continuity of volio that permeates the values and practices of the culture. The valuing here, then, places reproduction in a consistent continuum with other cultural values. A child coming into these cultural conditions will not be coming into a set of values that detract from valuing life in and of itself but instead into a set of values that fulfill it.

Still, why *should* one want not to bring a child into socio-cultural conditions in which value-prioritization has disvalued volio? The discussion here has been in terms of cultural values as a given fact. However, not every agent in a given society strictly adheres to every cultural value as if it were imprinted in every brain identically: Individual agents are not necessarily obliged to adhere to all those values if they find these unacceptable—notably, ostensibly, in open societies, by definition of those societies. There then still appears to be an “is/ought” partition, which I attempt to handle. The pivot of the argument—to work back even further in the argument (that is, back from the conclusion and toward the front)—rests on the examination of “rationality” as best understood as primarily a certain social project, developed initially in Western cultures over millennia but spread since then, enjoining us through a set of precepts to apply reasoning to our lives and beliefs. This project includes basing the formation of beliefs and reasons for action upon scientific knowledge, including that of anthropology and archaeology. These sciences, when consulted for answering what cultural conditions are most in line with volio, can provide a plausible, and ideally a cogent, answer. The normative level, then, comes in at the agent’s decision to follow the “should” statement of the precepts for rationality that guide one to formulate one’s belief and decisions to action based upon empirically researched

knowledge. In this case, the option for deliberately rational agents is for the morally normative choice to be the rationally normative choice. However, well-prioritized values according to *volio*, and the morality of reproducing, are hardly limited to these rational agents but extend to all human agents.

Some members of an I/I society may balk at the notion that their own culture is suboptimal for reproduction, when, with medically lowered mortality rates, it would seem that such culture is optimally fit. However, in response I note that the importance of mortality rates reflects only one value within the culture's entire system of values, and that entire system's value prioritizations, not merely one value, are the focus of my analysis.

Why, though, should an agent turn to precepts of rationality to decide on *whether* to reproduce, which seems like a question solely for morality? In Chapter 2, an overview of traditional moral systems, as I mentioned, reveals a variety of unsatisfactory or incomplete results as to why should one reproduce. It is hard, if well-nigh impossible, to extract a clear answer to the Central Question from these traditions. (The fact they were not devised to answer this question may partly account for their lacunae.) To what then can we turn for normative standards that *could* help assess whether one should reproduce? This is where I suggest looking to basic human values, specifically *volio*, and how these inform the values we place in particular activities, such as in relationships with others, the integration of oneself with community, emotional connections with the very fact of living—and in continuing life through reproducing. An individual's reordering personally held values to be more in accord with *volio* could be justified on the basis of rationality and thus fill in a lacuna that Western moral traditions lack.

But, if these traditions cannot, and do not, speak to whether one should reproduce, could it be that the act of human reproduction, as an isolable deliberative act, is simply not a morally

assessable one? In Chapter 1, I offer some arguments for why it is indeed an isolable morally assessable act, one simply overlooked by most traditions until now. I offer four main arguments for why it is such an act. The most comprehensive of these I call the “universal view,” universal in the set-theory sense, such that all deliberative acts are morally assessable. I describe how Dewey offered such a view in *Human Nature and Conduct*, and that for the Central Question it is especially pertinent.

At this point in the preface, I have backtracked virtually to the beginning of the inquiry, where I contend that the deliberative act of reproduction is indeed morally isolable and assessable. The philosophical context offered in Chapter 1, establishing this isolability and assessability within both population and traditional ethics is not mere background but an essential part of the thesis’s argument, because the thesis aims to extend moral philosophical discussions to include reproduction as an isolable, morally assessable act. Chapter 2’s discussion of these traditions is equally integral to the thesis argument, not mere background. Chapter 3’s discussion, although primarily a review of the last ten year’s new venture for Western philosophy in attempting the thesis’s preliminary (and possibly the central) question, is equally integral in substantiating Chapter 4’s discussion of values and valuing: In examining this recent literature, it finds that an overt discussion of values and valuing is missing. The way I have structured the first three chapters, then, is as three challenges to the thesis and its way of posing the Central Question. The first challenge is from contemporary population ethics and rationality theory, the second from traditional moral philosophy, the third from contemporary attempts at the preliminary question and their own shortfall of the Central Question. All these challenges seem to imply that the Central Question is not possible. In the process of meeting their concerns, the thesis slowly builds a case for why the question is possible and how it may be answered.

Furthermore, all these sources of challenge and discussion, especially care ethics and sentimental ethics with their emphases on values and community, turn out to bear heavily on the answer.³

Does this approach imply that people in First-World cultures, such as childless couples, who elect not to have children have thereby not prioritized their values consistently with *volio*? No. Should first-world peoples, because their cultural values are markedly distanced from *volio*, restrain from reproduction? Why should any in such a culture elect to be so critical of their cultural values? Wouldn't it be best if culture-members who question standard prioritizations for being inimical to life had children to help offset these supposed negative valuing? Many questions are spurred, and I hope to get to some of them.

Whether or not, by the end, the thesis makes a convincing case in its proposed answer to the normative issue at hand, I believe one useful result will shine through: This exercise gives readers in Western industrialized and other I/I cultures a pause to ask, if not whether it is worthwhile to be a human being, then whether it is the culture itself that exhibits problematic values.

Finally—and this point is important for the thesis—if, as it seems, traditional Western moral philosophy does not have a clear moral place for reproduction, one cannot help but wonder if it has a clear moral place for life in and of itself. The lacuna may not simply be due to oversight of a corner of human behavior—as some feminist theorists suggest—say because of

³ There may be some concern as to whether people can rationally reassess their values, that values are simply given to people, or that one's values are those of one's culture and one's culture exists in some state that cannot be influenced by individual acts of reason. I will go into such a discussion only so far as to maintain that, of all the moral functions that may operate in an agent to affect moral behavior, such as guilt, shame, empathy, love, and sympathy, valuing appears to be the most affectable by rational persuasion. Consider more mundane occasions of valuing and its possible affect by rational assessment: A person retains an item, say an allegedly valuable coin, and then the market for this item falls, or facts are unveiled which renders the item a possible fraud. The holder of the item would see compelling reasons to devalue it, and though the holder may feel some emotional attachment to it, rational reasons for devaluing it would likely lead the holder to devalue it despite the attachments and get rid of the item before its general valuing has diminished much further. I maintain that one can assess one's valuing of more complex or abstract items and use that assessment for reevaluating these items.

the male predominance of the field. It could also be due either to rationality's inability to account fully for the fact of carbon-based, corporal, reproductive life; or to the values of the Western cultures that gave rise to rationality and then prioritized certain values over and above that for life in and of itself. The ancient paradox whereby one cannot eat fruit of both the tree of knowledge and the tree of life may be relevant here. In this thesis, I try to offer the only way I see possible to make these two fruits compatible—for rationality to give a moral place to human reproduction—and that route involves devaluing life-devaluing values themselves. The thesis leaves open, of course, the possibility that peoples whose cultures have not happened upon the rationality project need no such justification for the morality of reproduction.

Acknowledgements

Throughout the composition of this work, many people have been very helpful, from reading the text and offering improvements to finding needed articles and providing emotional support. I thank Seanna Shiffrin and her assistant for providing a copy of her article which I could not obtain otherwise, as well as Harvey Sussman for supplying the 1985 article by Basso et al. David Wasserman, who has a great interest in the thesis' subject matter, went out of his way voluntarily to read an earlier version of portions of the text and offered some useful comments, and I remain grateful for his kindness. I am thankful for Bernard Rollin's personal insight from the start, when I was still undecided on which thesis topic to select and he pointed out the advantages of the one which I ended up selecting. I also owe a great debt to him for urging me to pursue philosophy in the first place. My advisor Carol C. Gould took up the project after only a few hallway conversations about the topic, and I am at once still grateful for and astonished by how readily she took it up. Her patience and perseverance over the two years we worked on it, through our own individual assorted events in our personal lives, have helped me retain belief in the project. And certainly her insights into where to incorporate current discussions I had overlooked and how to rework arguments and rephrase awkward passages were indispensable. The further the project has proceeded, the more we accelerate digging deeper into the relevant areas, and I will be forever grateful for her help and enthusiasm. I thank Jesse Prinz for having encouraged me to pursue the naturalistic approach of the thesis, as well as for comments on an earlier version of the text. Also on my committee, John Greenwood helped me shape up the whole presentation of valuing, Stephen Neale urged further elaboration on the issues of pain and pleasure, and Sibyl Schwarzenbach encouraged me to explain further rationality as a social-cultural project as well as how the population problem fits into this thesis, all of which suggestions were invaluable. The

late Jonathan Adler was of immense help in the earlier stages of researching and writing. To him the entire investigation into rationality is indebted, at least any merit it may contain. He enjoined me to expand and explicate what had been little more than a mention of the nature of rationality, to guide me into fuller investigation of it, which has now become a separate inquiry of its own. I regret that the narrowing of an investigation's scope that a thesis—or any larger work—has meant retaining only a portion of what he had been watering to full growth. His long illness and death left a great loss for many in his life, with the deprivation of a generous and deep-thinking human being. This inquiry, too, would have benefited from his ongoing reflections. I only hope that any flaws in the sections on rationality will not be mistaken for his influence but purely my own stumbling after his demise left a great support gone. As with any of those whose assistance I acknowledge here, any flaws throughout should not be attributed to them but to my own shortcoming. I also want to thank Rosemarie Ianuzzo and Iakovos Vasiliou in the Graduate Center Philosophy office for helping me so diligently when out of the country.

Looking beyond the professional level and to the personal (although not denying that the former can be a subset of the latter), I thank my wife and two small children for bearing through those weekend afternoons when I was typing and reading away, as well as for being good exemplars of positive reasons for human procreation. It was the children's coming into being that helped spark the thesis's question in my mind and finally led to the assurance that it is not human life per se that poses a problem for existence but certain combinations of cultural values that devalue life in and of itself. Ideally, then, we can all look to making changes in our values so there should be little question about our coming into existence. I dedicate this work to all children, a most lovely class of beings, with the hope that their lives anywhere and everywhere will one day manifest a top valuing of life itself, in and of itself.

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Chapter 1
The Challenge from Contemporary Philosophy: Population Ethics and Rationality Theory

I wish either my father or my mother, or indeed both of them, as they were in duty both equally bound to it, had minded what they were about when they begot me; had they duly considered how much depended upon what they were doing—that not only the production of a rational Being was concerned in it, but that possibly the happy formation and temperature of his body, perhaps his genius and the very cast of his mind;—and for aught they knew to the contrary, even the fortunes of his whole house might take their turn from the humours and dispositions which were then uppermost;—Had they duly weighed and considered all this, and proceeded accordingly,—I am verily persuaded I should have made a quite different figure in the world, from that in which the reader is likely to see me.

—Sterne, *Tristram Shandy* (Bk. I, Ch. 1)

This chapter explores whether deliberative human reproduction is an isolable, morally assessable act. For any case in which agent A has decided to have (or not have) children, is the action based upon that decision morally assessable? The chapter also considers under which circumstances the isolable deliberative act of human reproduction can be deemed rational.

By Kant's (1952) or Mill's (1952a) perspectives, whether one should have children is—to put it in contemporary terms—context-dependent: If one cannot afford to raise the child properly so that it suffers, ethically you should not have a child (Mill 1952a, 318; Kant 1952, 420).¹ If you can afford proper education and sustenance, it is ethically neutral whether you have the child. This view is similar to what Parfit (1984) deems “The Asymmetry,” which I discuss below; however, Kant maintains that if one is married, one has something like an imperfect duty to try to reproduce, primarily out of duty to promote a couple's natural affections. (1952, 419-420) However, the thesis's Central Question goes beyond such contingencies and, isolating the

¹ Mill writes: “to bring a child into existence without a fair prospect of being able, not only to provide food for its body, but instruction and training for its mind, is a moral crime...” (318) Kant writes: “from the fact of *procreation* in the union thus constituted, there follows the duty of preserving and rearing *children* as the product of this union.... This act, therefore, attaches an obligation to the parents to make their children... contented with the condition thus acquired” (420, emphasis in original). Considering Kant's concepts of duty as presented in other works, it would not be moral to transgress this duty to have children.

pure act of human procreation, whatever the circumstances, asks whether procreation generally is moral.²

It is illuminating to compare decisions reproduce with decisions to acts that have long been considered morally assessable. For example, Socrates (Morrison 2011), Plato (1952) Kant (1998), Mill (1952b), and others held that treating others justly is moral and not to do so is immoral. While Kant (1998) held that keeping a promise is moral, there may be cases in which, say, lying or breaking a promise is either 1) immoral but less immoral than certain circumstantial options (as Kant (1939) would maintain); or, 2) by non-Kantian interpretations, moral because the other circumstantial options are so immoral that not to tell the lie or break the promise would be immoral. Other broad classes of acts that have long been considered morally assessable include murder, theft, patriotism, treason, and honoring one's parents. More recent additions include owning slaves and child abuse.

If reproduction, as an isolable act, can be either moral or immoral, then one may ascertain whether the morality in particular cases is affected by circumstances, as in the dilemma concerning lying. To some, the question may seem to be as odd as asking whether a tornado's actions are morally assessable, an outlook to which I return. Both kinds of action presumably arise from forces beyond the realm of rationality and morality. I also look to the related goal of determining whether a decision to reproduce can be rational.

² Investigation into an unprecedented way of viewing human conduct and morality is itself not unprecedented, as some commentators in, for example, ethics of care, have confirmed. Held (2006) repeatedly notes that care ethics calls for nothing less than a complete revolution in the assumptions, theory and practices of contemporary societies. The effort here of investigating merely one kind of act not widely viewed as morally assessable until recently is more modest than the revolution called for by care ethics. I am indebted to Carol Gould for bringing my attention to the need to speak to the issue of whether moral theory is to reflect how people in general actually think morally or to look to new ways of viewing moral theory (that is, to introduce a new normative theory). I affirm that moral theory, if care ethics is a good precedent, may do both, and the instance of it represented by this thesis does both, if more limited in scope.

1.1. The Challenge from Population and Environmental Ethics

All action is an invasion of the future.
—Dewey, *Human Nature and Conduct*

The literature in population ethics and related topics has been homing ever closely on reproduction as isolable and morally assessable. This literature exhibits how worries about human population and the environment pose a particular challenge to the morality of human reproduction.

In the following review, I divide the works into two “streams,” both fed at least partly by Parfit’s *Reasons and Persons* (1984). Three of his concerns inform much of this literature: the non-identity problem (NIP), the harm or benefit of coming into existence, and the Asymmetry. One of Parfit’s goals is some theory of action “X” that will solve these ethical problems, among others. Two of his book’s four parts concern quandaries in population ethics and how current policies affect future generations. He suggests that, because of the NIP, Theory X may require an impersonal principle of action. This principle would not look to how particular people are affected by a policy; rather, impersonally, it states that, between any two possible outcomes that leave the same number of people alive, it is worse if one outcome leaves people worse off than the other group affected by the other outcome would have been (had they lived). This impersonal principle has caused a flood of criticism, revealed in many of the works reviewed.

1.1.1 One Stream: the Anti-NIPs

1.1.1.1. The Non-Identity Problem (NIP)

For Parfit, the NIP bears on our morally assessing current policies and actions that may affect future generations. Writers have subsequently either attempted to solve the problem, such as McMahan (1981, 1998, 2009), or dismiss it as irrelevant to such moral assessments (Kavka

1982; Woodward 1986, 1987, Harman 2004, Weinberg 2008). The problem derives from the common puzzle of whether you would have been the same person had another sperm penetrated the egg rather than the one that did.³ This fact poses a quandary: Our policies may affect which couplings of egg and sperm happen in the future. Policy A may benefit population P and lead to a set of certain egg-sperm couplings yielding individuals X. Policy B may affect (perhaps by decreasing) quality of life of P and lead to a set of egg-sperm couplings yielding individuals Y. Policy B may lead to millions of headaches and millions of different people, with different qualities of life, than would have existed if Policy A had been enacted. The literature spawned by the NIP is enormous, so I look only to the works that begin leading to the question “Why should one reproduce?” I should mention Parfit’s handling of the NIP vis-à-vis one of its normative consequences— “Q,” the “Same Number Quality Claim,” which Harman (2004) calls “the worse-off argument”:

[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. (Parfit 1984, 360)

Parfit uses Q to assess which of two actions or policies that will affect future people is more ethical. One case he provides concerns a 14-year-old who knows that she cannot provide for a child now but decides to have a child anyway. By Q, it would be better if the agent were to wait until later in life when she could provide for a child. Another case is that of the Risky Policy, particularly for nuclear power which will benefit the current generation but which may harm future ones. While the future generation will have some benefits in life, it will be worse off than

³ Parfit maintains that any sperm-egg combination from the same parents within a month of when yours actually happened would still be you. I find this biologically bizarre and arbitrary. More plausible is the view that only the particular combination that occurred could be you. Furthermore, different environmental factors even a day or minutes later could make different gene expressions and thus a very different being formed. Kavka (1982) concurs that a different sperm (or egg, I surmise) would cause a different person to come into existence, and this assumption leads to different results concerning policy affecting future generations. Parfit’s one-month assumption deflects some of Kavka’s criticism, but is also entirely arbitrary.

those people who would have lived had the policy not been followed. Thus the policy is not the better choice. Parfit further asserts, in Ch. 16 §124, that an appeal to nonconsequentialist concerns such as rights of future generations in deciding what is wrong in such cases is insufficient alone and needs this principle. This assertion about insufficiency of rights, along with Q and the NIP, has excited a great deal of comment, which in turn has reached ever deeper into the morality of reproduction itself.

1.1.1.2. Kavka's Deontological Defusing of the Non-Identity Problem

Kavka's 1982 "The Paradox of Future Individuals" appeared before *Reasons and Persons*, in response to earlier Parfit papers about the NIP. From the outset, Kavka finds the moral scenario implausible in which we can do what we like to the planet short of destroying it as long as we give future generations the benefit of being created, whatever the quality of life we leave them. He introduces the notion of "restricted lives" and contends that social conditions leading to such are morally undesirable. Among four cases he offers is that of a couple who contract to be paid to create and deliver a child into slavery. Kavka finds that the NIP and a derivative impersonal principle such as Parfit's could justify the provision of restricted lives insofar as these lives have the benefit of having been created. Future generations would have to agree with whatever policy we have chosen because that policy leads to the benefit of their having come into existence, rendering the policy "morally permissible." "For our generation to procreate, consume, and pollute to our heart's content, *and to justify doing so* on the grounds that future generations are benefited (or not harmed), would be analogous to that which the slave-child's parents do..." when they create a child in order to sell it into slavery. (110, emphasis in original) Slightly modifying Kant's Categorical Imperative, Kavka asserts "The modified imperative would forbid

treating rational beings *or their creation...* as a means only..." (110, emphasis in original) Such modification then precludes the parents of the slave-child taking moral credit for bestowing life to the child, even while they undertake the act primarily for their own reasons. The modification of the Formula of Humanity not only offers an antidote to the NIP but, as Kavka indicates, can apply more broadly to the morality of creating persons. Kavka thus takes a step toward isolating the moral assessability of procreation in itself, that is, as a type of act that demands a morally assessable decision. While he is not the first to prompt the discussion in such direction, his step significantly brings a Kantian angle to it.

1.1.1.3. Woodward's Objection to Q

Woodward (1986) argues against NIP's derivative impersonal principle by contending that it must make a certain assumption, "N," which Woodward finds is falsified by examples. N holds that someone cannot wrong another (or violate the other's rights) by an act if the latter is not made worse by the act than any other act that the former could perform on the latter. Woodward gives the example of one Frankl who survived a Nazi concentration camp but found, in the end, that he was a better person and so better off than he would have been without the experience. N absurdly would condone the Nazi treatment of Frankl. Prospectively, N would allow one to pursue such a policy because it could allow total overall improvement, a situation that, as Woodward asserts, disproves N. The impersonal principle, based on N, would have no valid foundation. Woodward does not wholly dismiss Q as possibly a useful adjunct in making moral assessments, but he argues that Q alone is insufficient and that nonconsequentialist ideas such as rights and obligations are necessary (if not sufficient) in assessing prospective actions: "... certain choices in Non-Identity cases... can be wrong even when there is no 'opportunity cost'

objection to making them.” (818)⁴ When one has “good reason to believe that a policy” may violate others’ rights, one has a “weighty additional reason” against the policy (826). Woodward asserts that such nonconsequentialist considerations also defuse Parfit’s Asymmetry, particularly the second half of it: If there is an opportunity for us to make someone happy, we may in fact have some obligation to undertake that action. In dealing with the Asymmetry question, Woodward views the family decision about procreation as a microcosm of public policymaking and brings reproduction close to being an isolable morally assessable act.

1.1.1.4. Harman Finds Harm Despite the Non-Identity Problem

Harman (2004) attacks the NIP more directly than Woodward, by saying it poses a problem only if we ignore how certain policies can directly harm people who do not now exist. It is then irrelevant that a different policy would mean different individuals would exist: The NIP is a non-problem. She characterizes the decision for a policy as a two-pronged fork: Either direction leads to (different groups of) real people who are differently benefited or harmed due to the policy. In policy decisions we must determine what are these benefits and harms and weigh them. Thus, in determining whether to adopt a policy, despite possible reasons against it, it is wrong to adopt it if the reasons in favor are insufficient compared with the harms done. “The central point is the following: Adopting the policy would harm future individuals.” (93) The impersonal principle is unnecessary. If there is no NIP, then Parfit’s Q or equivalent (Harman refashions it as the “Worse-Off” principle) is unnecessary. Like Woodward, though, Harman finds the second half of the Asymmetry—that there are no moral reasons to have a child whose life would be good

⁴ Woodward responds to possible objections that 1) he is arguing for the rights of the non-existent, and 2) the attitudes of these prospective rights-holders may well run counter to Woodward’s arguments that their rights are violated. Furthermore, Parfit’s argument “from ‘no regret’ or ‘retrospective consent’ appears to have no independent justificatory force” (824) for the Risky Policy cases.

overall—false. There “are reasons in favor of a course of action in virtue of the benefits to the future individuals who will not exist if the course of action is not taken.... The couple who does not create a happy child does not do anything bad; they merely fail to do something that would be good.” (98) This conclusion sounds much like a traditional imperfect duty; it brings the discussion closer again to the Central Question.

(Nonetheless, I should note there still are obstacles to answering the central question. One is the issue of whether this moral reason is truly parallel to imperfect duties such as charity-giving or is an altogether separate category of moral cause. It is worthwhile exploring this issue—although Harman does not discuss it in the terms I do in the following—because doing so helps illuminate just what sorts of problems come in and how her discussion fits into the emerging one about the morality of reproduction. A person may find it unusual to consider that having a child is somewhat like giving to charity. For one matter, if you do not donate to charity, some person X will continue to suffer. If you do not reproduce, there is no person who will suffer or benefit. Certainly, if you donate, person X experiences benefits, and if you reproduce (given the happy prospect), person Y experiences benefits. But, for another matter, the relations of the agent to the beneficiary and of the beneficiary to the benefit are quite different. In charity, the benefit is the donation; in reproduction, at least by Harman’s approach, the benefit is not the reproduction (the being-made-to-come-into-existence) but arises in events occurring after the reproduction, which is their necessary antecedent. These beneficial events may otherwise be entirely unrelated to anything the agent does thereafter (say the baby is raised by a wise aunt from the moment of birth). The couple or prospective parent may then understandably be uncomfortable with the idea that, even in propitious conditions, the act of reproduction is benefiting somebody as, say, a charitable act does. This act then is not charitable but is of

another, perhaps unique sort: It is the necessary precondition to good events. The goodness—the benefits—lies in those events, more specifically in what is experienced by the beneficiaries. In this case, in determining whether the act of the reproduction is supposedly good in propitious circumstances, the oddness arises in affixing exactly upon whom or what the goodness is bestowed. The parents and their feeling of having done a good deed? But they have been impelled into the act for the supposed good of allowing the child a life in which benefits will occur, not for the good feeling they may get for doing so. Is the goodness for the human race's sake? Then a certain kind of consequentialism is involved which Harman does not discuss here and which appears extraneous to her argument. And doing it for some abstract Good is at least equally problematic, if only because she also refers to no such ontology.

I do not deny that there could be a class of imperfect duties wholly unlike those of charity. At minimum, these would warrant some detailing. One easy solution to the difficulties Harman's proposal engenders is to concede a point Parfit makes in Appendix G of *Reasons and Persons*: He argues it is defensible to maintain that causing someone to come into existence can be a benefit in itself. Harman (2004) does not entertain this possibility in the discussion about having happy children (see her §6). But it could ease the difficulty I describe in her moral justification for having happy children by saying the goodness of creating children in propitious circumstances occurs upon causing them to come into existence—and since no harm was done, it is overall a good act. By contrast, having a child in horrendous circumstances may benefit the child by creating its existence but harm the child otherwise, these harms being morally stronger than the benefit of existence.

In suggesting this solution, I am not supporting the notion that being caused to come into existence is in itself a benefit. (I examine this notion in more detail in later chapters). I bring it up

now to help place Harman's discussion among the parts of the conversation about whether one should reproduce tout court, which I see emerging: Her essay comes close to pinching off this topic of conversation as one worthy of examination in its own right, but it remains a side-issue or subpart within a different focus.)

1.1.1.5. Weinberg's Dissolution of the NIP

Even more strongly, Weinberg (2008) seeks to dissolve the NIP altogether by showing that it depends upon comparing two alternatives—existence and nonexistence—and that future people cannot have an interest in existence per se because nonexistence is not an alternative choice for them. Her dissolution then is based upon the idea that real people, whether current or future, do not have an interest in existence itself. More than other NIP-critics, Weinberg focuses directly on whether coming into existence is a benefit or harm (although in the end she also turns to Parfit's Asymmetry problem). Her paper is structured around supporting three premises which, if true, entail that "the NIP is morally mistaken" (17) in its neglect of the interests of future people: 1) The NIP makes existence itself the good that overshadows any goods that are found in the course of a life and that allays harms. 2) Merely hypothetical people can hold only hypothetical interests, not real interests, and therefore can be of no moral concern (with a lemma: the NIP appears to treat merely possible people as interest-bearers.). 3) "Future people do not have an interest in existence itself." (13) Her position on whether future people can have such an interest has repercussions for my Central Question. If future people have no interest in existence itself, we cannot say we should have children for their sake. Other writers (Shiffrin 1999, Benatar 2006, among others) have taken similar positions. But Weinberg places hers in the context of the NIP so as to answer much of Parfit's related concerns. With no NIP, there is no need for the

impersonal principle; and coming into existence is neither harm nor benefit. With the NIP overturned, Weinberg sees that we must treat future people as real people, who of course will exist, and do all we can to ensure that their lives are of as high quality as we reasonably can make them.

Weinberg answers two of the three Parfit issues in this chapter: 1) She argues the NIP is no problem for our relations to future persons, and so the concomitant non-identity Principle and Paradox “never arise.” With no NIP, there is no need for a Q or such impersonal, “no-worse-off” theories. 2) Within the very same argument, she has firmly answered Parfit’s Appendix-G challenge whether coming into existence can be a benefit, by showing it is neither benefit nor harm.⁵

1.1.2. Other Streams: Pro-NIP, Wrongful Life, and Others

Not always opposed to the anti-NIP approaches, and sometimes independent of these, some writers have been handling ethical problems of procreation from a number of perspectives. Instead of trying to cover them all, again I select a few that, although not representative of the total literature, tie in with the direction I am looking toward, along with authors such as Benatar, in answering the question, “Why should you have children?” The literature includes works by McMahan (1981, 1998, 2009), Feinberg (1992), Smiliansky (1995), Shiffrin (1999), Roberts (2003), and Wasserman (2004). Much of this discussion has arisen around the legal culpability of parents in their act of procreation (for, e.g., “wrongful life” suits).

⁵ As for policies, such as the Risky Policy, they should promise no or minimal harm to future people because the impersonal explanation of harm is shown to be false. Weinberg also counters the argument that a Risky Policy would nonetheless benefit individuals by their being caused to exist, despite the vast harms the policy does them at the same time. By contrast, while Harman grants that it may be true that in such a case the benefits may be more beneficial than the harms are harmful, she asserts that there are certain harms that morally outweigh any benefits, or benefits that do not morally outweigh the harms.

McMahan (1981, 1998, 2009), instead of trying to deflate or deny the NIP, takes it as a springboard for discussion about population-ethics problems while coming to different conclusions from Parfit. Examining several NIP cases, such as Negligent Physicians who do not properly screen a couple's egg and sperm for a defective gene, he evinces evidence for why we need to consider both person-affecting and impersonal values in evaluating these cases morally (1998). He criticizes person-affecting views (such as Kavka's) for having insufficient basis for assessing whether bringing persons into existence is a harm or benefit. However, he finds that impersonal values alone cannot plausibly solve problems that both these NIP cases and the Asymmetry pose. "In some [NIP cases], the two types of consideration may be of comparable strengths; in others, person-affecting considerations may be far stronger than corresponding impersonal reasons." (1998, 52) Similarly, he approaches the Asymmetry problem with the qualifications "that at least some individual-affecting reasons are stronger than corresponding impersonal reasons." (2009, 32) McMahan's discussion shows how the ethics of procreation creates particular challenges for morality in terms of the values involved in creating an existence and the overall harms or benefits of that existence.

Wrongful life suits arise from offsprings' contesting their parents for the harm of having created them. Shiffrin (1999) notes these suits have had only limited success but have spurred lively philosophical interest. While the suits have been mostly complaints "about one's existence or its essential conditions," (118), she finds the more interesting philosophical problems lie in the very question of the morality of reproduction itself and creating the conditions in which harms or benefits may result. As for cases of "routine" procreation, without particular negligence, she offers the "equivocal view" that "regards procreation as intrinsically and not just epistemically a morally hard case." (136) The case is hard because procreation is a morally haphazard action.

Shiffrin sees that as the act can burden created persons with a large set of harms, it is a morally assessable but an act for which they cannot, of course, give their consent. Furthermore, Shiffrin concurs with Feinberg (1992) that an action done now can set off a causal chain that eventually violates a future—but currently nonexistent—person’s rights. In all cases, the parents are held responsible for the outcome of their action, whether that be of overall benefit or harm. Thus, they should be held liable in cases in which plaintiff offspring do find their coming into existence a harm. The act is then morally haphazard because of the persisting unknown of how the moral patient, the child, will respond to possible overall harm of existence.

Roberts (2003) is also concerned with whether having never come into existence could ever have been better for a person. Like Shiffrin, she sees legal as well as normative implications in the question; and like McMahan, she uses the NIP as the basis of her argument rather than attacking it as Harman and Weinberg do. Her major concern is whether what she calls impersonal “aggregative” consequentialism (similar to Parfit’s “Total View”) indeed offers a better theoretical framework than person-based consequentialism for a certain pair of cases that Parfit brings up. In one case, a pregnancy harmful for the child—without making the life not worth living—can be avoided post facto by the mother’s taking a medicine. In the other, the harm can be avoided if the mother only waits a month to get pregnant (though the child will be a different one). The cases result in the same harm; Parfit says that, by the NIP, this fact shows that the person-based approach must be unacceptable, but, cautiously, does not outright endorse the aggregative approach. Roberts, also cautiously, from a different angle, takes a “wait-and-see strategy” (166) and maintains that, because other grounds against a person-based approach could show up, for the time-being it’s best to call a draw and say these cases serve to “counterexample neither view.” But a more extreme case, in which the resultant life is not just flawed, as in the

first case, but anguished, with wellbeing below zero (given that never-created life has zero wellbeing), shows not that the person-based approach is unacceptable but rather in some cases it is better never to have come into being. This assumption would not only clear up some normative problems for a person-based approach, such as preventing a worse-than-Repugnant Conclusion, in which “vast armies of persons whose lives are thoroughly, brutally *anguished*” (170, emphasis in original) would be precluded, but would also have legal implications in wrongful-life cases involving offspring with extreme anguish.

These issues of asymmetry, wrongful life, and whether never coming into existence is ever a moral good, along with the questions raised in the anti-NIP stream, all come together in Benatar’s (2006) book. Benatar goes further than Roberts by saying that, not in some cases but in all, it is better never to come into existence. He goes further than Shiffrin by saying procreation is not just morally haphazard for the parents in case of wrongful-life suits but is morally wrong tout court. In Chapter 3 I examine his argument in some detail.

In the literature, then, procreation has slowly emerged as an isolable deliberative act with moral implications. Before Benatar, most often the context of the procreative act has been that of some kind of medical—such as nuclear-policy-caused—harm to offspring. But, in a way analogous to keeping promises or telling the truth, *is* procreating, in general, for every moral agent, a morally assessable act? Moral philosophers may still not widely concur that it is.⁶ This brief review of the population ethics discussion also reveals how new the discussion is. Having come right up to the point at which this thesis aims to take it up and take it further, the discussion has not inconclusively *reached* that point. Doubts may remain as to whether the discussion is really going in the direction that I contend it is and so whether human procreation is indeed an

⁶ The assessment would also take into account, as with cases of promises and truth-telling, exceptional circumstances, such as coercion.

isolable morally assessable act. In the next section, I offer five reasons to consider procreating is as morally assessable as any act.

1.2. Why Human Reproduction Is an Isolable Morally Assessable Act

Only the first four of the arguments below are full arguments.⁷ The fifth is more of a final plea, for those who remain unmoved by the four. Each of these flows in a certain order, each successive one following from the earlier. For the first, I take a cue from animal-welfare ethics, which has turned to *social-consensus theory* of morality for arguing that animal welfare has become a bona-fide moral issue, where it was not a century ago. This theory holds that at a given time slice in history (and under potential historical and social influences to that point), a society's general consensus about what is morally assessable constitutes the extent to which acts fall within the moral domain. If the theory is correct, there is a possibility that some societies have started to determine that human reproduction is morally assessable. The second argument, the broadening moral-canopy view, builds on the first: Also historically based, it notes that over the centuries, at least in Western cultures, the territory of acts that could be considered to be under the moral canopy (that is in the moral domain or morally assessable) has been widening, possibly now encompassing human reproduction as an isolable act.

For skeptics who deny a broadening moral canopy and hold that even if there were one we know too little to say that human reproduction will ever come under it, I offer the third argument, the “universal view.”⁸ It partly builds upon the first and second arguments by saying

⁷ I thank Carol Gould and John Greenwood for encouraging me to expand this argument from its original version, to make it more thorough.

⁸ I use this term for a distinct meaning. “Universal,” in terms of moral theory, usually refers to the idea that moral norms universally apply to all human beings. In the present, very different use of “universal,” I refer to the idea that the entire universe of an agent's deliberative decisions and actions (“universe” then in the sense used in probability theory being the entire set relevant to some criterion of concern, this set here being all of an agent's deliberative actions). In this thesis, then “universal” is, regrettably ambiguous, but I believe context always clarifies it.

the trend may be toward humans' coming to understand that all of their deliberative acts are, to varying degrees, morally assessable. With growing empirical understanding that all our actions have repercussions somewhere, each deliberative act, no matter how minute, has some moral accountability. At least one moral philosopher, Dewey, has provided a version of this view, as I shall argue.

To those who find this third view too radical, I offer the fourth argument, a counterfactual challenge: the burden-of-proof view. The observation is made that, whether through consequentialist, deontological, virtue ethics, or command-ethics perspectives, acts that deeply involve other persons' lives are generally considered morally assessable.⁹ Human reproduction profoundly involves other peoples' lives in many ways. The burden of proof is upon those who would extricate human reproduction from other acts that deeply involve other persons and explain why this act is excluded.

Finally, for those who still reject these arguments and insist that human reproduction cannot be an isolable morally assessable act, I offer the fifth point, the plea. That is, at least for the remainder of this work, entertain the premise that reproduction is in fact an isolable morally assessable act. There may be a fear that, if one concedes this point, then there is the possibility that, à la Benatar and others, reproduction might be immoral, and so human life is doomed. But it hardly seems correct to deny the premise just to avoid that possibility, in case it were true.

The argument that most easily buckles under criticism (that is in terms of rendering reproduction morally assessable) comes first, and each subsequent is increasingly hardy.

⁹ Although not all morally assessable acts necessarily involve other persons' lives, whether deeply or at all, such as Kant's example of developing one's talents

1.2.1. The Social Consensus Theory

1.2.1.1. Social Consensus Morality in Animal Welfare

Moral philosopher Rollin (1995, 1999, 2011) has employed the theory of social-consensus ethic in convincing philosophers, scientists, veterinarians, livestock producers, and legislators that animals in human use are morally due proper welfare. The theory holds that these individuals as members of our society already possess certain attitudes about treating other humans; they have certain common-sense assumptions about animals as types of beings; and if they merely add these two facts together, they should concur that animals deserve higher levels of care and handling than they currently receive. The heart of the theory, then, is that, because of a society's ongoing social-psychological development, people hold certain moral values in common (about treating sentient beings, such as humans) as well as common attitudes and beliefs, or common sense (such as, "animals are types of sentient beings").¹⁰ Rollin alludes to Plato's notion of teaching by reminding and notes that moral progress may be nurtured by a moral leader by helping society members to "recall" their own beliefs and couple these with their moral values. Thus, Rollin writes, M.L. King and L.B. Johnson, while themselves believing the principle that every human being deserves equal treatment, in promoting civil rights were able to bring together this increasingly widely held view with the belief (if less widely held then) that African-Americans are humans, and thereby effect massive social changes. Slowly, the Civil Rights Movement grew, and U.S. citizens began treating groups other than white males as equals. Similarly did abolitionists help lead citizens to accept that slavery is immoral, as suffragettes convinced them of the need for women's suffrage. The critical ingredient in such cases generally

¹⁰ It appears that the theory may succumb to the naturalistic fallacy here. However, I think that here it is not necessarily saying that these values are right but only observing that these values are held by a group, and that in light of the fact the group holds other values, in order to be consistent they should amend certain currently held values. I thank Carol Gould for raising this objection.

is that the population must have some widely held value and belief that need nudging by the moral leaders. One cannot successfully make such moral progress unless there is already in place some social consensus about the relevant moral issue. “Had [Johnson] and King been wrong [about such social readiness], civil rights would have been as irrelevant as Prohibition.” (2011, 47)

From the 1980s until the present, Rollin has employed this theory in nudging the populace toward animal-welfare policy. Although there had been ample legislation against animal cruelty, until recently few laws prevented persons from using animals in any non-cruel method they saw fit. Rollin saw that a social consensus was already in place, an “extant ethics,” and gently nudging it could lead to new policies. This ethics is then extended by applying the same “weighing the interests” to another group of individuals that the public widely feels *are* indeed sentient individuals, that is animals. And so a new moral category becomes apparent, one in need of proper policy protection that was given to other groups in the past.

Social consensus approaches may be either teleological or non-teleological, that is either dependent upon a further theory of a direction and purpose to human cultural or evolutionary change, or not thus dependent. Either should make no difference in the following discussion.

1.2.1.2. Social Consensus Theory and Human Reproduction

What can this theory say about whether human reproduction is an isolable morally assessable act? At this stage in the population-ethics discussion, which is now almost a half-century old, it is safe to say there are no evident, prominent moral leaders—no M.L. Kings or Susan B. Anthonys—nudging the populace overall in a singular direction on the morality of human

reproduction.¹¹ However, the notable if confined stirring among philosophers, environmentalists, and scientists because of population and environmental worries has begun to point the discussion to the moral assessability of the isolable act. This stirring has increased to a modest flowering recently, with at least two books in 2012 by academicians (Overall 2012, Valenti 2012) on the issue of why reproduce, besides ongoing discussions in journals. While this much marks more than a stirring, possibly an awakening, it hardly marks a cyclone. Are these developments over the past half-century indeed pointing to an ever-growing concern? Just as hot and cold air currents over the ocean may start to cycle, but may as easily lead to a wisp as to a cyclone; so these early discussions I describe may result only in a few curious works.

Social-synergistic teleologists and non-teleologists¹² may allow we could look to general social attitudes to see if they are beginning to make such a concession. Thus, whether or not a moral leader on the issue has yet to emerge, social attitudes could offer some support for whether social consensus is mounting. If so, the discussions among ethicists may reflect, and synergize with, coalescing social attitudes. I have yet to find a poll explicitly about whether a decision to reproduce is in itself a moral decision. (Currently, it is hard to project which interests would motivate and fund such a poll, whereas social attitudes about animal welfare are of great concern to furriers and other animal-professions interests.) Determining the social consensus about this thesis's Central Question appears to be a bootless task at this juncture. The good attention that

¹¹ While some community spokespersons, as among fundamentalist religious groups, continue to encourage their congregations to reproduce without restriction, there appear to be no moral leaders guiding the population as a whole in one direction on this issue, comparable to that seen in civil rights. Certainly there are always leaders of small pockets of the population leading their groups in various directions, just as there persist leaders urging their small pockets that civil rights are anathema and the "races" are not equal. Some self-styled "pro-life" enthusiasts commonly focus on preventing abortions rather than establishing a particular stance on the morality of human reproduction per se. It is not inconceivable that a cross-communities moral leader may arise, say if the human population attained such high numbers, resources so strained, and the environment so insalubrious that adding further humans without restraint was arguably immoral.

¹² A social-synergistic view would hold that there may be synergies between society as a whole and influential persons, say ethicists, each inducing the other by steps, whether or not those steps and synergies work in a certain direction (teleologically) or not (non-teleologically).

Valenti's and Overall's volumes have received an augur of a growing public concern about their reproductive drive as morally assessable. The *zeitgeist* has been unleashed. However, even for a "Tolstoyan" teleologist,¹³ this much is speculative (and likely few people are Tolstoyan teleologists!).

While the argument from social consensus has not been strong, I have included it primarily as a first step from which the subsequent ones rise to surer stride.

1.2.2. The Broadening Moral Canopy

A social-consensus argument for determining whether a category of action is morally assessable is generally synchronic: It looks at a time-slice of the current and perhaps near-future moral social-consensus. One way of viewing the broadening moral-canopy argument is that it builds upon social consensus by combining time-slices over eras and thus diachronically determining their "curve" or trajectory over history, and potentially attempting to project their curve in the future. Such a method may be teleological or not. With such a diachronic perspective, some writers have proposed that humanity is broadening the reach of its moral categories, so that more and more kinds of acts or patients are considered morally assessable, as the title *The Expanding Circle* suggests (Singer 1981; see also §1.2.2.1 below). I should note, though, that a theory of the broadening moral canopy need not build upon social-consensus theory. (The canopy, or the extension of moral categories, may proceed by some other way than via social consensus, although I am not proposing alternatives here.) I then have brought in this idea of "building-upon" primarily for heuristic purposes.

¹³ By "Tolstoyan," I refer to the outlook, such as that in *War and Peace*, that human actions, even those of leaders such as Napoleon and the Tsar, are mere feckless writhing in the hands of an all-powerful (probably Hegelian) world spirit.

Discussions of “moral progress” offer one common, usually teleological, approach to the broadening moral canopy. In many ways it builds upon the wider notion, also often teleological, of general human progress, as if human history is continually building up to some more ever-improved (if ever-receding) point. However, plausibly the species is improving morally without necessarily making progress in other ways. So a discussion of moral progress need not have any particular assumption about general human progress. Debates over whether there is human moral progress extend back at least to the *Republic* and are as lively as ever (Moody-Adams 1999, Rorty 2007, Nussbaum 2007, Posner 1998). Some writers have held that moral progress is a hallmark of civilization (Hobbes 1952, Sidgwick 1907, Harris 2010, Pinker 2011); other perspectives seem to hold some middle ground (Singer 1981, Prinz 2009).

According to the theory, moral progress may take place within an individual over time; within a given moral community, whose members’ behavior over time comes more and more to conform its morality; cross-community, as the moral categories continue to expand across the globe (as in the increase in acceptance of human-rights standards); or through some combination of these three. In the literature on moral progress, a preponderance of the concern is with moral progress globally. The issue of moral relativism is so crucial to discussions of assessing moral progress. Resolute moral relativism, even among such varied writers and approaches to relativism as Harman (1975) or Prinz (2009), has difficulty in accounting for moral progress. Moral relativism has difficulty accounting for how a change could be for the better within the same system of values if the original values themselves are forsaken by the new (although an expansion of adherence to the community values could be plausibly called “progress”). And between moral communities, without an external standard such relativism has difficulty accounting for moral progress. Relativists may thus deny its possibility, declare it a non-

question, or try to find another way of acknowledging how it may occur (Prinz 2009, 297-308). However, worries about the truth of moral relativism are not pivotal to this section and chapter: Whether or not morals are entirely relative to a culture, if the moral categories are expanding at all, in one culture or across cultures worldwide, then there is a possibility that those categories are expanding (or by reasonable induction will extend) *somewhere* to include human reproduction. Moral-progress theories in general, then, are central to the present section's arguments about the moral assessability of reproduction.

I cannot here attempt to solve the problem of whether there is moral progress. But moral progress is germane to this subsection's argument for a broadening moral canopy. The subsection's argument then takes the form of, "If there is (such-and-such kind of) moral progress, then there is a broadening moral canopy, and it would be sufficiently extensive to affirm that reproduction is morally assessable."

1.2.2.1. Moral-Progress Theory

Well-accepted, if not universal, moral categories of action include stealing, murder, mistreatment of elders, lying, betraying trust. Relatively recent moral categories—some of these being less universal in acceptance—in many societies include slave-holding, racial and gender discrimination, violation of individual rights. Key, then, to discussions of moral progress is, in what does the expansion of categories consist? In the literature, two basic methods of change are by emergence or invention of new categories, or simply expansion of existing categories (Moody-Adams 1999).

Moody-Adams (1999) proposes that moral progress does occur but that skepticism about progress is in order. Progress is local, via deepening "semantic depth," and occurs through

enriching and expanding the range of application of existing moral concepts. “Moral progress in practices results when some newly deepened moral understanding is concretely realized in individual behavior or social institutions.” (169)¹⁴ These institutions may be that of freeing slaves or granting suffrage. Progress, being local, may occur in one domain but not in another, with no new moral concepts or categories of action. Instead existing ones expand, through a “moral insight” that boosts our moral thinking, “expressed in terms of familiar moral concepts.” (170) This moral insight is guided by moral leaders—“socially and politically engaged moral inquirers” (176)—rather than philosophers. Engaged moral inquirers include civil rights workers in the 1960s United States who risked their lives to the point of death, and Tienanmen Square activists in the late 1980s. (Moral philosophers, too, may be engaged moral inquirers.)

Rorty (2007) holds that morals progress by the same rational means by which science progresses. Progress is similarly assessed in both: “We use the criteria of our time and place to judge that we have made progress.” (920) In morals as in sciences, “the presence or absence of consensus... is to be explained sociologically, not epistemologically.” The facts that stocks and lashes are cruel punishments and that sodomy is not a moral offense are recent discoveries of truth in much the same way as $E = mc^2$ is a discovery of truth. By this account “of moral progress, we shall think of Martin Luther King, Betty Friedan, and the leaders of the gay rights movement as helping to create, rather than as detecting, a changed environment.” (924). Rorty thus finds there is moral progress, which comes through the discovery of new moral truths.

These are discovered through the instrument of the imagination of community members and are

¹⁴ While Moody-Adams does point to moral progress’s occurring at the individual level, she is not implying that it occurs only at the individual level, but via the individual level: Agents within the society must be the ones who, upon expanding the semantic depth of their moral concepts, enact or materialize that expansion through actions, which then signify the progress. Of course, as she notes, social institutions can similarly realize moral progress through changes in their policies (although I discern that, according to her subsequent discussion, it is still individuals responsible for those institutions who translate expanded moral concepts into the policy changes).

effectuated by the process of the moral community's ongoing search for moral truths, but Rorty allows that academic philosophers, as much as anyone, may contribute to moral progress.

Nussbaum (2007), by contrast, overtly endorses academic philosophy as vital to moral progress. Like Rorty she affirms the reality of moral progress, if with the caveat that after the massive genocides of this past century, the progress may not be steadily upward, but piecemeal, through trial and error, persistence, and understanding. Moral philosophers and their discipline form the bedrock (certainly along with other moral leaders) of moral progress. She looks to three philosophers, Socrates, Aristotle, and Kant, who each made substantial, material contributions to moral progress. Socrates, "attempted to use philosophical argument with citizens, including generals and tyrants, to produce moral improvement" (941). Aristotle also used philosophy in guiding society members to clear up inconsistencies in moral beliefs. Kant was attuned to psychological nuance in acknowledging human tendency to both goodness and badness. Reasoning alone cannot help us out of tendencies to find excuses for ourselves; philosophy vitally can help by laying out the truly good thoughts "systematically, so that it will be clear ahead of time exactly what they entail in the different areas of life." (952) Even if such theory as that of the Categorical Imperative appears cold, it has a warmer practical effect. Nussbaum does allow that the process of continuing to criticize and improve the theories upon which people operate cannot be the work of philosophy alone and needs institutional willingness and cooperation.

Posner (1998) warrants mention for his opposing outlook. A "pragmatic moral skeptic," he positions his views as a version of moral relativism. Any society's morality is the social code that works for maintaining the interests of that society. Such codes either eventually fail because they were non-viable, such as that of Stalinist Soviet Union or Nazi Germany; or they persist and

so prove to be more viable. In industrialized society, material and empirical knowledge help our understanding but do not improve our morals according to some final, external apodictic moral code. Thus, “there is no moral progress in any sense flattering to the residents of wealthy modern nations.” (1653)¹⁵ While the concept of moral progress would support an argument for an expanding moral canopy—rendering such acts as reproduction is morally assessable—defeating the concept via positions such as Posner’s would not defeat the argument.

1.2.2.2. The Concept of Moral Progress as a Conditional for the Expanding Canopy

I find that, at least within the moral community in which many of the moral categories discussed here—civil rights, abolition, women’s suffrage, animal welfare—arose, it is hard to deny some kind of moral progress. Issues still open are the extent of the community and the lastingness of the changes, as well as the problematic term “progress” itself. As for the extent of the community, does it encompass only the United States and Canada; or only sub-communities within those countries; or more broadly, “Western,” that is European cultures (or the entire species?) As for the endurance of the changes, by what criteria can we soundly maintain that these changes will endure for the remainder of human existence? Whatever the community bounds, this community may only be going through a phase, and despite global (quasi-moral) institutions such as the U.N. and its various rights declarations, the community may well go into a phase not quite so moral by its current standards. For example, Japan for centuries was (except for a small samurai warrior class) a relatively non-belligerent community, which, abruptly upon Commander Perry’s incursions, exploded into a highly warlike, aggressive society—then as

¹⁵ Posner does allow for moral change within societies, primarily via “moral entrepreneurs,” highly influential peddlers of moral views; but even these would not be well-characterized as harbingers of moral progress, because moral entrepreneurs throughout history may include such dubious sorts as Adolph Hitler and Pol Pot, as well as Harriet Beecher Stowe or Mahatma Gandhi. The projects of such as the former “failed not because the projects were immoral, but because the projects were unsound.” (1654.)

abruptly reverted to peacefulness after World War II) (Keeley 1996). I hesitate, then, to use the word “progress” here: “Progress” carries the weight of a plodding mono-directionality and so hints of an underlying teleological comprehensive doctrine. “Moral change for the better” carries less such weight.

However, compromising for now and allowing “moral progress” to mean at least “moral change for the better” but not necessarily more, and with the last paragraph’s caveats, I find it hard to deny that there has been expansions of moral concepts in the many categories discussed (human rights, animal welfare, etc.) across the world. An adamant skeptic could deny these, and may go on to say that, whatever apparent good these changes have wrought, there have been tradeoffs, and the moral condition has simultaneously brought moral regresses, so that the result is either neutral or regressive. For example, the rich-poor divide ever yawns; the pursuit of “development,” although accompanied by the cultural spread of human rights, has almost irreversibly harmed our world habitat; and mounting weapons technologies ever increase the threat it will all be demolished. I cannot here meet these pressing challenges.¹⁶

My point, rather than convincing the skeptic of moral progress, is that, if there has been the sort of progress that theorists have asserted, then we could safely say there is some kind of broadening moral canopy (in the relevant moral community). It would then be the case that there are either new moral categories, or expanded old categories, whereby, over time, greater amounts of acts are coming under the purview of moral assessability, and more types of entities are being considered as moral patients. In the relevant moral community, not only able men, or white men, or landowners, are bona fide moral agents deserving full respect as such, but so are women,

¹⁶ Even if moral progress is conceded, there are still countless philosophical problems with the concept: Who really does instigate the changes—leaders, the masses, philosophers, novelists and artists (Picasso with his *Guernica*? Are the changes made for the sake of moral goodness, or out of expediency, such as merely “being trendy? Does the “goodness” of such a mechanism matter? And so on.

adults of all races and ethnic groups and classes. Not only these same formerly listed groups, but the latter groups now, are all fully deserving moral patients; but so are teenagers, infants, and to lesser (and lesser, as the list proceeds) degrees, primates, sentient animals, plants, artworks, historical structures, land forms such as mountains and islands, and oceans. Given an expanding canopy, there would at least be a good probability (given that the discussion has already begun and expanded among the philosophical and environmental community) that reproduction would come under the canopy. In other words, if there is a broadening moral canopy in the types of acts for which we are responsible as moral agents, then it is reasonable that we will soon, or we already have, come to the point where we are morally responsible for whether we reproduce.

I see at least two areas of moral concern, relevant to reproduction, to which the expanding canopy appears to be reaching: the responsibility of moral agents' adding, via reproduction, another consumer of dwindling resources; and the responsibility to the Other. That is, as both of these moral concerns increase in importance, they both could contribute to reproduction's becoming widely held as morally assessable. As for the former area of concern, I need not plea that we must indeed put a check on the mounting population at a given set-point to assert soundly that there is at least a moral responsibility to *consider* the degree to which a moral agent is diminishing the supplies for everyone by adding a further resource-user. That is, the agent is potentially diminishing the amount for all by adding a new user, and that *potential*, whatever the concluded upshot, is enough to warrant moral consideration.¹⁷ In the latter area, the

¹⁷ Some commentators may try arguing against this concern in the long run, such as by saying that 1) adding extra numbers of users will only prompt human ingenuity to find new ways to use existing resources more efficiently, so that there is no net diminution of usable resources per capita; or 2) if I add a new user, I will ensure that that user (my offspring) is not harmed by diminishing resources, by finding ways for that user to get a sufficient share even if that means at the expense of other new users' (others' offspring's) reciprocally diminished resources. However, such objections only corroborate my assertion that contemplation of adding a new user, in potentially diminishing supplies for all, is one of moral responsibility, as both of these responses are themselves, in their different ways, responses to such moral responsibility (the former being a version of libertarian dogma, the second of blatant self-interest).

Other in this case is an unusual type of moral patient, just as primates were once unusual types of moral patients. This Other is, of course, the person who, upon a positive decision to act, comes to be. We do—I believe undeniably by most lights by this time—have a certain responsibility to that person upon a positive decision to reproduce (this person is then no more hypothetical). This moral patient, this Other, then is no longer treated as a given and may have minimal rights claims (or their ontological equivalent) insofar as we have responsibility to it. What is that responsibility? I cannot yet begin to state, but it is plausible to say that in a very real way, we who make that positive decision have a responsibility for that Other as at least a type of life (although not for the entirety of its life, otherwise all our ancestors would be responsible for all humanity's current crimes, which scenario wreaks metaphysical havoc).

If the moral agent has some responsibility both to the community in general for adding another number, and to this Other, this life, as at least a minimal moral patient, then the broadening moral canopy would say that reproduction is a morally assessable act.

While this support of reproduction as a morally assessable act under the broadening moral canopy is highly conditional, based upon a number of embedded ifs, those conditionals are not highly unusual. The most unusual is the first one: whether there is moral progress. There may be other ways for there to be a broadening moral canopy without there being moral progress. For example, it may simply be the case that in, say, many industrialized cultures more and more types of acts, agents, or patients are coming to be considered subject to moral assessment in their roles; but overall, individuals, communities, and the entire species are not making moral progress. This position would require a strong defense, and I am not pursuing that defense because I believe it would not win significantly more concessions among those who already doubt moral progress. So, for this second argument for the moral assessability of human

reproduction, I go no further than the conditional of moral progress. With that assumption, it renders at least the plausibility that human reproduction is already or will come to be under the canopy of moral assessability.

1.2.3. The “Universal View”

As the expanding moral canopy could be seen, from one perspective, as a broader version of moral-consensus theory, so too can the “universal view” be said to build upon the broadening canopy, at least for heuristic purposes. Again, though, one need not assume the broadening canopy is the case in order to accept the universal view. This view that all, or the entire universe, of one’s deliberative acts are morally assessable seems incompatible with many traditional concepts of morality, whereby moral acts are those with a certain gravity or that overtly involve conduct with other people and society. However, as I shall describe, the view is not inconsistent with most traditional concepts, such as Kant’s, Mill’s, Aristotle’s, or even Posner’s. At least *one* author in Western tradition explicitly maintains it: Dewey, whose theory I cover in §1.2.3.2.

This section’s argument, in short, is that if the universal view is correct, then certainly (and trivially) human reproduction is a morally assessable act.

1.2.3.1. The Heuristic

One way to approach the universal view is in terms of the broadening canopy, as a function of time: As time proceeds, more and more categories of action come under the broadening canopy. We could then draw a graph and project that, after some amount t_x has passed, either 1) via a limiting function, so many categories have come under the canopy that only a negligible amount have not and it is statistically valid to induce that all categories, including human reproduction,

have come under it; or 2) instead of a limiting function, there is a straightforward linear function such that, at some time t_x , all possible categories of human action will have indeed come under the canopy.

To put this matter more formally: For this first possibility, that is the limiting function (Figure 1a), for illustrative purposes I assume that as time passes there is a logarithmic increase in categories of action that come under the moral canopy.

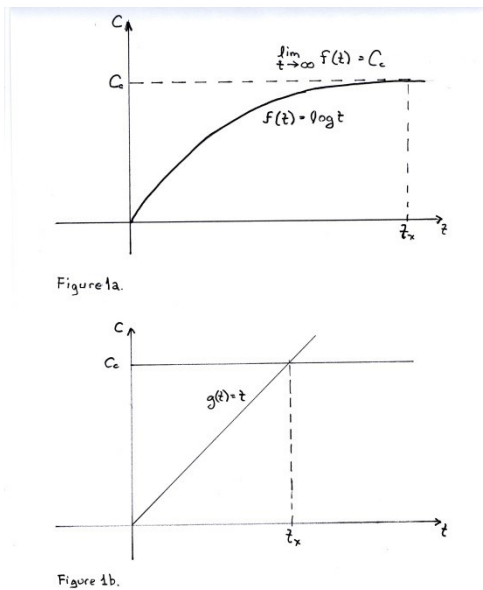


Figure 1.1: (a) the limiting, and (b) the linear functions for approaching the universal view.

In two-dimensional space, then,

Let t = time, on the x -axis, and t_x = some future point in time (to be determined);
 C = number of categories of deliberative action, on the y -axis;
 f is a function operating on t to yield the number of categories C_i covered by f at t .
Thus $f(t) = \log t$ gives the amount of categories C_i covered by f at t .
 C_c = the maximal number of categories of deliberative action.
Thus, $\lim_{t \rightarrow \infty} f(t) = C_c$. The graph is illustrated in Figure 1a.

Then t_x is some point in time, probabilistically determined, when $f(t)$ is sufficiently close to C_c such that, for all practical purposes, $f(t_x) = C_c$.

For the second possibility (the linear function), t , t_x , and C_c are the same, but g is a linear function, say $g(t) = t$. This graph is given in Figure 1b.

Either of these graphs has problems.¹⁸ Again, I provide these examples only as an heuristic and one possible way to approach the universal view. This way is, namely, to build upon the broadening moral canopy concept, extending it to some future point t_x when all (or as good as all) categories of deliberative action are covered. At that time t_x , then, we could be assured that human reproduction would be morally assessable. The problem for the present inquiry is, when is that time t_x ? Furthermore, if we have not yet reached it, what good does the universal view do us now for determining whether human reproduction is morally assessable?

It is also, of course, not necessary to assume the broadening canopy, nor to wait for t_x (if we have not arrived at it). I will discuss this alternative approach as well. It can be used either with or without the broadening canopy. It asserts that all deliberative actions are morally assessable, whether or not there was ever a time t_x we had to pass (in fact, perhaps passing a t_x was never the question, but only our limited—even under-developed empirical—perspective).

I begin unveiling this alternative approach by showing how Dewey used a version of it in *Human Nature and Conduct*.

1.2.3.2. Dewey

“Man is a creature of habit, nor yet of reason nor yet of instinct.” (Dewey 2002, 125) Dewey keenly sees how most of our day-to-day actions arise not from deliberation just before the action,

¹⁸The problems are: In the first graph, there is a problem in determining probabilistically a t_x such that f sufficiently approaches C_c as to be “as good as C_c .” In the second, the problem is the unlikelihood that there would be such a linear march of social change toward some fixed point t_x when all the categories of action are covered by f . (If this linear function were the case, we should indeed be able to look at history to determine the curve and then fairly accurately predict the date when all categories would be covered. Unlikely though this possibility may seem, nonetheless some teleological theories of inexorable human progress should be no less answerable than this graph.) Both functions have the problematic assumption that categories of deliberative action can so readily be quantified as to fit these functions.

nor from the groping of “animal instinct” (whatever that may be), but from a mesh of habits we have developed throughout our lives. Even such dispositions as posture or tendency to ask directions are habits. These habits form and inform acts from waking and walking, to regarding and eating. Large-scale habits such as undergoing a day’s research, to small-scale such as pulling out the dental floss, are all equally members of the mesh. Few daily actions are not habit. Many of these habits may have been influenced by social customs, but the agent shapes many in the course of exigencies over the years. Thus, a particular act, a habit-token, may be done because it follows almost “automatically” (a term Dewey would be cautious with, as we are not machinelike, but are held responsible), or not *immediately* deliberately, from the previous streams of acts. Yet, this fact does not mean that the habit’s origination was less deliberative or we are less responsible for it.

In this mesh of habitual conduct, it may seem that change in conduct is nigh impossible. How, if this habit *a* so closely follows from *b, c, d, ...*, and in turn entails *k, l, m, ...*, can that *a* possibly be changed, even if it is problematic for all the other habitual acts, and for the agent and for society? Dewey views this problem as the basic deterrence to social improvement, and his tackling it is a major thrust of the book. Certainly, this interlocking of habits partly accounts for the difficulty many people find in trying to change habits. Research over the past few decades into the physiology of habits and cyclical daily (circadian) processes (Curtis 1979) corroborates his insights into habit interconnectedness and the difficulty of change. Throughout the 24 hours, our bodies come to expect certain actions (eating, eliminating, walking, working) at certain times. Our bodies even expect certain daily caloric intake and, not receiving this, become recalcitrant. These seemingly purely physiological elements to habit do not make the enacting or attempt to change a bad habit any the less needed or morally relevant. In fact, the physiological

facts only cohere with Dewey's insistence that habits—which *are* changeable—operate in intricate interconnection so that moral incumbency to change one habit requires understanding the moral interpenetration of the whole. To clarify this point and show how he derives it, I describe further his view on habits and how they infuse our daily actions.

While never providing a precise definition of habit, Dewey offers an intuitive one: a habit is “that kind of human activity which is influenced by prior activity and in that sense acquired; which contains within itself a certain ordering or systemization of minor elements of action; which is projective, dynamic in quality, ready for overt manifestation; and which is operative in some subdued subordinate form even when not obviously dominating activity.” (40-41) I focus on three key elements of this very complex definition: “activity,” “acquired,” and “[always] operative.” Habits are actions, “activities.” They are not just some kind of etching or patterning in our brains or nerves or bones that cause us to keep doing the same (bad or good) thing; they are the (good or bad) activities themselves. (Elsewhere, Dewey makes another equation for habits: “Habit is energy organized in certain channels.” [76]—but this angle still renders habits as dynamic.) Also, they are acquired or developed, from what Dewey calls “objective forces” working upon us—though not so as to diminish our own responsibility for maintaining them. However, Dewey emphasizes the objectivity of the conditions we work with as we continually forge our sets of activities. Furthermore, they are always a part of us, in that our entire sets of activities—our sets of habits—are so interconnected that even when most are not presently operative, the rest are “subdued,” in “subordinate form,” are momentarily dormant until situations arise such that they become the “obviously dominating activity.”¹⁹ Thus, even when

¹⁹ Dewey states this steady operation of the entirety of our habits in another way: “In actuality each habit operates all the time of waking life: though like a member of a crew taking his turn at the wheel, its operation becomes the dominantly characteristic trait of an act only occasionally...”

subdued, habits are not passive: “The nature of habit is to be assertive, insistent, and self-perpetuating.” (58)

His moral philosophy stems from this basis. “All virtues and vices are habits which incorporate objective forces.” (16) For Dewey the pivotal element in morality is how virtue and vice arise in the interaction between the personal and social elements: Virtues such as honesty and courage and vices such as malice and peevishness “are not private possessions of a person” but “are working adaptations of personal capacities with environing forces.” (16) They arise from interactions of the personal makeup with the outside world. “*They can be studied as objectively as physiological functions*, and they can be modified by change of either personal or social elements.” (16; emphasis added.) Virtues and vices are thus as real as skin and bones—but this fact does not leave the person any less responsible for their composition. Just because they exist does not mean they cannot be changed when they are not *workable* adaptations (i.e., vices). “We cannot change habit directly. But we can change it by modifying conditions.” (20) Similarly for helping another person change: “To change the working character or will of another we have to alter the objective conditions which enter his habits.” (19)

The set of interconnecting habits reflects our character (“Character is the interpenetration of habits.” [38]); and character controls how conditions form and manifest habits. Morals—which Dewey views as a subclass of social customs—are concerned with how our character controls our habits and their formation. “For morals have to do with acts still under our control, acts still to be performed.” (18) This sociality and objectivity of habits and morals in an important way run counter to the concept of moral subjectivity. “A false psychology of an isolated self and a subjective morality shuts out from morals the things important to it, acts and habits in their objective consequences.” (57) By “objective consequences,” he refers not to

consequentialism, which he criticizes, but to the fact that habits are objective acts and it is by these and their sum-total measure of our habit-network's adaptation that we morally assess actions. Thus, "... there is a natural contempt for the morality of the 'good' man who does not show his goodness in the results of his habitual acts." (45) Moral goodness is seen in acts—and in the whole body of acts of a character, not of a single act. "*This* act is only one of a multitude of acts. If we confine ourselves to the consequences of this one act we shall come out with a poor reckoning." (45)

It becomes apparent how Dewey sees all acts, all manifestations of our myriad habits, falling within the moral domain: If all habits are objective, arising from the interaction of the personal and the social, then our character, being the interpenetration of habits, controls the formation of habits within actual conditions and the manifestation of habits in given conditions. Our character can thus change habits by controlling conditions in their formation; each and all of these habits being interconnected can have force within the whole; and morals, as social customs incorporated into habits, concern each act that, being not yet done, is still in our control to be performed or not. Hence, each of those habits within our total mesh of habits, in their manifestation as performances, falls within the domain of morals. Dewey states my rather rough summary more eloquently:

any act, even that one which passes ordinarily as trivial, may entail such consequences for habit and character as upon occasion to require judgment from the standpoint of the whole body of conduct. It then comes under moral scrutiny.... The serious matter is that [the] relative pragmatic, or intellectual, distinction between the moral and non-moral, has been solidified into a fixed and absolute distinction, so that some acts are popularly regarded as forever within and others forever without the moral domain. From *this fatal error* recognition of the relations of one habit to others preserves us. For it makes us see that character is the name given to the working interactions of habits, and that the cumulative effect of insensible modifications worked by a particular habit in the body of preferences may at any moment require attention. (40; emphasis added)

Dewey does not merely see the (traditional) understanding that only a subset of our acts fall under the moral domain is in error—it is a “*fatal* error”. Every one of our acts that falls under our character’s control to perform or not is in the moral domain. The (traditional) moralistic approach that holds only apparently grave acts as a class such as lying or profaning the Creator’s name has persisted to our day, but it is fatally mistaken. It does not acknowledge the interconnectedness of our habits in our lives and how one thing we do affects everything else we do (which means everything we are). It is fatal because it misses the interconnectedness of character and so allows room, within the supposed realm of non-moral acts, for small apparently minor acts to add up and, if vices, to fester and affect the whole. Apparent goodness, then, can too easily be buried badness, festering. Dewey’s habit holism allows a way to keep character vigilant of all of its habits, even when most of our acts through the day are habitual, veritably on “auto-pilot.” They require optimal vigilance to the apparently “smallest” acts, to minimize fatality.

1.2.3.3. The Position

Do I dare
Disturb the universe?
Eliot, *The Love Song of J. Alfred Prufrock*

Dewey offers one basis for asserting that all of our (deliberative) acts are morally assessable, thus including reproduction. Connecting the kinds of acts he is discussing, in terms of our habits and character, and “deliberative” acts may pose some challenge. It appears these two references to “acts” are equivalent, that is, deliberative acts are what Dewey would call performances of acts under the control of character. I will not pursue that digression because I believe that the two referred kinds of acts between the discussions are close enough to the present purpose: viz., to

show that there is at least one precedent theory from moral philosophy that is close to the universal view and may even be considered a type of universal view. I also will not take up some problems I see in Dewey's approach. Dewey's book is not written very systematically but with an almost stream-of-consciousness style, which makes for some poignant sentences and passages but creates difficulty in piecing together his argument. Briefly, I am not yet clear on his composition and role of character, and how the will can comprise the same set of interconnected habits that it controls. Perhaps the confusion is my own in interpreting him.

The position here is that every deliberative human act, that is, every act either preceded by a decision or, if a habit, defensible by an equivalent decision, is morally assessable. The position can rest upon many different ideas of what morality is, insofar as there is at least the idea that morality concerns human conduct that involves others as well as oneself and the fact of their lives and of the environment upon which these depend.²⁰ Even a rough definition of morality such as Posner's can apply here, with qualification.²¹ The underlying basis is both metaphysical and empirical. The metaphysical basis is the causal chain, that all actions have causes and effect further actions and causes. The empirical basis is that individuals' psychologies are intimately interlinked with their society and culture, as are their activities (Morgan and King 1975, Clifton 1976, Kelly 2007 esp. 41-64). It may be an unsettled issue as to whether a *Homo sapiens* who grew up with neither human culture nor language, such as an *enfant sauvage*,²² is

²⁰ By using "environment" here, I am not referring specifically to environmental ethics but—perhaps superfluously—to those physical and social conditions upon which others and oneself depend. "Environmental ethics" sometimes involves theories of the rights of plants and rocks and planets and galaxies which are themselves moral patients in their own right, whether or not actions upon them

²¹ Posner writes: "Morality, as I shall use the word, is the set of duties to others (not necessarily just other people) that are designed to check our merely self-interested, emotional, or sentimental reactions to serious questions of human conduct." (1998, 1639) The qualification is that the definition could apply well enough to the universal view, as long as "serious" is understood to be a quality underlying all deliberative action because of the interconnectedness of all such action, as I explain immediately following.

²² The documentation concerning these children is improving but tangled up with myth and hearsay: There does appear to have been actual cases of children "raised," rather, growing up, outside human society and upon discovery

fully human (perhaps for our empathy's sake we should assume such an individual is human and so treat) (Newton 2002, Ward 2004). Otherwise, even a person willingly removed to an island with no further human contact is a part of a culture, by having been reared in one. In the tight social web in which each person lives, then—combining these two bases—every action, no matter how apparently “small”—resounds somewhere in the society. Picking up a leaf from under a rock in the remotest Alaskan Wilderness Area may set off a landslide killing someone, and the agent is at least potentially culpable of manslaughter or negligent homicide.²³ Deep in the heart of a metropolis, buying one brand of chocolate over another may support a company that harms children. My point here is merely how every action in a human society, whether the smallest bands or the largest global conglomerates, has a causal effect in or in some way involves, however “exiguously,” some part of society and the world.

There, then, is a third basis to the position, an epistemic one: We cannot always know how our acts involve what and where. But from the other two bases, we do know that our acts involve something or somebody somewhere. That knowledge is enough to ensure that an agent, when considering an act, or if in performing a habitual act (say, climbing into a car—“Need I really use this rare resource, gasoline?”) then in potentially justifying that habitual act, can consider the act's morality. If a Kantian, can I universally will the maxim for this act? If a utilitarian, will this act lead to the greatest happiness for the greatest number affected? If an aretaic, is this the act that of a virtuous character? If a care-ethicist, is this an act of truly

are brought, with varying degrees of success, into society.. The website *Feral Children: An Anthropology of Wild, Savage, and Feral Children*, by anthropologist and filmmaker Mary-Ann Ochota appears to be a good step toward bringing discipline to this area of study and indeed better establish it as a subdiscipline. It is available at <http://feralchildren.info>.

²³ I am not saying the legal and the moral are isomorphic, so that an act that is legal or illegal is, respectively, moral or immoral. Rather, if an act is legally assessable because it concerns a possible moral infringement (as the various degrees of homicide and manslaughter attest), then the moral assessability of the act becomes an active issue.

caring?²⁴ One need not have a particular moral theory, but just a consciousness of morality qua morality, perhaps from a religion or village school. What is crucial here is that every act can and does involve the concerns of morality, including those of moral systems whose proponents, as Dewey says, make the fatal error of overlooking the interconnectedness of human acts.

One could defend traditions of morality that have led many people to believe that “morality” concerns only singular acts of gravity—lying, profaning the Creator, murder—as follows. There is simply no time to consider every small act. It is enough just to get people to consider the overtly grave ones. If we distract them with small ones such as what manufacturer made every piece of candy one buys, grave actions will lose due attention. It is a practical matter that defines morality as covering only the grave actions.

Again, Dewey would point out the error of singling out such a “singular” act so narrowly. He connects acts in the mesh of habits of the individual; I further connect them in the web of the totality of human acts in human society as a whole. Either way, there is a problem in assuming that an act can be so teased apart from the rest (thus, the problem many juries face: when did the murder, the cause of death, happen? When did the motive, if any, arise?). I acknowledge the practical problem; and in the exigencies of civic and legal concerns, for practical purposes, we do have to isolate acts. In our daily moral thinking, in the process of deliberating an act, we singularize it (or “isolate,” in the terminology I have been using). But in so doing, we cannot use such singularizing to justify denying the potential importance of the apparently non-“grave” act. Dewey’s proposal for considering the entire mesh of habits is one answer to this practical problem of weighing every act. Daily, conscientious persons strive to tweak and perfect the mesh

²⁴ I acknowledge that some theories of ethics do not offer rules of thumb or overt principles, as do many deontological or consequentialist theories, for how to act in a given situation. However, even without rules of thumb, acts can be considered as moral or not within the theory. Running from an enemy who’s ransacking your village but whom you could easily defeat is not courageous at all; strangling a perfectly good kitten merely for the sake of doing so is not an act of care.

of habits. Perhaps a corrected habit here will redound automatically to a host of related habits elsewhere in the mesh. Aretaic approaches, in some perspectives, may be said to have this practical problem of “large” and “small” acts in mind by developing the overall character, so that responses to even the “small” acts are more likely to be virtuous.²⁵

The “practicality” argument for limiting morality to traditionally considered “large” acts may also obscure a potential rationalizing-away of moral responsibility: It may readily allow one to dismiss many common or habitual behaviors as too “morally trivial” to worry about. An agent may rest assured, “I strive to tell the truth, I don’t steal, I certainly don’t murder; I do my moral part; I don’t need to waste my time thinking about whether always to weigh out my time to, say,

²⁵ Even Mill (1952), recognizing this practical problem, acknowledges that we cannot stop and think through the consequences of every act through the day, or we would never act; so he recommends the wisdom of our predecessors who, having weighed out these many problems over the millennia, have formulated useful observations that are the stuff of much traditional moral guidance. Yet, his approach can too easily lead back to the traditional position that only the “grave” acts fall in the moral domain.

More generally, for some consequentialist theories, focusing on the possible consequences of every tiniest deliberative act could be so resource-intensive as to distract from the important goals of morality. If love or friendship, for example, is the number-one goal of deliberative action, then worrying about whether one scrap of paper should go into recycling may be a waste of mental energy. These issues bring in the common ones about how consequentialism is to quantify and weigh the outcomes of proposed actions, and the universal view comes under no particular disfavor here. However, Mill has some specific concerns for his type of consequentialism which can pertain to the universal view. Certainly, the moral traditions and their wisdom, to which he asks us to turn instead of weighing every last action, are, of course, about what may be called the “larger” moral problems. If so, they appear to leave off the “smaller” problems, certainly the matter of human reproduction as an isolable act, and so appear to tell us these are morally negligible acts. But such a reading of Mill is hasty or incomplete. For one matter, Mill does not state or imply that the traditional lists of moral rules are complete or a substitute for an agent’s evaluating a potential act. They are instead handy guides. For another matter, in no other parts of *Utilitarianism* does Mill find we should discount “small acts” tout court from moral consideration. Instead, we should be prepared to consider whether *any* particular act may lead to more negative consequences than the apparent benefit of doing the act. My chunking rocks over a wooded cliff in a New Mexico wilderness area may provide distinctive pleasure in sensing my muscles in free play and challenging myself to throw ever further. But I also am behooven to consider the (let’s say, reasonably possible) consequences of my action, such as the possibility there is a trail below and such a trail could be traveled, even “way out here,” and the rock could harm someone (if not an animal).

At least in Mill’s utilitarian formulation, consequentialism can be wholly consistent with the universal view of the connectedness of all human actions. It can be seen as a way to spur our awareness of how each of our acts affects others, ourselves, and our world by thinking of how our acts can reverberate very far down the line and, while isolable for our premeditation, each act and its repercussions are not isolated from other people and other actions. Granted, Dewey (2002) criticized consequentialism for being too inflexible to deal with the ongoing revision that morals need, for its “making a mathematical equation of act and consequence” (50) by which “thought gets speedily lost in a task impossible of achievement” (202). However, Mill’s consequentialism, at least, can help make agents aware of the interconnectedness of their acts within their own web of acts (Dewey’s “habits”) as well as of their motivating morals within the web of social custom. At the least, then, the universal view is not ruled out by Millian utilitarianism and in fact may, by one perspective, plausibly be consistent with it.

stop and pick up broken glass off a street when I don't even drive a car." However, the agent who falls back on the fact that morality has traditionally partitioned certain types of acts as moral and thus, because tradition is so long and old, this partitioning must be the definition of morality, still needs a positive argument for why the "smaller" acts fall outside morality. This tradition may have simply never gotten around to the "smaller" acts, without overtly dismissing them as extra-moral; or the tradition may have missed the intricate interconnectedness of our actions.

We still need evidence, then, that people cannot or even should not consider their role as agents in 'minor' acts. Denying that these acts have moral weight works counter-productively to the permeation of moral thinking in our lives. By contrast, striving to train our minds to consider the moral content of as many of our acts throughout the day as we can promises neither to distract us from concern with "large" moral issues (in fact it may make us even more sensible of these) nor to distract from our duties. It seems that focusing on how our acts interconnect can help make us more aware of how to direct them, "large" or "small," toward the better.

It is understandable that, despite certain traditions, especially Eastern, which do acknowledge the interconnection of events (as in the concept of karma; see Lenz 1994), such interconnection of acts in the social setting, as I mentioned, has an empirical basis that has been boosted by scientific research. Particularly, the science of ecology, developing rapidly in this past century, aided by Darwinian evolutionism, has made the 'web of life' a vivid scientific fact (Emmel 1973). As social ecologies are a subset of the entire planet's ecosystems, then just as every perturbation within the "natural world" (or ecosystems where humans are supposed rarely to tread, say "wildernesses") may reverberate throughout that ecology, so in human social ecologies do all actions contribute to, otherwise affect, and reverberate throughout the social

ecosystem (and beyond). None then are in such isolation²⁶ as not to contribute to or otherwise affect the ecosystem. There are no “neutral” acts in the human ecosystem. Although all human actions occur within the planet’s overall ecosphere, and most if not all non-human actions are non-deliberative, human actions as a whole are thereby no less potentially deliberative. And although all human actions occur within the ecosystem’s web of organismal actions, each human’s (as well as any organism’s) action is no less isolable for examination. A human action may be examined and assessed descriptively or normatively before or after the action. Among all human actions are many that can in no fair sense be called “deliberative” (reflexes, transpiration, digestion, enzymatic action); both presently considered and—as Dewey would aver—habitual acts are deliberative. Thus, although all human actions occur within the planet’s ecosystemic web of actions, many are isolable for examination normatively as deliberative actions. Insofar as deliberative behaviors falling within the moral domain are those involving the lives of individuals, including oneself, and their environment (whether social or natural), and insofar as every human act, coming within the web of actions, contributes to, affects, and reverberates through the human ecosystem and none are neutral to this web, that is none do not redound in some way to the state of the human ecosystem, then all deliberative human acts fall within the moral domain. Additionally, insofar as an act is isolable for examination, while understood to be necessarily within this web of action,²⁷ then each and every deliberative human act is isolable and morally assessable. Human reproduction, as one such type of act, is deliberative, isolable, and morally assessable.

²⁶ To lessen confusion on terminology: unfortunately I use “isolation” and “isolable” in two different senses in the present context. In this sentence I refer to the hypothetical idea that an organismal or human action may occur in such isolation as to be outside the overall web of actions of the planet’s ecosystem. Elsewhere, I speak of an action as being “isolable” or “singularized” for the sake of examination and assessment (descriptively or normatively).

²⁷ Exceptions now being, of course, human actions outside of Earth’s gravitational pull (acts in near orbit, say dumping a beer can outside a spaceship, eventually affecting the planet’s ecosystem when the can flamingly reenters the atmosphere, whereas acts on the moon and confined there not affecting it).

Another objection to the universal view, besides the “practicality” objection, is not just that it is impractical for agents to deal with “small” acts. Rather, if all our actions are morally assessable, by what criteria can we discern which acts are morally significant?²⁸ It would seem that, by the universal view, an act of massive genocide would be the moral equivalent of whether to buy a certain brand of chewing gum, a moral assessment no sane person would countenance. Wouldn’t the universal view, in opening up all deliberative acts to moral scrutiny, allow into the moral domain such arbitrary and often trivial social rules such as etiquette, which philosophers have largely considered outside the realm of morals and ethics?

In response, I first note that although the position so far has held that all deliberative human acts are morally assessable, it has not maintained that all acts are therefore assessed as having equal moral value. All deliberative human acts are morally *assessable*—they fall within the moral domain and thus are ready and open to have a moral value assigned to them. How exactly that value is assigned is no small matter and brings up my second response: This weight-determination in moral assessment of acts poses no greater problem for the universal view than it does for the traditional view that holds only the “larger” acts as morally assessable. In both views, there is still a problem of parceling out more significant from less; the former simply asks to apply the criteria to more acts. The latter view, even in Kant’s version, rarely makes all morally assessable acts so equal that no weighting to tip the balance is possible. (Kant [1997] may say you are still doing wrong in executing an assessed “lesser” worse act over a certain bad act, but nonetheless there is acknowledgement of lesser wrongs *as* lesser, thus of balance-tipping.)

How then does any moral system weigh acts? It depends upon the type of system. Kant breaks down morally assessable acts four ways, into perfect and imperfect duties, and those to

²⁸ I thank John Greenwood for raising this point.

others and to oneself, the most strongly imperative being perfect duties to others (1981, 32 [424]). Consequential systems strive to total up the good coming from the act, whether that good is friendship, love, happiness, or pleasure. Mill, admitting how hard it is to predict or count up utilities from an act, defers to the wisdom of moral traditions, which he proposes are distillations and refinements of thousands of years of observation about which kinds of acts lead to greater or lesser happiness for all affected (1952, 456); Kant held an analogous view about help from tradition. The literature is replete with attempts at sound methods for assessing moral weights and how weighting can be facilitated in practice (Loeb and Driver 2008). The universal view has no *prima facie* reason to disallow moral traditions for some basis for moral assessments. After all, the universal view is *not* a moral system in itself, but primarily an optional perspective to take on moral systems. The universal view may apply to a Kantian outlook (see fn. 31), a utilitarian (see fn. 25), and of course to a Dewey-style pragmatic outlook, or an aretaic, or even more esoteric systems such as information or evolution-based ethics (see Ch. 2 for discussions of these under a different cover). At the least, in distinguishing significant from insignificant acts, the universal view has no *particular* problem that more restricted views of morality's range do not share. (In fact, I believe it may have fewer problems; see below.)

In its encouragement to look to the interconnectedness of human actions, the universal view opens up more possibilities to account for the multiplicity of motives (deontological) or goals (consequential) for an action. That is, there may be many reasons for an act, and the universal view only says that at least one of these for any act is morally assessable. If one is baking a cake, a hypothetical imperative for the act—the recipe—may offer one explanation of the act. This reason behind the act may not be morally assessable (see fn 31). But the baker may be motivated by the prospect of giving the cake to charity, and this reason to act would represent

a morally assessable decision. Similarly, at a dinner in a foreign country, an agent may encounter entirely new rules of etiquette that seem arbitrary if not inane. The rules of etiquette would be the details of the hypothetical imperative, “If you want to follow the etiquette of country Y, do a, b, c, ...” However, the decision to follow the rules would stem from a motivation such as, “It is best (whether by standards of deontological, aretaic, care, or other types of ethics) that I recognize the rules of etiquette of my host country.” This much analysis is not particular to the universal view, then, being a concern of more traditional views of the scope of morals. The point is that the universal view does not somehow allow in the “back door” certain action-guidelines, such as how to bake a cake or how to pat your mouth, as morally assessable, but allows that most moral intuitions would have difficulty accepting such action-guidelines as moral or not. Such guides would be only one among many guides, among which at least one is morally assessable.²⁹

Third, and perhaps most important to the present discussion, is a response to a ramification to this objection that I still need to state: This ramification of the objection is that if a universal view is to look to traditional weights for moral assessments, such as placing greater weight on massive genocide over buying a piece of candy, then a universal view can only assign human reproduction a moral value of zero because traditional weights give it no more or less.³⁰ So my third response is this: The universal view has an advantage over a limited view because it

²⁹ See fn. 31, which shows it is a matter of which among the multiplicity of reasons for an action are morally assessable and not merely the act alone. To be morally assessable, the act must be deliberative, but any act’s deliberation may have a multiplicity of parts or reasons. More straightforwardly: One guide to action would answer “Why act?”, which reason generally is morally assessable, and another would answer how to do that action, which is hypothetical and not morally assessable. So, the common doubt of rules of etiquette being morally assessable is not a valid objection to the universal view because the rules of etiquette answer “How to follow the local customs for etiquette,” whereas the “why” of the act—“One should follow the local customs for etiquette”—is morally assessable.

³⁰ Held (2006) observes how the sphere of activities to which women, in modern Western pre-industrial and industrial cultures, were confined to was long considered to fall outside the moral domain as too trivial, private, or personal for such a weighty area. This sentiment, she notes, has persisted into contemporary philosophy: She notes that as “recently as 1982, David Heyd, in a way that was entirely typical, dismissed a mother’s sacrificing for her child as an example of the supererogatory because it belongs, as he puts it, to ‘the sphere of natural relationships and instinctive feelings (which lie outside morality.’” (61)

does include act-assessments that limited views arbitrarily cut off: These assessments may actually be an overlooked or not-yet-recognized entailment of the limited view. That is, the universal view can subsume limited traditional views but much more. Two hundred years ago, for example, a limited traditional view would have assigned a moral value of zero (morally neutral, perhaps just a fact of life)) in assessing an act of enslavement or denying a woman the vote in a democratic country. A universal view would say no deliberative act is neutral, that is, none receives a value of zero.

Now, it may be held that such a view two hundred years ago might have assigned a positive value to either of these acts. However, such an assignment, so hastily done, would have been inconsistent with the universal view, which encourages tracing out the connections among acts. It would have encouraged agents to examine how, *Look here, a slave is considered a human being, a woman is considered a human being. Treating these individuals this way does not connect well with treating other individuals the opposite way.* I am not proposing that the universal view would have inevitably led to such consistencies being ironed out successfully at the time. However, by recognizing interconnections among all deliberative human acts, it has a strong potential to aid discovery of how acts that more limited views would exclude from the moral domain actually connect with acts that are not excluded by that limited view.³¹

³¹ Another type of objection to the universal view may come from a Kantian outlook. Kant (1981) distinguished between categorical and hypothetical imperatives. The former have moral import; the latter do not. The latter concern isolable, deliberative human acts. Therefore, certain isolable, deliberative acts are not morally assessable. If Kant is right at all about the possible types of human conduct, then the universal view must be false. Furthermore, the objection continues, the point in §1.2.3.3. that the universal view can be applied within a Kantian approach must be false.

I find that a response to this objection can come from the very pages of Kant, albeit with some interpretation, as I am not sure Kant is entirely clear on this matter. In the *Grounding*, Kant distinguishes categorical from hypothetical imperatives in that the latter are conditional upon a certain aim, whereas the former hold whatever the aim. Nowhere do I find in this work a distinction in kinds of *acts* drawn along these lines, such that acts that are brought into play solely by categorical imperatives are wholly partitioned from acts brought about by hypothetical imperatives. The division is rather by reasons behind acts; and as an act can have a variety of reasons, a single act can be driven by both a hypothetical or categorical imperative (or a combination of hypothetical imperatives). In any case, the hypothetical imperatives themselves remain morally neutral.³¹ For example, the action in question may be

The universal view would not, then, have to assign human reproduction a zero or null moral value but, in assigning a non-zero value, would give agents pause to look at just how, where, and why this act and its moral value connects with acts whose moral values have for a longer time been assigned an overt moral value.

1.2.4. The Counterfactual Challenge

The fact itself, of causing the existence of a human being, is one of the most responsible actions in the range of human life.
—Mill, *On Liberty*

Where the first three arguments were positive, this one turns the table on the persisting skeptic of human reproduction's being a morally assessable act and poses a negative argument. More simply, it is a counterfactual argument which puts the brunt on the skeptic. To those who still believe it is unlikely that, however far the moral canopy may one day extend, it never will cover this act; and that moral traditions are too strong across the ages ever to allow anything less than "large" acts such as murder fall into the moral domain, no matter how feasible and in fact

baking a cake. The hypothetical imperative in this case may be the recipe: "If you want to bake cake of type X, follow *a, b, c, ...*" However, the same act of baking a cake may involve a maxim relating to the situation, such as "During the holiday season, bake a cake for the homeless shelter." The baking follows two maxims. Another hypothetical imperative may be: "If you want to kill a person, do *a, b, c, ...*" This imperative is morally neutral. The determinant of the act's moral assessment lies in the maxim for a particular act, such as "When a person treads on your feet, kill the person." There is nothing about the existence of hypothetical imperatives per se that precludes all deliberative human acts from being morally assessable.

Kant is sometimes represented as disallowing facts about the world to influence our practical reasoning, as if we should rely solely upon reasoning without information from experience in determining a moral act. In fact, he stresses instead that reasoning should not be based upon experience formally ("metaphysically"), in setting the form that reasoning should take; but that in actual application of the form (the Categorical Imperative)—that is in the "empirical" part of ethics, the agent may have recourse to what Kant calls "anthropology," or the facts about human beings—"... all morals, which require anthropology in order to be applied to humans, must be expounded at first independently of anthropology, as pure philosophy, i.e., as metaphysics" (1981; 412). Consider then that contemporary human ecology would fall under Kant's broad term "anthropology" and that human ecology (like ecology in general) has pointed up the intimate interconnectedness of all human actions and so within this web not one act falls outside potential rational consideration. Kant, then, or at least the Kantian outlook, would well concede that in application, the Categorical Imperative is appropriate for assessing the moral content (positive or negative) of any deliberative human act.

Given the fact there is no absolute bifurcation between "hypothetical acts" and "categorical acts" and that, in application, the Categorical Imperative could apply to all deliberative human acts, I see no objection to the universal view from at least Kant's *Grounding*.

beneficial it may appear to say all deliberative human acts are morally assessable, I pose this challenge: *If all our acts that profoundly pertain to and involve other people (and ourselves) fall into the moral domain³², then why would the act that is the very origin of a person, probably as profound a pertinence one can have vis-à-vis another person as any act can be, not fall into that moral domain?*

The first response is: Reproduction does not fall into the moral domain because it *is* such an unusual type of act. Yes, it pertains to another entity who is the moral patient, but at the time of the decision, that other entity may not yet exist. And as Weinberg (2008) and others note, it makes little sense to speak of, say, the rights of only hypothetical people. Furthermore, say the patient already exists as a month-old embryo at the time of decision (“I decide to keep the child”); that patient is far, many months, away from qualifying as a person, even though it may be a sentient being and a human sentient being. Moral decisions may be based upon it as a sentient being, but not as a person. But what is important is that the patient to-be *need* not exist at the time of the decision to reproduce in order to make a bona fide decision to reproduce.

Therefore, without the existence of an actual moral patient at the time of decision, which patient is a necessary factor in the decision, this act does not fit the condition of the challenge (which requires a person, an existing entity, to be profoundly affected by the decision) and thus circumvents the counterfactual challenge. Human reproduction is an exceptional kind of act that

³² Further clarification and explanation of this condition are needed: This condition is not a definition of morality or moral acts. Rather, it is saying that if moral acts do at least consist in such profoundly involving character, then the described counterfactual demands response. The condition is motivated by the often asserted idea that moral acts are somehow markedly “large,” that a host of our daily activities are morally trivial or, more likely, morally neutral; thus, the alleged traditional understanding that only such large acts as killing and theft fall into the moral domain. This condition is then not inconsistent with the proposal in the previous section that all isolable deliberative acts are amorally assessable, because this condition is not directly speaking to such a theory. It is also not inconsistent because that theory does indeed allow that all human acts that profoundly pertain to others fall into the moral domain (along with acts that may apparently not directly involve others profoundly). Furthermore, by using “profoundly” in qualifying the extent to which others are pertained, this condition does not beg the question on what is meant by “profoundly” as it is not necessary to delineate this term by something such as “Why, those acts that profoundly affect us are moral acts,” because all those acts with profound involvement are considered to fall into the moral domain, tout court, for the sake of the conditional argument.

does not fit the bona fide moral acts in the conditional of the challenge and, so escaping it, remains outside the moral domain.

In response, I note that this objection overlooks the necessary issue in the decision itself, in other words, the decision's content itself and its very concern. To simplify the discussion and thus more strongly bring out the point to be made, assume that for this decision, no relevant embryo or fetus yet exists. (This assumption at least avoids the controversial issue of whether an embryo is a person.) At the time leading up to the decision,³³ by assumption the person (or potential person) does not yet exist. After the decision is made, the person will not exist except by the actions that are to be undertaken in fulfilling the decision. However, the decision was made in order to make a person exist. Once the decision is made, there is then an effective moral patient, and the actions that the relevant agents undertake according to this decision are executed vis-à-vis that effective moral patient. The intention being to make a person, the agents are then undertaking actions that are morally answerable to the effects they have in the moral patient's formation. Thus, if the pregnant mother drinks large amounts of hard liquor, knowing the potential deleterious effects, and the child finally develops fetal alcohol syndrome and resultant defects, the agent is morally culpable. (But I am not making legal assertions, as Shiffrin [1999] might.) If the parents do not even attempt to make proper preparations for the child's welfare and education, then, at least according to Kant (1981) and Mill (1952), they are exhibiting moral irresponsibility vis-à-vis the patient. Thus, insofar as the decision is a bona fide decision to make

³³ In decision-making, there may need to be some distinction between: 1) the process of weighing, reasoning, introspecting, discussing, and other acts that are the aim of making a decision, 2) the act of clinching "yes," "no," "abstain," after which are 3) actions that follow, being those based upon the decision, or the execution of the decision. These parts of the deliberative-act process may be analogous to what a legislature undergoes with a proposed bill, undertaking research, debating, evaluating, canvassing, and other actions in leading up to a decision, the final vote that determines whether a bill passes or not, and the execution of the bill.

a person, actions following it are morally answerable to the effective moral patient even if the relevant new person does not yet exist; otherwise, there is not serious intent to the decision.³⁴

To step further back in the process of decision-making, just as a bill introduced to the legislature is introduced as a real bill to have real effects (see fn. 33), the proposed person is proposed *as* a real person whose real life must be considered as properly supportable by the agents. Certainly, the agents are not morally culpable during this stage in decision-making, just as the legislature is not legally culpable for a bill it is debating. But just because the bill or person under consideration is not yet a bill or person, the deliberation necessarily involves treating the bill or person as real in order to reach a decision as to whether the bill or person, respectively, is legally or morally viable.³⁵

The objection misses the precise counterfactual condition: The act, or the deliberation to act, pertains to or involves another person, even if that person does not exist *per se* at the time of the decision-making. That decision, as well as those acts fulfilling or executing the decision, treat the moral patient as a real moral patient, and because of this treatment the real moral patient that results from those acts has moral (though not necessarily legal) claims upon those acts pertaining

³⁴ One may ask about what happens if the decision is reversed or annulled by accident before the person has been made. The agents would still be answerable for reckless behavior that could harm the patient, even if they reverse or otherwise annul the decision, as they are acting in reckless disregard of their moral decision. The idea of moral culpability for reckless disregard for moral intention, or for a recklessly disregarding intention, is susceptible to objections, particularly from moralists who wholly discount intention as morally relevant. Consider the following case: I get roaring drunk and go driving with my shotgun into a wilderness area, hallucinating that the woods are full of people and I am shooting them down with real blasts. Even if no one gets hurt, I contend this is immoral behavior because of intention. Even eliminativists of subjective experience, such as Churchland (1981), I hope, would concede such intentions are culpable. If you go out one night pre-meditatively planning to murder someone but somehow foil your chance, you have undertaken certain actions that would exhibit “intention,” whether or not you believe intentions really exist. (The legal parallel here would be the crime of attempted murder.) The reckless parents are similarly acting in deliberate disregard for their decision and the person that could result from it. Because of their decision, the effective moral patient is not merely a hypothetical person but is a potential person; or, one may say the effective moral patient is an *existing guide* or measure for the moral decisions following from the decision to make the person, and their resultant intentions are morally assessable according to that measure. Their decision to reproduce creates that new measure to assess their subsequent actions.

³⁵ The analogy, like most, is imperfect, as it breaks down with the fact that the legal responsibility concerning the bill after it passes goes to the constituency’s executives rather than to the bill passed, as the bill is only a vehicle for a particular responsibility; whereas after the decision to make a person, the responsibility to the person to be made remains.

to its making even if those acts occurred before it existed. The decision to reproduce, to make a person, then involves that person even if that person does not exist at the time of decision. In terms of its pertinence to moral patients, deciding to reproduce is not unique, as the objection contends.

Consider an example of a decision to build a new school for 3-5-year-olds (such as a French *école maternelle*). It will take six years to complete. When the decision is debated and made, it pertains to moral patients who do not exist at the time of the decision. Yet the moral agents are morally answerable to those moral patients. If they decide not to add a physical-education facility (so that, say, with their saved funds the authorities can have a better golf-course clubhouse), and as a result the moral patients prove to be weak and unhealthy, the agents are morally culpable for their decision.

There is nothing morally unique or so unusual about reproduction that it falls outside the general moral domain; this act does fit the condition of the counterfactual challenge, and so that challenge stands in need of an answer.

Another objection is that human rights claims would override any claim about the morality of reproduction as an isolable deliberative act.³⁶ Humans simply have a right to reproduce; this right is written into important international human-rights documents, such as the United Nations Universal Declaration of Human Rights (United Nations 1948, Article 16-1). Opening human reproduction to moral scrutiny, with the potentiality of its not being determined to be moral, or even determined to be immoral, then faces dead-on the fact of every person's recognized right to reproduce. Even if it is widely agreed that reproducing is immoral, people still may have the right to do so. Thus, whatever the conditions of the counterfactual challenge,

³⁶ I am indebted to Carol Gould for this insight.

even if the act of reproduction does involve another person who has no defenses pertaining to the decision, this act is excepted by human rights and is not morally assessable.

I have three responses to this objection. First, the human right to do something does not always reflect on the act's morality. Rights documents generally do not say that every human has a claim against every human to be told truth and nothing but the truth. That is, human rights do not disallow an agent's lying in daily circumstances (at least where that lie does not lead to direct and substantial harm). Human rights also do not preclude an agent's having extramarital affairs, or even hurting others' feelings intentionally where there is no moral justification for doing so (such as over-scolding a child or making a hurtful remark at a party). These acts are widely considered immoral or not moral, although human rights do not forbid an agent's undertaking them.³⁷

The second response is that if, as per the objection, the act of reproduction were widely determined to be immoral, say worldwide opinion were to come to a vast majority's deciding this way, then there could well be a movement to amend human rights documents to declare, for example, that potential future generations should be protected from harm by current persons' ceasing reproduction. If human rights institutions reflect the real state of human rights, the human rights objection would then be moot. Third, more important to the counterfactual challenge, say the worldwide opinion instead shifted so that reproduction an isolable deliberative act was not just morally neutral but was positively moral. Then the human rights objection would appear peculiarly beside the point. It would be contending that, even if as an isolable morally

³⁷ I acknowledge that this response can rub against theories maintaining that human rights do not exist outside of institutions that grant them and the documents that establish those institutions, and that if no document spells out the right to lie in daily life or have extramarital affairs, then no one retains such rights. Others may maintain we have no right to be immoral; we may simply "get away with" those immoral acts that are not proscribed by law. However, one need not argue that in a human rights institution's not explicitly forbidding a certain act, one thereby retains a positive *right* to undertake that action. One may say it is rights-neutral, even if the action is potentially immoral.

assessable act reproduction is deemed to be highly moral, it should not be considered an isolable morally assessable act because people have a right to reproduce. That is, the argument of this objection appears substantial only if it turned out that worldwide opinion went toward holding reproduction as morally assessable *and* indeed immoral, but not substantial in general against deeming the act as morally assessable. It is not the act's moral assessability per se against which the argument can substantially precaution, but against the possibility that, given assessability, the world could develop an opinion against the act's morality. And my second response covers that possibility. The human-rights objection, then, offers no substantial exception in answer to the counterfactual challenge: Just because humans have a right to reproduce, human reproduction is not substantially different from other acts that profoundly involve and pertain to others, in terms of whether it is morally assessable.

The last objection to the counterfactual challenge is that human reproduction is too basic, too natural, for coming under moral scrutiny and so does not fall into the same class as other acts that profoundly affect others, such as stealing or murdering or giving aid when needed. It is like breathing, or seeing, or even *being*, which are too basic and natural for such scrutiny. The act of seeing involves others profoundly: Should we then determine whether seeing per se is an isolable morally assessable act? Similarly for our being. Reproduction is part of our being as a species. Our very being as humans involves other humans in their being. These facts are enough to point up the fact that there are certain acts that profoundly involve others that fall into one class, which are morally assessable, and another class, which are not; and reproduction falls into the latter.

I have two points in response. The first is that the other acts listed here are not deliberative, and one is not truly an act. Breathing is not deliberative, and seeing per se is no more deliberative than breathing: Opening or closing your eyes may be deliberative. At best one

may argue that keeping your eyes shut is a deliberative act—but then, given any of numerous situations, it could be morally assessable. Shutting your eyes for long periods while driving is morally assessable. But seeing itself is as non-deliberative as having skin or heart-beating. Furthermore, “being” is *contrasted* to acting; it is not a type of acting. Some beings, such as rocks, do not act; others, such as animals and some plants, do act. This issue can digress rapidly into deep metaphysical worries which would likely not be fruitful in short enough space. Even if being were considered an action, one would be hard-pressed to call it deliberative. The only thing an agent can do about being is to cut it short, via suicide. There is no active choice to continue being (even if you are seriously considering suicide every second). An active choice to undertake an action is fundamental to deliberative action.

My second point is that there is some confusion in the idea that “reproduction is part of our being as a species.” It is unclear whether the species *Homo sapiens*, or *Puma concolor*, exists, or whether instead individual humans beings and cougars exist, each with their particular species characteristics. Still, if *Homo sapiens* exists as an entity, apart from the individuals composing it, it does not appear to be a moral agent, even if it is composed of moral agents. If it is a moral agent, it may well act upon a morality different from that of individuals composing it. At any rate, whatever that morality may be must somehow be determined and presented in its own right, if it is to be relevant to the discussion of the individual human being’s morality. If it is intrinsic to its being that it reproduces, then its mode of reproduction must be different from that of individuals’ mode of reproduction insofar as it is a distinct kind of entity. The idea that “reproduction is part of our being as a species” has the added burden of clarifying how the mode of action and morality of a species translates to the mode of action and morality of human beings.

So far there is no strong answer to the counterfactual challenge. Some acts that profoundly involve other persons may fall outside the moral domain, but there is yet to be evidence that human reproduction is among these.

1.2.5. A Plea

After these four arguments (of which, I admit, the first is weak), there may remain a skeptic who still cannot concede that human reproduction as an isolable deliberative act is morally assessable. I would welcome the articulation of these reservations, as I have been exhaustive in trying to cover supports for and objections to this moral classification for reproduction. For readers whose objections I have not surmised, I offer this last plea: Please stay with the remainder of the argument I lay out in this work. From here on, supported by this section (1.2.), I assume that human reproduction is an isolable, deliberative morally-assessable act. Certainly discounted are cases of coercive or even uninformed (without the agent's being aware of pregnancy, for example) reproduction. I believe that, based upon this assumption, some interesting points can be reached about population and environmental ethics, normative ethics, traditional ethics systems, and rationality theory, as well a new way of looking at human values. Ideally, these points and perspectives offer something useful and, at the least, this assumption about human reproduction and morality will have proven useful in reaching such new perspectives. In turn, this further edifice which is built upon the assumption may make that assumption more plausible.

In the next chapter, I examine how traditional moral systems—deontological, consequential, and others—may handle human reproduction as a morally assessable act. In this next and last section of Chapter 1, I face rationality theory's challenge to the rationality of human reproduction.

1.3. The Challenge from Rationality Theory

Reposing the unconquerable hopes of her rationalist spirit in the strict course of fresh air and early hours which had been prescribed for me, she now deplored, as something disastrous, this infringement that I was to make of my rules...

Proust, *Within a Budding Grove* (tr. Scott Moncrieff)

She had arguments for this at the tip of her tongue; and, in short, reasoned me out of my reason...

Defoe, *Moll Flanders*

... all the polemical writings in divinity are not as clear and demonstrative as those upon a Will o' the Wisp, or any other sound part of philosophy, and natural pursuit; in order to which, what have you to do, before you set out, unless you intend to go puzzling on to the day of judgment—but to give the world a good definition, and stand to it, of the main word you have occasion for—changing it,

Sir, as you would a guinea, into small coin?—which done—let the father of confusion puzzle you, if he can; or put a different idea either into your head, or into your reader's head, if he knows how.

Sterne, *Tristram Shandy*, Bk. 3, Ch. 31

As to whether one should reproduce, another kind of normative theory besides the moral is wont to have its say as well, and that is the rational*.³⁸ Is it rational* for an agent to reproduce? Or, put another way, is human reproduction a kind of act that can be rational*; or does this act fall outside the arena of rationality*, as breathing, knee-jerking, and heart-beating seem to³⁹?

There are then two initial motivations for investigating how rationality* theory would treat the thesis's central question: First, rationality* theory would have as much "territorial right"

³⁸ In this section, in the Appendix, and in my paper "The Ontology of Rationality," I use the asterisk (*) after the word "rationality" until, later, in the section, I derive what I call "the best theory of rationality," and from then on, when referring to the concept of "rationality" referred to by that theory, I drop the asterisk. I follow this practice precisely because of the nature of the section and the paper, which observe that many different theories of "rationality" are current, each representing a different concept. Thus, "rationality*" is a blanket term for all these concepts. The asterisk then helps bring out the fact of these different concepts and "theories" as well as point to the need for have a best theory, for which the asterisk is dropped. I welcome interested readers to read my unpublished paper "The Ontology of Rationality," obtainable by contacting me at lmiller@gc.cuny.edu, for detailed argument.

³⁹ Including "living" in the list of verbs that would be possibly be excluded from the arena of rational* action for simply not being applicable should not imply that either I or rationality* theorists would maintain that not living, once alive, by means of any kind of act that would end it, is not not-rational* and thus somehow condoned by rational* theory.

to take a fresh and untried normative issue such as “Why should one reproduce?” and wring the “should” diligently to determine whether any rational* essence drips from it. Second, rational* thinking, or at least rationality* as a concept and ideal, has become so prevalent in industrialized societies that a contemporary agent, upon considering whether human reproduction itself is moral, would reasonably consider as well, “Whether or not it is moral, is it rational* for me to reproduce?” And some agents, upon first considering the question—in light of, say, strained world resources—may first consider, “Is human reproduction an issue of rational* behavior?” and then consider (say it is determined to be a rational* act in general) its morality, possibly in general or conditionally.

There is then a third motivation for investigating the act against the challenge from rationality* theory: Not only are rationality* and morality normative domains, they are often interrelated, at least in some theory if not in some practice. Both deontological and utilitarian approaches are often grouped as “rational” approaches to morality (Kant 1981, Mill, 1952; see also Held 2006). And moral theories, such as sentimental (Hume) or care (Held) ethics, that distinguish themselves from rational* approaches to morality nonetheless evoke the specter of rationality* so that, at least contingently, part of their definition depends upon this distinction. In discussing the morality of the act of human reproduction, to ignore what rationality* theory may say about the act would be methodologically irresponsible and leave the discussion incomplete.

Instead of trying to find a meta-theory that would account for this relation between moral and rational* theories—an ambition which would digress far from the thesis’s limits—I take a concrete, agent-centered, real-problem approach. This way, I narrow down what exactly rationality* theory may demand of the thesis’s central question and ask whether the theory can provide principles to help solve these real problems. By avoiding meta-theories, this approach

provides a shortcut to just where rational* and moral theory intersect in terms of the Central Question. This section then starts by looking at specific possible concerns an agent may have about the act's rationality*, then to rationality* theory to see how it may respond to them. The agent's concerns are offered here as candidate rational* justifications for reproducing. This set of stipulated reasons throws the challenge back on rationality* theory, to provide principles whereby an agent may determine whether the stipulated reasons are indeed rational*.

Rationality* theory as it currently stands, though, has difficulty providing principles whereby an agent may make such a determination. When examined closely for finding such principles, rationality* proves to be not a theory but a set of theories. To make headway in establishing bona fide principles of rationality* it would help to unite this (de facto) set of theories. Ordering this set helps unite them in such a way as to remain consistent with each of them. This ordering in turn can serve as a more general theory accounting for the entire set. The united theory more clearly allows derivation of principles whereby to evaluate an agent's rational* justification for reproduction. (This fairly involved process of ordering is summed up in Appendix.) The thesis and its central question could then meet the challenge from rationality* theory and offer ways to assess whether an agent is acting rationally* in a particular decision to reproduce.

Dealing with this challenge from rationality theory will pay off in the end: After a consideration of how ethical theories may handle human reproduction as an isolable act in Chapters 2 and 3,, this challenge from rationality* offers, in Chapter 4, §4.12, an optional normative basis for grounding the valuing of human reproduction.

1.3.1. The Problem Among the Relevant Fields of Inquiry

Either concomitantly with or independently of the issue of whether procreation is morally assessable, an agent may answer the thesis question with “I should have children because of *X*,” where *X* is a supposedly rational* justification. *X* can be any of, for example: (i) “My parents are anxious to be grandparents,” (ii) “I will need someone to care of me in my old age,” (iii) “Everyone needs a lifetime friend,” (iv) “I desire something huggable and adorable to take care of,”⁴⁰ (v) “My priest says be fruitful and multiply,” (vi) “My genes must be spread thickly,” (vii) “Everyone I know has children,” (viii) “I like noise, chaos, and incessant worries,” (ix) “My daughter Tommie needs a kidney,” or (x) “Reproducing will force me to get off drugs and focus on other people,” among other possibilities. Understandably, the agent may want assurance that *X* indeed renders the decision rational* or at least not irrational*. How can one determine if any of these *Xs* is rational*?

If there were a set of principles to determine a decision’s degree of rationality*, the process would be straightforward: One checks whether *X* abides by the principles. Say there were principles such as any of the following: *A*. Acts fulfilling one’s self-interest are rational*; *B*. It is rational* to follow local customs;⁴¹ *C*. It is not rational* to use one person unwillingly as a means for another’s end; or *D*. It is not rational* to pursue preferences that could cause you harm. Then principle *A* could support (ii) and (iii), *B* would support (vii), *C* would disqualify (ix), and *D* just may disqualify (viii). Are there such well-laid-out universal principles?

⁴⁰ I am indebted to Carol Gould for first suggesting this reason.

⁴¹ This stipulated principle is much like that discussed by Nozick (1993) as the rationality* of acknowledging the rationality* of others in your community. “Sometimes it will be rational to accept something because others in your society do.” (129) I concede that some readers will object that such conformity is in itself rational*. I need not support or criticize this point here or defend stipulated Principle *B* as rational, because the purpose with these stipulated principles is merely illustrative of how some such set of principles of rationality* would be useful for determining whether any given reason for an action is indeed rational*.

Unfortunately, the rationality* literature reveals that few if any such clear principles have gained wide consensus. There is also a preliminary problem: *Which* rationality* literature? That of psychology, or political science, or economics? (Samuels et al 2004) That of philosophy appears to span these disciplines, as well as include its own historical concerns with rationality*. On the one hand is the view that one can sensibly discuss rationality* only within one of these disciplines, and thus one can simply choose a discipline and work from there. On the other hand, my present call for a set of principles is a philosophical problem. If current philosophical inquiry into rationality* does span these disciplines, and if this philosophical call is to be answered within philosophical inquiry, then that first option is poor. But as I show next, the philosophical literature on rationality* offers little consensus in just what rationality* does consist, deflating hopes for the needed principles.

Kant (1981) tried to establish a theory of rational* action such that only if one acts by the Categorical Imperative is one acting rationally*. With one formulation of this principle (the Formula of Humanity), the principle *C* above, for example, would be consistent, and so reason (ix) would not be rational*. But even Kantians, I imagine, would concur that Kant's principle is far from attaining consensus; and it is unclear how his theory would construe, say, *A*, *B*, and *D* above. Bayesian and related probability-based decision theories, such as that of Ramsey (1988) and Savage (1988), offer methods of determining the rationality* of a decision by connecting the agent's desires with beliefs about given states of the world and how the agent's action can influence possible outcomes. The common assumption of many of these theories is that the agent can assign numerical values to the alternative choices and their outcomes and to the probabilities of the relevant states of the world. These theories assert that the rational* principle that the agent is to follow is something like: Choose the alternative whose outcome yields the maximal

expected utility or most fulfills one's desires or wants. Along the lines of principles *A – D* above, this principle might be restated as *E*: It is rational* to choose the alternative whose outcome most fulfills your desires.

One problem with such a theory for rational* bases for a decision's reasons is: It is at once too broad and too narrow. It is too narrow in that the theory depends upon the agent's assigning numerical values to outcomes, alternatives, and probabilities about states of the world, and it is not apparent how many reason-bases, especially (i) – (vii), are amenable to such quantification. The theory is too broad because all ten of these (except (v) and possibly (i)) can be interpreted as involving desires, so the act is already given as the way of maximizing the relevant expected utility. (That is, Principle *E* would say "Act on any option that fulfills a desire," which is too broad.)

A second problem is one pointed out by descriptive studies such as those of Kahneman and Tversky (1979), which show that people in experimental situations apply more evaluative weight to gaining and losing than, as the normative theories enjoin us to do, to final assets. (Thus, Kahneman and Tversky propose a Prospect Theory that takes into account this difference in evaluative weights.) The studies suggest that human psychology places a different value on different evaluative weights than the normative theories have assumed. These normative theories are saying, in essence, that for people's own self-interests, they should embrace different values from the ones their own psychology prioritizes. However, by what standards or criteria is it true that humans should have one set of values instead of another—and that they should put their self-interests first and that doing so ensures rationality*?

This issue brings up the third problem. The normative theories based upon values that people presumably have—even if people actually appear to have other basic values—each end

up with implicit assumptions, which at least *appear* arbitrary, of what is supposedly rational* behavior. It is unclear by what criteria it is true that whatever any of these theories is referring to as “rational” is indeed rational*. That is, the theories each operate upon an assumption that rationality* consists in (a still inexplicit if tacitly understood) property Φ and that these theories of what is rational* behavior instantiate this Φ . Until this Φ in each case is made explicit, it is not evident how to evaluate whether the theory has indeed characterized Φ .

To a significant degree Nozick (1993) appreciates some of these problems in the scope of just in what rationality* consists, particularly as rationality* has come to be treated in the technical literature of decision theory. On the one hand, he notes that “Until recently, questions about rationality had been the common possession of humankind.” (xiv)⁴² On the other hand, he acknowledges that, like many once-quotidian concepts, that of rationality* has become technical, notably in the decision theory of economics and statistics. These fields have come to treat the term “rational” as referring to certain kinds of behavior of agents that is describable by highly formalized, mathematical structures. For people outside these technical fields, of course, the common usage of the term remains something like instrumental rationality*, or using reasoning in guiding actions to ensure that those actions go optimally. The concern I aim to communicate, piece-by-piece, in this section is whether, among the technical, philosophical, and ordinary understanding of rationality* there is a coherent unitary concept by which one can assess any of the above ten options for why to procreate as rational or not.

As Popper observed, in a science a term itself is not worth quibbling over when the community uses the term consistently (Magee 1972). Thus, Newton’s “mass” and “force” refer to concepts that may not have been those of quotidian use before he borrowed them; what matters for physics is the terms’ use within the scientific community’s research contexts. But

⁴² Within quoted texts, I do not add the asterisk to the word “rational.”

among the broad research community for rationality*, from philosophers to political theorists, it is not clear that “rationality” has reached such a consensus as that for “mass” in the (tighter) physics community (Kacelnik 2006). Similarly, Ramsey (1988) worried that for his inquiry into partial belief, “we [cannot] carry it far unless we have an at least approximate notion of what partial belief is” (25). This worry is similar for theories of rationality* itself. The problem is how to pin down “an at least approximate notion” of what it is.

*1.3.2. Some Initial Confrontations with the Problems of Rationality**

Nozick’s (1993) looks directly at rationality* as it is understood social sciences and philosophy and tries clarify it. He argues for the importance of principles for belief and action (if not deriving a set of the sort I called for), as “To think or act rationally is just to conform to (certain kinds of) principles.” (40) Yet, there remains the “question of why we so value our rational nature.” (40)⁴³ He makes a case for why “instrumental rationality,” for the optimal achievement of certain goals, is limited because it “gives us no way to evaluate the rationality of these goals.” (139) And he offers a concept I find useful in Ch. 4, and that is of socially ordained rationality*, “To whatever extent some rational processes are a product of innately controlled developmental patterns, these processes are shaped and overlain by socially instilled processes Sometimes it will be rational to accept something because others in your society do.” (125, 129)⁴⁴

⁴³ Note here, in these two sentences of Nozick’s, there are already two differently underlying notions of what rationality* consists in: 1) a type of thought or action conforming to apparently formulable principles, and 2) something in, some property of, our nature.

⁴⁴ I am grateful to John Greenwood for pointing out that it is not entirely cogent that it is rational for one “to accept something because others in your society do.” Giving this passage a charitable reading, I believe Nozick is not implying we should always do whatever anyone else in the society is doing. Rather, we can use people’s behaviors as a gauge of what social customs are, and like the cliché “When in Rome...” we rationally should attempt to abide with local customs, within some bounds. Thus, it is usually deemed rational to follow local rules of etiquette, even if these not be backed by universally reasonable standards.

While Nozick makes headway in providing a more complete idea of what rationality* involves, he still does not clearly state what rationality* consists in. It seems that reasons or reasoning is somehow involved, but how? Elster (2010) offers a concise inquiry into this relation, designating (a) “The rational actor is one who acts for sufficient reasons,” (2) (reasons being subjective, reason objective) or further, (b) “The ideal of rational decision is to act in accord with sufficient reasons, in light of which a unique, optimal solution occurs.” (64) Version (b) sounds somewhat like the version of instrumental rationality stated above, insofar as Elster’s (subjective) reasons can accomplish what the reasoning this rationality does—optimal solutions.⁴⁵ Nozick finds “instrumental rationality” generally too limited. If he is right, rationality* must require more than such instrumentality. Elster describes other complications in the relation between reason and rationality*, as well as both to emotions. It starts to appear that rationality* is either nebulous and not amenable to delineation, or it is a conglomerate of several loosely connected, unclearly interrelated concepts. I doubt the former and opt for the latter.

1.3.3. Simplifying the Conglomerate by First Sorting Out the Pieces

To support this position, I look to the literature on rationality* and reasoning to determine the underlying concepts or theories of rationality*, including: Parfit (1984), Cohen (2008), Elster (2008, 2010), Searle (2001), Williams (2008), Van Frassen (2008), Sainsbury (2008), Ainslee (2008), Stalnaker (2008), and Varzi (2008); as well as other works that grapple with or touch on related notions, such as Barrett (1958), Habermas (1971), Rawls (1993), Kant (1998), Prinz

⁴⁵ “Sufficient reasons,” as Elster uses it here, being subjective, are reasons that would be sufficient for the agent. By contrast, the “reasoning” I spoke of in the provisional definition of (instrumental) rationality in the Introduction is like “Elster’s “reason.” Being objective, it must then be held as sufficient not merely by the agent but by anyone else evaluating the reason (and fairly applying the rules).

(2009), and Morrison (2011).⁴⁶ Among these and other works, a variety of theories T_r underlying rationality* emerges. In no particular order, these include, but are not limited to, rationality* as (a) a uniquely defining characteristic of the human species (Morrison 2011); (b) a particular mental faculty (Descartes 1952); (c) a guiding principle in deriving codes of behavior (as in practical reasoning) (Kant 1998); (d) an ideal or standard by which to assess human thought, principles, and behaviors (Samuels et al 2004); (e) certain behavioral strategies that may be used by a great number of species (“As long as chance has been loose in the world, animals have had to make judgments under uncertainty”; Cosmides and Tooby 1996, 14) (Kacelnik 2006, Millikan 2006, Proust 2006); (f) the process of putting into effect operations that follow the rules of logic (as in artificial rational* systems (Russell 1997, Omohundro forthcoming)); (g) the results of an activity that has yielded proposition or state Y from proposition or state X, such that $X \rightarrow Y$ follows the rules of reasoning or logic (whether or not the activity itself has followed them) (as in certain philosophies of science and rationality*, such as Popper’s [Magee 1972]); (h) a philosophical or social/cultural project for individuals and societies, enjoining reliance upon the results of scientific inquiry and skepticism of other comprehensive systems, as encouraged by Bacon, Carnap, or externalist rationalists such as Lakatos and Laudan (Barrett 1958, Mathesen 2008)); (i) systematic thought of a wide variety of kinds, which attains a required minimum of quality through being (minimally) systematic; (j) a higher level of consciousness whereby one can engage in systematic thinking (so a reviving patient may be “conscious but not yet rational”); these latter two (i and j) appear to be implicit in Adler’s (2008, 24-25) discussion of Davidson (1984) and Grice (1989) (k) a certain meta-ideal that lies beyond reason or the rules of logic but

⁴⁶ See Appendix, or my paper “The Ontology of Rationality.” In both, I examine more theories than the sample presented here for the present discussion.

establishes systems or principles as rational* (my construal of part of Parfit 1984); and (l) use of willed self-control or reasoning to keep emotions subdued; *sangfroid* (Barrett 1958).

These theories of rationality, or T_r 's, are not necessarily all inconsistent. For example, (a), (b), and (c) can be seen as consistent, as can (c) and (d), (a) and (h), (a) and (i), or (b) and (i), and many other combinations. However, some combinations are inconsistent, odd, or implausible, such as (a) and (e) (inconsistent), (h) and (j) (odd), and (f) and (k) (implausible). The question then arises as to whether, if some among these theories are incompatible in some way, are some then false and so must be discarded? That option may seem possible if a subset of these T_r 's were to be used to form a composite, comprehensive characterization of rationality*. This characterization would somehow include, account for, or explain the maximum number of theories T_r that are consistent. But then which would be discarded, and why? Why even have a comprehensive characterization?

In the Appendix I outline the argument for answering these questions. Here I summarize its impetus by saying that the comprehensive characterization of rationality* that is called for should aid the pursuit of a general consensus for what kind of thing rationality* is (and in turn for any proposed well-laid-out universal principles of rationality*). For the set of considered theories T_r , the suggested comprehensive characterization of rationality* would be what I designate the best theory, or T_B , which includes any subset of all the theories T_r such that they are not inconsistent and that best explains a maximal subset of all T_r 's. (See Appendix.)⁴⁷ I cannot expect to find a complete T_B in this thesis. I can only propose what is needed, make some

⁴⁷ For example, limiting all T_r 's to (a) – (l) above, say there are two candidate T_B 's, T_{B1} and T_{B2} . T_{B1} includes only (a) and (b) and successfully explains how they are consistent; T_{B2} contains (a) – (d) and successfully explains how they are consistent. T_{B2} is the better theory because it explains the consistency of a larger subset of all T_r . The best T_B would then explain the consistency of the maximal subset of all T_r 's. I say “maximal” because, in the end, there may be no T_B that can explain all T_r 's. Another way to consider T_B is as the best explanation of what rationality* is which also, ideally, satisfies the maximal amount of research-community members.

Also, “The Ontology of Rationality” brings up the matter of “understanding,” such that an ordering of T_r 's may help explain why some T_r 's *seem* inconsistent with others but, if given the right order, are shown not to be.

attempts as examples, from those derive a provisional T_B , and then hope that a consensus T_B will eventually be found. If that T_B were found, one should drop the asterisk and let T_B be a working definition of rationality.

In my sample of how to find a possible T_B among candidate T_r 's, I look for ways of ordering the complete set of T_r 's (I cannot prove that the set I examine is a complete set of plausible or permissible theories, although I believe it should cover the prominent available theories).⁴⁸ Two ways of ordering the T_r 's that I investigate are the genealogical or chronological, and the ontological. Nietzsche (1967) and Prinz (2009) use genealogical approaches to help explain what morality is, in very different ways and differently from my intention in ordering T_r 's.⁴⁹ "Ontological" ordering, by contrast, could prove useful, because as I employ it, it is an ordering by explanatory power. And the exercise with genealogical ordering is not entirely lost because it proves helpful in this ontological ordering. The goal for this ordering is to establish a hierarchy or tree of theories, so the T_r at the node best explains those T_r 's under it. If such an ideal were achieved, the overall ordering would make a strong candidate for a T_B . My argument partly involves weighing different possible combinations of T_r 's. It finds the most

⁴⁸ This approach is similar to #10 of Nozick's (1993) 16 heuristic principles for problem-solving: "With a new particular idea, formulate a little structure or model to embed this idea and then explain its properties and implications."

⁴⁹ "The Ontology of Rationality" describes why I find genealogical ordering too problematic for ordering the T_r 's. Briefly, a genealogical approach to rationality* may involve, say, putting the various T_r 's in an evolutionary and historical order, but I find this ordering of limited use and too problematic to aspire to a T_B . Thus, certainly, evolutionarily a certain type of mentation or certain behavioral strategies shared among *Homo sapiens* and other species arose (see the T_r designated "e" above), and then people must have begun noticing that this mentation had a particular quality distinct from other mentation (b). People then began deliberate systemization of this mentation (i). Observers such as Aristotle began noticing that that these systematic processes distinguished humans from other species (a) and hence proposed rules of logic to reflect and, by making us aware of them, even aid these processes (f). Others such as the Stoics began noting the value of using this mentation to keep emotions in check (l). By the time of the 17th Century scientific revolution, people began encouraging the use of this mentation and the systems derived from it, specifically the sciences, as a project for humanity (h); and so on. One problem is that it is not clear how to order the T_r 's chronologically in terms of when the concepts themselves appeared in history or when the phenomenon referred to in the concept first appeared. As a simple example, the pan-species mentation appeared long ago, but the idea that other species share some degree of rationality* with humans came relatively late. Another problem is that, although all the T_r 's may be ordered into a scheme, call it a candidate T_B , so that their possible consistencies and inconsistencies are explained within the scheme, it is not apparent what useful information the scheme could explain in terms of what rationality* is. A tidy timeline could result but little else.

support for placing a version of theory (*h*)—rationality* as an ongoing cultural project enjoining certain systematic, hierarchical mental and behavioral processes increasingly valued by agriculturally based economies—at the top of the tree.

1.3.4. Rationality as Primarily an Ongoing Social/Cultural Project⁵⁰

Archeological (Wenke 1990, Flannery and Marcus 2012) and anthropological (Hunter and Whitten 1976, Davis 2009) literature can lend support to this ordering (see Appendix), as well as Nozick’s (1993) assertion that rationality* is at least partly socially ordained. Historically, the pan-species mental/behavioral strategies came first; next came humans’ consciously selecting out these strategies and systematizing them. Then, with the increasing competitive pressures of agricultural society beginning roughly 10,000 BPE, leading to the origins of hierarchical, urbanized societies displacing egalitarian ones, increasing value was placed on those kinds of systematic thought and behavioral strategies that increased the society’s competitiveness.⁵¹ Some of these strategies in time came to be distinguished as “rational,” their rules formalized and perfected and offered prescriptively as precepts or enjoinders. Given the usefulness of these systematic thought processes in hierarchical societies, in time they took on increasing social value. And cultures so valuing these “rational” thought processes in time developed a social-

⁵⁰ I thank John Greenwood for noting that if rationality is primarily a social/cultural project, by some views this position could be seen as discounting rationality’s universality. I do not attempt to establish rationality as universal, in the sense that it is, say, to be found in all creatures that attain a certain level of evolution. Arguing for such universality would extend beyond this thesis’s scope. It does not seem, though, that rationality as a project could not happen upon some principles with which all such creatures could concur. Similarly, a science such as physics may be both a cultural project and an embodiment of principles that could be appreciated by all creatures who have attained comparable cognitive development. While this issue of science’s or rationality’s apodictic truth is large, I see no harm in acknowledging that rationality may be attained by other creatures like us and so may one day be established as universal in this way; but for now this kind of universality for rationality remains an open question.

⁵¹ In fact, consider that “rational” is etymologically related to “ratio,” and a ratio is proportion, an assessment of one measure compared to another, and therein is a microcosmic hierarchy. Rationality* may be seen as inherently hierarchical and thus not born as a project until agricultural, hierarchical culture emerged.

cultural project encouraging “rational” thought, exemplified by the Scientific Revolution and Enlightenment of the 17th and 18th centuries.

Such a project is constituted in certain rules, specifically precepts, by which individuals are to order and conduct their thoughts and lives (see suggestions for such precepts below). Placing theory (*h*) at the top of the explanatory tree would mean that, as rationality* is currently understood, it consists primarily in such an ongoing cultural project, so that other theories of rationality* are explanatorily subservient and it can thereby account for the understanding they offer of rationality*. For example, theory (*a*)—of rationality* as a defining characteristic of humans—can be explained as an account of rationality* pivotal in the earlier (ancient-Greek) stage of the project, before theory (*e*) (that we share some of the basic mental facility essential for rational* action with other animals) appeared and demonstrated that theory (*a*) had been too hastily proposed. Theory (*f*)—of rationality* as a putting into operation the rules of logic—can be explained as an extraction or idealization of the rules of reasoning (that, historically, have been used to try elucidating the project’s rules, that is its precepts), such that these rules can be applied by artificial systems.⁵²

If this ordering I suggest were to be the T_B , with theory (*h*) at the node, then this T_B in turn could be said to refer to rationality (without the asterisk). Rationality would be understood primarily as an ongoing cultural project.⁵³ As a project, it has slowly built momentum over millennia, communicating itself through cultures and through time via its rules or precepts enjoining individuals to practice. These rules may be passed on tacitly (say by example) or stated

⁵² A central argument I offer in “The Ontology of Rationality” for why (*h*) should go at the top of the tree is that doing so best accounts for the relation between a so-called rational* agent and a purported rational* code of conduct: Does the rationality* reside in the agent or in the code of conduct? Many theories T_i have a problem with this issue.

⁵³ This would be in some ways similar to but in important ways different from Nozick’s (1993) idea of rationality as an evolutionary adaptation.

overtly. Subsequently proposed theories of rationality, which either attempt to codify some of the precepts or seek new ones, also further the project. They may create further rules (such as those of logic) that abstract deeper principles behind those rules, or otherwise try to increase users' command of the project. Recognizing rationality to be primarily such a project, one should be able to adduce the rules or precepts that, if they do not overtly form the project's precepts, are at least most consistent with what that project enjoins its followers to do. The cultural project of rationality is so broad and differently manifested in diverse subcultures as to be challengingly elusive, so such adduction is precarious. However, if the adduction is understood as an anthropological project, it could be approached empirically. For example, one adduced precept of the rationality project appears to be to enjoin followers to abide by the results of reasoned inquiry; another, to question the assertions and doctrines of those who do not abide by such results, despite their apparent authority. Several such adductions of the rationality project's precepts can be made and, through sufficient discussion over time, refined to generate consensus among the research community. I offer some possible precepts of the rationality project, encompassing both rationality in belief and in action:

- 1) *empirical epistemology*: give greater credence to knowledge gained from experience or from those who also gain theirs from experience, than to that from other sources;
- 2) *scientific skepticism*: any candidate item of knowledge should be testable (by the process of reasoning), such that one can trace the path from the purported experience to the theory;
- 3) *autonomy of belief*: each agent must rely upon oneself and one's judgment for assessing the validity of knowledge by 1 and 2;
- 4a) *validity of action*: base actions upon knowledge gained by 1 – 3 as more likely to result in the outcome that the decision anticipates than otherwise; 4b) *pragmatics of action*: the more faithfully action abides by knowledge gained by

- 1 – 3, the more efficient its production in terms of relevant energy and resources;
- 5) *autonomy of action*: each agent must be the one who decides upon which actions to take based upon beliefs gained by 3. (Both 3 and 5 in the end are mutually required.);
- 6) *constant improvability*: an agent should strive to improve the quality of knowledge by precepts such as 1 – 3 or of action by precepts such as 4 – 5 even if perfection in these areas is not achieved;
- 7) *creativity*: look at situations from a new angle, not from merely (but certainly including) the commonly held perspective.
- 8) *reasoning*: in the process of executing 1 – 7, strive to use reasoning—when applicable—at each step; this practice of deriving conclusions from premises is at least partly reflected in developed rules of logic, such as deductive, inductive, and abductive, training in which may help sharpen one’s reasoning, although reasoning being a practice requires training by doing and learning from well-trained reasoners.
- 9) *ratio*: considering that “rational” and “ratio” have the same Latin root, apply the concept of quantifying elements relevant to a belief or action formulated through 1 – 8 whenever possible and weigh these elements one against the other, as in a ratio.

I offer these, again, not definitively but as an example of how one may approach the problem of adducing the principles, put them up for scrutiny and comparison with others’ adductions of the precepts of rationality, with the aim over time, using the method of inference to the best explanation, of obtaining the set of precepts that genuinely, sincerely, most accurately represent the precepts that are passed on tacitly through the culture. The method, then, is anthropological, consistent with the general practices of cultural anthropology.

From such precepts, principles for rationality in action can be derived, such as “Action based solely upon the tenets of one whose authority is not established by the culture of reasoned

inquiry is not rational (though possibly not irrational).” Finally, then, an agent’s evinced reasons for reproducing, such as those given in (i) – (x) above, can be assessed for their measure of rationality. By this process, for example, reason (v), “My priest says be fruitful and multiply (say because the dogma so states),” may violate precept 5 from the sample list above; and reason (i), “My parents are anxious to be grandparents,” or (vii), “Everyone I know has children,” may violate principles 3, 5, and 7. Reason (viii), “I like noise, chaos, and incessant worries,” may actually be consistent with many of the principles, if it is true and based upon genuine experience with one’s desires and ways. The point here is not to perfect the list of precepts and the representation of their system of rationality but to show that it is possible to meet the challenge from rationality and at least offer a way to assess reasons for reproduction for their rationality.

An objection to the proposal for T_B may come from the rationality research community itself, and that is that the epistemological basis for rationality would be merely culturally delimited, not universal. This objection, though, appears to assume that a culturally established epistemological basis for rationality would somehow preclude the products of that cultural project from universality (see fn 50). To the contrary, a theory by which rationality is primarily a cultural project expressly 1) does *not* negate or nullify other theories of rationality, such as the theory that rationality is the process of putting into effect the rules of logic, but only puts those theories in an explanatory order;⁵⁴ and 2) is not a (philosophical) theory of truth. Even if rationality were primarily a cultural project, this project may allow its adherents a methodology by which they discover truth. In this way, simply because it gives a primary explanatory position to the notion of a cultural project, such a theory of rationality should not be considered a constructivist theory of truth.

⁵⁴ Some theories T_r in the total set of theories may be inconsistent with each other, which should be apparent in the ordering tree of the T_B . However, I do not find that the theory that rationality* consists in a cultural project is inconsistent with the theory that rationality consists in using reasoning or in putting the rules of logic into effect.

I conclude this chapter, then, with the proposal to take this view of rationality as a cultural project and use it as a (tentative) definition of rationality for the remainder of the thesis. This section meets the challenge from rationality theory by saying that agents do have a option for answering why their reasons for reproducing can be assessed as rational or not: Social-cultural principles for rationality can be applied to given reasons for reproducing for assessing their rationality.

In Chapter 4, §4.12., in the context of certain ethical values for newly assessing the morality of the isolable act of reproduction, I show how an agent may optionally use rationality as a normative grounding for applying these values in real situations.

Chapter 2 The Challenge from Traditional and Established Moral Theories: From Deontology to Care Ethics

It is the nature of an hypothesis, when once a man has conceived it, that it assimilates every thing to itself, as proper nourishment; and, from the first moment of our begetting it, it generally grows the stronger by every thing you see, hear, read, or understand. This is of great use.

—Sterne, *Tristram Shandy* (Bk. II, Ch. 19)

In terms of both moral and rationality theory, many concerns arose in Chapter 1 as to the degree to which traditional philosophical theories could help answer the thesis's central question. Now it appears at least *possible* to answer the question (in whatever way), and the contemporary philosophy I have covered so far, while posing challenges to the inquiry, does not yet clearly offer solutions. Can any interpretations of traditional or "established" moral systems lead to solutions?

One problem lies in interpreting these systems. As I noted, traditional ones such as Kantian or Aristotelian do not appear to view human reproduction as an isolable morally assessable act. As Held and other feminist philosophers have observed, in fact, the reproductive realm, the home and household—the private—and the women who oversaw these were seen as partitioned, sequestered to "female and dark forces of unreason, passion, emotion, and bodily need." (Held 2006, 59) It is unlikely that, before feminist philosophy took root, traditional schools would have had much to say about the moral assessability of reproduction itself, beyond implications that the issue was irrelevant to morality, and the literature appears to reflect that unlikelihood. However, these schools do occasionally speak to matters related to reproduction, such as parental responsibility. One may then examine traditional theories and principles for what they might have said about the Central Question if they had bothered asking. The problem, then, is indeed interpretation: Since these schools do not appear to speak to the issue directly,

interpretation and inference are required. Such inference forms these schools' challenge to the thesis, and it takes up much of the sections to follow.

I start with older schools, leading up to recently established ones, such as care ethics, and touch on the not-so-established. Even in post-feminist schools,⁵⁵ it is hard to find this issue confronted directly in the manner I am doing. Still, under this challenge of interpretation runs a rumbling current: If these schools have not spoken to the issue, why? What can these lacunae say about the very enterprise of raising the Central Question? The challenge is at least doubled.

There is also a practical problem of examining established schools of thought in this way: The literature for each is vast. Not only could I not cover all here, but I would lack a focus or criterion whereby to select and assess the material. I offer a device to rally, focus, and crystallize the discussion and so help bring it into wieldy dimensions. The device centers on the concept of a probability P of misery, which I describe. But I also handle this supersaturated abundance of material by pouring off much of it, down to what are, I hope, the representative crystals, representative works of the various schools. There may be objections that yet another, overlooked work could fill in with an issue where I have found that certain key works could not. But since this survey cannot capture all there is in these superrich media of thought, I have to take that risk of shortfall and hope that others will fill it in as charitably as I aim to treat these schools without compromising the argument in the process.

⁵⁵ By "post-feminist," I mean schools that have arisen since feminism became a prominent school of philosophy in the West, roughly around the same time as environmental ethics took off in the 1960s. Before this period, of course, there were prominent feminists such as Wollstonecraft, not to speak of the entire women's suffrage movement, and early prominent feminists such as de Beauvoir. Indeed, very contemporarily, feminists such as Overall (2012) and Valenti (2012) have finally turned to something like the Central Question, as I discuss more in Ch. 3. Other schools of moral inquiry I discuss, such as evolutionary theories and information ethics, arose at least since this period, since the 1960s. Other schools I examine, such as sentimentalist and aretaic, have taken new directions recently.

2.1. Rationality and Emotion in Morality⁵⁶

To clarify the particular method behind this survey, I need to clarify the understanding therein of the relation between rationality and morality. The role of rationality in a moral theory has sometimes been seen as a way to distinguish among the schools. In the anthropological literature, morality, or at least some kind of guidance for social conduct, appears to be a practice necessary for human social life (Hunter and Whitten 1976, esp. Ch. 9; Pinker 2002, esp. Ch. 15).⁵⁷ What seems to run through all such guidance for social conduct across cultures is requirements for social cohesion. There also appears to be some variation from culture to culture as to what exactly are the approved and disapproved conducts (that is, there is some degree of cultural relativity). Rationality, though also normative, may not be a comparably universal practice, even if all peoples have exhibited some amount of systematic thinking that can qualify as reasoning (or proto-reasoning). Rather, rationality, as §1.3. argued, is primarily an ongoing social/cultural project, manifest notably in the West where it has increased in momentum and spread over the past two millennia, and increasingly found in more and more cultures as they are become more industrialized. To pinpoint rationality as a project notably from the West is no tacit endorsement or elevation of it, as if the West offered superior cultural projects; conversely, it is not to give the West kudos for having pushed so strongly on a project which, purportedly, is supposedly a fine one. It is an observation of a phenomenon to which I attach no implicit elevated (or debased)

⁵⁶ I am indebted to Carol Gould and Jesse Prinz and their concerns as to whether this thesis requires that morality be based in rationality, as I am here attempting to clarify the thesis's distinction of these two and the roles that, contingently, they have played in Western philosophy in relation to one another. I am making no statement herein that morality must be based in rationality. However, in Ch.4, I say that the valuing noted therein as central to human valuing in general can be given normative force if an agent has already accepted the normative precepts of rationality. One need not accept such normative precepts of rationality in order to act upon that valuing normatively; rather, I am saying, if one does accept the normative precepts of rationality, then, if one follows those precepts, one should—following the argument given there—grant that valuing normative force, if not concede that it is the highest valuing from which all others stem. All of this matter is discussed further in Ch.4.

⁵⁷ There is the problem of “sick” cultures, as Edgerton (1993) discusses. In many of these, morals have gone awry. However, these exceptions do indicate that a vast majority of societies, which are not sick or will not be existing for long, do have in place such kind of guidance for conduct that is equivalent to what we call “morals,” and such guidance for conduct has some similarities across cultures, despite many, many differences.

value. I point out the cultural distinction between morality and rationality here to indicate better how they may interact in various schools of moral philosophy.

These schools are sometimes bifurcated according to the centrality they give rationality in an agent's decisions concerning moral conduct (see Held 2006, esp. 63-64). Deontological and utilitarian schools are thus considered "rationalist" because of such central role for rationality; and aretaic, care, sentimental, and possibly some evolution-based schools of moral philosophy are, if not quite "a-rationalist," then not rationalist in this way. This distinction of rationalist vs. non-rationalist can appear to be hasty or confusing, because it can lead to the impression that the latter schools are not rational because not rationalist. Some confusion may then ensue as to whether agents, according to these schools, use reasoning or rationality in their moral decisions, or whether devising the very system of moral thinking itself involves reasoning or rationality, or rather some other means such as rhetoric or emotion. Here is where it is crucial to bring in the characterization of rationality as a social-cultural project: All of the moral schools surveyed below are from Western philosophical tradition, which from Plato onward is heavily steeped in that project, so ignoring it would shortchange a discussion of morality in this context.

Virtue ethics, going as far back as Aristotle, places some emphasis on guidelines somewhat like the rationality precepts in §1.3.4., not so the agent may decide on discrete actions so much as to build moral character through reasoning and moderation in conduct (see §2.5.). Such ethics turns to rationality, if in a different way from deontological or utilitarian theories. Even sentimentalist theories rely on rationality—to mark the area outside of which moral behavior lies and to *use* it, to convince an agent that the emotions are a secure guide for conduct. Generally care ethics⁵⁸ similarly relies on rationality. Some care ethicists also acknowledge or

⁵⁸ Care ethics is such a broad field, with some segments of it veritably opposed to others, that I must allow the possibility that some writers in this area attempt to eschew as much influence from rationality as they can.

even encourage the role of “rationalist” approaches alongside care, as care alone may be inadequate for guiding all kinds of moral decisions (See Held 2006, especially Chs. 5 and 6).

This survey, even when it exhibits signs of rationality itself, is not an endorsement of rationality as a project for all humanity but an acknowledgement that rationality has permeated contemporary thought and must be duly recognized as a component of that thought. This point culminates in Ch. 4. Furthermore, observation of the prevalence of rationality and of need to work with it does not mean the survey assesses moral-philosophical schools in terms of how they live up to individualist, rational criteria assuming unconnected, self-sufficient autonomous agents.⁵⁹ It is possible to answer “Why should one reproduce?” without demanding such criteria. Care ethics, for example, as I show in §2.6., while setting the basis of moral action in the context of relationships, nonetheless confirms that agents must take action as individuals on the basis of some kind of moral criteria (that criteria ideally being based on care).

While I make this concession to Western rationalist thought, I also allow for a degree of moral relativity from culture to culture—though not an *absolute* relativity. I also acknowledge there are some values that are found widely cross-culturally (see Ch. 4). Such a cross-cultural, anthropological view on morality may also help in understanding why the different schools of morality respond to moral problems the way they do. In small societies, such as hunter-gatherer bands or horticultural villages of 30-60 people, there are fewer conflicting notions about just what is the proper social conduct or the moral action, than in complex societies such as contemporary Western states (Mead 1928, Dentan 1979). The latter societies have many subcultures whose guidance for conduct is somewhat inconsistent, and yet individuals may

⁵⁹ As Held (2006) writes of Kantian theory, “Such theory requires abstract, universal principles to which all (taken as free, equal, and autonomous individual persons choosing impartially) could agree.” (63) Such characterization of agents as autonomous and independent from one another (as if a vacuum) could apply similarly to utilitarian theory, as she notes in the same section.

straddle these subcultures (Gould 2004) and even be morally conflicted as a result. Agents in smaller, band cultures, though, may be more able to rely upon their moral emotions to guide their individual conduct in accord with the culture's guidance. Sentimental theories of morals, such as Hume's, then have a particular appeal for human moral psychology. However, in complex societies, it is also plausible that, with so much possible conflict from subcultural dynamics, individuals may suspect that their moral emotions are inadequate. In this light, it is understandable that, in the early years of industrialization when anthropology started unveiling the varieties of human culture (Kelly 2007 details varieties even in foraging societies), theories such as Kant's and Mill's arose to answer how agents within a culture may be assured of making correct moral decisions. In fact, these two authors emphasized that agents' socially available guidance for conduct should generally be enough to guide most conduct, and that their own principles are only to serve as, if you will, "back-up."

In sum: in this cross-cultural perspective the theories of these various moral schools are not so readily divisible into "rationalist" vs. "non-rationalist." They all deal with rationality and moral emotions, each in different ways, with different emphases on and roles for each. One may say that rationality and emotions are the basic ingredients of all these (Western) systems; it is in their different ways of dealing with these that makes each a distinct school of moral thought.

2.2. The Factor P of Misery

To help focus the discussion of the different schools, I bring in the fact is that a certain amount of people worldwide live in abject misery. Whatever their misery's cause, whether they live in the "First World" or "Third," whether there is currently more misery or less, whether they can ever leave their misery, whatever the exact numbers may be (I return to this concern), the issue is the

stark fact that they are living in such a state that they may feel their lives are not worth the cost. An agent deciding whether to reproduce faces the probability P that the child will be miserable.

Morally, this fact P can be relevant to many philosophical outlooks in assessing the value of acts. It can be viewed consequentially, in terms of whether an act of reproduction will result in a better world; deontologically, in terms of whether an agent can so act while willing its maxim be universal in case such willing is not rationally consistent; in aretaic perspective, such as whether this fact about human life can affect one's development of the virtues; and in terms of care ethics because misery in those who depend upon us is central to their care. Furthermore, looking counterfactually to a key motivation for this thesis' inquiry, population ethics: If there were no fact or even possibility of human misery, population ethics would likely be of marginal interest. Thus, P should provide a useful way to focus the discussion of each school S and unify and simplify the overall comparative examination: Given P , how would S answer whether one should reproduce?

2.2.1. Homing in on P

Are children harmed by the world? The question, being vague, needs precision. The world harms some children, in any of many different ways, and does not significantly harm others. Infant mortality takes its toll, as do childhood diseases, child abuse, not to speak of genetic luck, by which some children are left in different kinds of tormented conditions. Also, some children may be harmed in childhood, but then emerge into a relatively happy adulthood; while other children may experience the opposite. It seems that both of these kinds of cases should be taken into account. If so, the concern at hand is not merely about children per se, but about the kinds of lives people have both in childhood and into adulthood. In this sense, in speaking about whether

one should have children, the issue of whether one's children will be harmed by the world employs the sense of "one's children" as "one's offspring," and whether one's offspring are harmed must take into account the entirety of the offspring's life. To determine empirically whether the world may harm one's offspring during their lifetimes, one must examine data about harms in the world.

Benatar (2006) responds to a very similar but, in the end, different question in his Ch. 3 section "A World of Suffering" (88-92), and to a different end.⁶⁰ I should note the difference before proceeding. Benatar is asserting that life itself is a harm and he is doing so by a qualitative analysis. In this section, I want to ask, rather, to what degree, quantitatively, lives can be harmed by the world. The distinction is not too subtle, because I am not here abstracting an entity "human life." Instead, I am examining a set of real entities, human lives, and asking to what degree, insofar as we can determine empirically and quantitatively, they are harmed.

To this end, I examine an arbitrary amount of current factual data, "arbitrary" because I cannot hope to present either a complete set or a fairly representative sample of data about harms done to humans. I can only select a set of categories of harms and then present data quantifying the degree to which humans suffer from those. That is, I am not attempting a rigorous study of human suffering, but only presenting a sample of quantifiable, empirical data about these harms.

I must qualify my quantification of suffering, as it is virtually impossible to quantify suffering. Most everyone suffers to some degree, but we need to consider those who suffer chronically and severely; the victims have gone beyond a threshold desperation point. So then we have to determine certain categories of suffering, in which victims have passed this threshold and whom we can somehow quantify as having passed this threshold. Furthermore, once we have

⁶⁰ Pinker (2011) also offers extensive statistics on suffering in the form of violence, past and present, although this work contends that such suffering has grown less severe worldwide over the course of human history.

these categories and quantities of people that fact-gathering bureaus have tallied, it is hard to pin down exactly what the numbers mean, in the following sense: One starved person on the planet is bad, so is 1,000,000 starved people a million times worse? What does “a million times worse” mean? That is, in all cases, we have to consider that the insufferable condition is bad for anyone to experience and whether any person should suffer the insufferable. The purpose of referring to numbers in this chapter is to derive an (hypothetical) index of the proportion of present misery in the population or the probability of future misery for any newborn.

Various agencies keep track of the numbers, particularly relief agencies. It is horrible to treat people’s suffering as statistics; if we remind ourselves that these are not mere numbers but they represent people and that each person is experiencing very real pain, then the numbers can be worthwhile. Finally, these numbers cannot capture everyone who is suffering.⁶¹ We must consider these numbers, then, to be on the low side⁶². I also list certain categories of pain and misery, such as grief, for which no way of tabulating the suffering is evident, but I include them as a reminder they should not be overlooked. Readers who dismiss P with “Come on, things are not that bad,” may ask themselves if either they never suffered much or they lack empathy.

⁶¹ The numbers also blur the fact that many people suffer multiple pains, because statistics are often gathered according to category of ill. One agency counts the numbers of refugees, another the numbers of victims of war. But many refugees are also war victims; the mentally ill may be subjected to homelessness. So any single category of pain does not restrict the breadth of pain the victims may be experiencing.

⁶²Note that the statistics here are almost all from the first decade of the 21st century, when the world population was between 6.4-6.8 billion. The numbers must be considered in proportion to that total. Perhaps as such data-gathering improves, we can get an idea whether human suffering is increasing, decreasing, or leveling. Only if suffering were to take a downward turn, to a mere fraction of its present level, would some of the arguments that follow be much affected.

2.2.2. Particular Facts of Suffering and Misery

1) *War victims*—an extremely hard number to count. From one historian to another, the numbers vary widely because of the amount of factors that must be taken into account in making estimates. Brzezinski (1993) provides the following numbers for twentieth-century war dead:

Total war Dead: 87,500,000
Military war dead: 33,500,000
Civilian war dead: 54,000,000

Rummel (1994) lists 34,021,000 dead from wars for the same period. These numbers do not account for the greater number of casualties, not to speak of the grief of those who lost their loved ones, the torment of those fighting the war, and the detriment to society involved in war.

2) *Disease*. Given the many kinds of disease, this list must be incomplete. But the current cases of a few major diseases give some idea. With a global population of about 6.7 billion, in 2011 there were

86,848,583 cases of malaria
34,000,000 cases of HIV 34,000,000
12,000,000 cases of TB (Kaiser Foundation 2013)

3) *Pain*—that is physical pain. It is almost impossible to count instances of all extreme acute and chronic pains. However, there are reports for certain more specific categories of pain, such as “disease,” although these are hard to distinguish.

4) *Depression*. The prevalence of depression differs from one country to the next. In the U.S. 17% of the population experiences clinical depression at some point in their lifetime; in Japan, the lifetime rate is 3%. Worldwide, this rate is 8 to 10%. In North America, 3–5% of males and 8–10% of females experience depression in any given year (Andrade et al 2003, Kessler et al. 2003, Kessler et al. 2005). Some indicators (see Wells 2010 for discussion), such as those from

the World Health Organization and Centers for Disease Control, project that depression and mental illness are on the rise; by 2020 mental illness will be the second largest cause of death and disability. Antidepressants are the U.S.'s bestselling pharmaceutical category (CDC 2007).

5) *Other mental illnesses*. The U.S. Surgeon General's report cites studies from the 1990's, indicating the following rates of mental disorders in the United States:

20% of the adult population during a given year suffers mental disorder
9% have mental disorders with functional impairment
7% have an impairing disorder that last at least one year.
5.4% have serious mental illness. (Surgeon General 1999)

6) *Malnutrition, hunger, starvation*. In September 2008, 932 million people worldwide suffered hunger and about 820 million people were undernourished (Food and Agricultural Organization 2008). Every year, 10 million children die of hunger, that is, 16,000 every day (Black et al. 2003). In 2008, 10% of children in developing countries were severely underweight and 26% under age five in developing countries are moderately to severely malnourished (UNICEF 2008). Poor nutrition and malnourishment lead to one in three people's dying prematurely (World Health Organization 2001). Fifty-four nations do not produce enough food to feed their own populations (Care 2009).

7) *Refugees*. In June of 2008, the United Nations High Commission on Refugees annual report on refugees said that 11.4 million were forced to leave their home countries in 2007, and 9.9 million in 2006. Additionally, 26.2 million people were displaced from their homes within their own countries, because of conflict or persecution. (Lawless 2008)

8) *Crime*. Worldwide crime statistics have problems of accuracy because of a lack of concerted international effort in compilation. For homicide, the Geneva Declaration on Armed Violence

and Development found there were 490,000 homicides in 2004 (Geneva Declaration Secretariat 2008). For some crimes, such as rape, there is an apparent disparity between reported and actual number of crimes as inferred from surveys. For example, the number of rape cases in the United States for 2006 was 255,630 (U.S. Department of Justice 2008), but one study indicated that only 16.6% of rape cases in the U.S. is reported (National Victim Center and Crime Victims Research and Treatment Center 1992). The World Bank (2008) reports that, according to surveys, about one in three women experiences forced sexual relations sometime in her lifetime. Whatever the exact numbers, the reality is that a great amount of people suffer from crimes.

9) *Child abuse*. While not always counted as a type of crime, it needs singling out: It reflects an overarching attitude about children, although statistics on it are dauntingly hard to derive.

10) *Grief*. How can this be counted? One can only look at the number of people who died in any year to understand that, for most of them, many individuals likely suffered a great amount of grief. In 2005, considering that 58,000,000 died worldwide, one may multiply that number by some reasonable factor, say five, approximating the average number of persons close to any person who would be deeply grieved by their death. That would give at least an idea of the amount of people who suffered grief that year.

11) *Other emotional pains*, such as heartbreak. Also very hard to tally, and perhaps many people see heartbreak as somewhat comical by comparison with “real” pains and grief. But recall that many people commit suicide after breakups, which can cause serious pain. The drive to love and be loved is strong in our species, and to be thwarted in love can lead to severe emotional pain. Consider the response to a person in such a situation, “Get over it.” This response, if applied to

certain kinds of pains, like that of a person whose loved one is succumbing to cancer, can seem callous. At this point, when we are just considering the *fact* that people experience pains, we have to consider the reality of some people's pains from heartbreak.

12) *Political oppression*. Political oppression has many dark sides. One is the degraded life of the living—loss of freedoms and rights, drained economies, malaise. Another side is the loss of lives due to tyranny. Estimates of lives lost to oppression by tyrannical regimes vary from one source to the next, much as war statistics. The two historians I referred to for war statistics also vary in their numbers of lives lost from political oppression. Brzezinski (1993) lists 80,000,000 dead in the past century, 60,000,000 of these from communist oppression, and Rummel (1994) lists 169,198,000 of what he calls “democides,” or government-caused deaths, during the past century, 110,286,000 due to communist oppression. These numbers represent only the deaths, not the other evils of oppression.

13) *Poverty*. In a world population of about 6.6 billion, about 1.4 billion), that is, about 21% of the population, lived below the international poverty line of \$1.25 per day. (The World Bank 2005) About 1 billion total impoverished people live in 65 affluent countries, such as the United States. About 4.7 billion live in low and middle-low economies. In the United States, in 2007 the poverty rate was 12.5%, or 37.3 million people. (U.S. Census Bureau 2008)

14) *Hatred*. Being the victim of hatred is very real but hard to assess empirically. Wars can be seen as forms of hatred, as can hate crimes perpetuated against individuals. There are also the common interpersonal hatreds that occur among acquaintances and relatives, which are hard, if not impossible, to measure empirically. FBI statistics in 2007 found 7,624 hate crimes reported.

(Federal Bureau of Investigation 2008) That statistic only represents incidents, and not the oppression that many others experience in their daily lives without reportable incident.

15) *Forced labor*. In 2002, the Cornell University International Labor Relations School published statistics on worldwide forced labor, indicating

- 12.3 million people are victims of forced labor
 - more than 2.4 million have been trafficked
 - 9.8 million are exploited by private agents
 - 2.5 million are forced to work by the state or by rebel military groups
- (International Labor Standards: Forced Labor 2006)

In others words, in many parts of the world, slavery persists.

16) *Loneliness*. This factor is a greater and graver contributor to misery than may be expected, considering its sentimental place in popular culture, such as country-western music. It has been the subject of recent empirical sociological, psychological, and medical research. It is not merely an unpleasant emotional condition; it is a threat to physical and emotional health. Persistent loneliness contributes to breakdown in immune responses, notably increases heart disease, and increases hypertension. (Estroff Marano 2003, Lynch 1979, Ornish 1997, Smith 1988) It is not only endemic in the United States among the elderly and inhabitants of suburbs, but is growing rapidly. One sociological index of loneliness is the number of people that individuals indicate with whom they can share their feelings. (Weiss 1976) This number has decreased from three, on average, in 1985, to two in 2004. (Olds and Schwartz 2009) The amount of people who have no one to turn to has increased as well. Indices show that with the proliferation of technological modernism, with its fragmentation of the family unit, geographical and demographic displacements, and replacement of personal relationships with electronic media, loneliness has greatly increased. (Olds & Schwartz 2009) The social-cultural factors that researchers believe

dispels loneliness are disappearing, although in other types of socio-economic structures, these factors are much more dominant: Humans appear to have a strong requirement for live, present, ongoing, and consistent social interactions with others (see §2.6 on care ethics), first of all merely to be defined as human, and then throughout life to sustain the emotional health required to stay alive, fully human, and healthy in all aspects.

2.2.3. Discussion of the Statistics

These categories of suffering offer a picture of what many often divine, that this planet is a “vale of tears.”⁶³ Living nightmares that have tormented human existence show no sign—despite some apologists’ sanguinity (Pinker 2011)—of abatement, even in the presumably more comfortable Western cultures. Furthermore, new kinds of miseries may be in the offing: If any of a number of sociopolitical scenarios promoted by some industrialists (Kurzweil 1999) and supported by some

⁶³ I am grateful for Jesse Prinz’s pointing out that individuals have different set-points for misery tolerance, and these set-points may vary from culture to culture, so that, as he mentioned, Colombia, a “Third-World” country, has rated number 1 on wellbeing surveys, while a “First World” country like the U.S. rated significantly low for a supposedly well-off culture. Thus, observers may plausibly declare that for many people, P—as experienced misery—may be negligibly low. It is true that “affluence”—high resource-consumption—does not necessarily translate into wellbeing. And yet, a nation’s average rating of relatively high, even highest, on a wellbeing survey does not mean that those people who are indeed experiencing misery are experiencing it less as misery or that the amount of them is negligibly low. (I will speak to tolerance level presently.) It simply means that the rating of misery is relatively higher than average. There seems to be some danger in maintaining that poor people are happier than one might think. However, I am also not equating poverty with misery. Poverty is merely one index that is correlated with misery, although hardly either a necessary cause or equivalent. Different people and peoples, with different set-points, may respond differently to war, crime, poverty, chronic disease, but this fact does not diminish these indices’ usefulness, and historically it appears that there has been a moral impetus to diminish these conditions that are indices of misery (Pinker 2011). There are many other more direct indices of misery, such as depression and mental illness, which by definition are misery (and their rise as nations “develop” may partly account for why many “affluent” nations are relatively miserable).

Would this discussion mean that cultures that do exhibit more signs of misery are somehow more immoral for producing more children? (I am also indebted to Jesse Prinz for raising this question.) Such a conclusion should not be drawn from the present chapter’s analysis, and certainly does not follow from Ch. 4’s discussion of valuing life in and of itself. For one matter, as §2.2.2. shows, misery is hardly confined to any culture; one type or another is found anywhere, so no culture, like that in the U.S., can assure itself that it is safe from prolonging misery. One main point of P is that it can appear anywhere, any time, unpredictably. But more important, the point of P in the thesis is a yardstick for neither a culture’s nor a moral philosophy’s “goodness” but as a comparative device, springboard for discussion, a way to gain some angle and grip on the different moral philosophies. As P is an average across humanity, no one particular person or culture can be singled out as more “immoral” than another for reproducing. Besides, I am not declaring here that reproducing despite P is immoral; I am seeing how moral philosophies handle this factor.

philosophers (Bostrom 2008, Chalmers 2009, Walker 2011) are realized, by which the human species is made part-machine or some members “uploaded” to machines, or machines themselves replace the species, the prospects for many human beings could be markedly dim (Agar 2010, Miller 2012b) and human rights abuses could remount.⁶⁴

Is a single index of human suffering derivable from these numbers, to estimate what is the overall probability that a newborn will experience any of these miseries during a lifetime?⁶⁵ A useful, valid index is hampered partly because these partitioned categories do not reflect overlap among them; furthermore, the numbers in most categories are either highly contestable or unavailable. One can only draw rough conclusions, such as, a person has about a one in eight chance, or about 0.123 probability, of being undernourished; about a 0.21 probability, or roughly one in five chance, of living in extreme poverty; or if one is born in the U.S., about a 0.054 probability, or 1 in 20 chance, of developing severe mental illness during a lifetime.

For this discussion, I assume that P is a nontrivial, non-negligible (significant) positive number, $0 < P < 1$. I intentionally do not attempt to assign a figure to this number but let the reader to construe what that figure is and what it would have to be to be rationally and morally

⁶⁴ I have a further debt to Jesse Prinz for pointing out that some promoters of such sociopolitical programs—variously, the “Singularity,” abetting fusion of human with machine or even turning humans into machines via “mind uploading”—are optimistic about such programs’ improving the human race in the end rather than causing more misery. However, enthusiasts’ optimism for favorable outcomes need not translate into assurance of such outcomes. Stalin, Pol Pot, and Hitler and their enthusiasts were comparably sanguine about their sociopolitical programs’ favorable ultimate outcome for the species. Bostrom and Ćirković (2011) and Yudkowsky (2011) warn there are serious “existential risks” to proposed self-replicating supercomputer contrivances that may be implemented without proper ethical control, and Caplan (2011) also describes how with widespread development of new techniques the threat of totalitarianism looms. Kurzweil (2005) calls on human/machine hybrids, “spiritual machines,” to grow freely to astronomical sizes and expand throughout the universe or multiverses, consuming all matter and energy and turning it into pure thought; humans who chose not to do not face a favorable, unconsumed future. I refer to Bostrom’s and Ćirković’s volume, which details the risks of new anthropogenic (as well as natural) catastrophes, an area that, as the volume warns, merits careful attention. Clearly, sanguinity is little assurance.

⁶⁵ Stephen Neale has pointed out to me that people derive a significant antidote to misery, if not a pleasure, via hope. Certainly, hope and its centrality in human life has been exalted throughout the ages. Hope may indeed palliate pain. People can also lose hope, especially depressives and other mentally ill, as well as normal persons badly abused. The possibility of hope among some persons does not counter the fact of the misery and is no excuse in itself to allow it to happen, say if, by reproducing, one creates a hopeless, miserable person. I thank Stephen for his insight.

significant to a decision to reproduce. I thus call P a “hypothetical” number. Looking at the statistics, that number for the average world population is likely not < 0.05 , and likely not > 0.3 or 0.4 . I have my personal hunch, but I will not go further than these loose bounds.

The next question is: What is one’s tolerance level? For such a probability, one has to know what level of probability for an outcome is the threshold for determining to take an action that may lead to that outcome. If a crate of oranges going for half price has a 0.4 probability of being all bad, is it worth the gamble of the lower price—when you may be left with an all-bad crate? For non-monetary outcomes, determining risk tolerance is even harder. Given principles for rational action, P may affect how rational is the decision. For example, justifications (ii), (iii), and (vi) in §1.3. may now, given P , not be rational⁶⁶ : P may foil your act’s guaranteeing your having someone to care for you, having a lifelong friend, or spreading your genes.

But P poses other problems in moral considerations. With monetary cases, one has numbers that give some idea of possible results. However, with a case such as whether to have a child, the numbers work only one direction: *If* you have a child in the U.S., there is a 0.054 probability that child will suffer severe mental disease. But if you *don’t* have a child, then what? There is no alternative number for refraining from having a child, except for a long list of zeroes: There is zero chance of creating yet another mentally ill person, zero chance of creating yet another bound in poverty, in malnourishment, in war, in grief... Yet, given zero chance of these bad outcomes—is anything else lost, especially anything of truly rational or moral value? That is one concern of this thesis.

⁶⁶ I am not saying these justifications for a decision render it rational; principles of rationality may not render the justifications rational. But *if* they are deemed rational, the fact of P could affect that determination.

2.3. Consequentialism

The few utilitarian essays on whether humans should reproduce have yielded opposing answers. Hare's 1988 "Possible People," based on total utility, states it is our duty to have children to maximize utility. Benatar's 2006 *Better Never To Have Been* concludes it is immoral for humans to reproduce. The ground is still fresh for raising a resilient utilitarian edifice on this issue. It would be useful, though, to ask how two prominent utilitarians of the modern period, Bentham and Mill, might have answered, "Should one have children?" Like philosophers before them, they do not seem to have answered it in their writings. The best one can say is how they *might* have answered.

To test these systems, I offer P as a utilitarian challenge: as a probability index for any given newborn's likelihood of experiencing overwhelming misery.

2.3.1. Bentham

The general question to pose Bentham is: In bringing forth any child, one has the probability P of causing the person irrevocable harm, which is that person's existence in unremitting pain. For many other children, their lives will have a mixture of pain and pleasure. If, for any action in general, there is a probability P that action *A* will cause a party pain, and if it is not done, there will be no pain but there will also be no party to receive pleasure, then should *A* be done?

Having a child differs from most other human acts in certain unusual facts about the parties whose interests may be affected. One to two persons, the parents, make the decision, but another party eventually affected, the child, has no interest at the time of the decision because this party does not yet exist. And this party may not even come to exist despite the decision.

However, in evaluating the utility of an act, the role of potential recipients of benefits or harms of the act being considered is clearer when all parties with potential interest exist. Say the act will bring X utils⁶⁷ for one party and Y negative utils for another; perhaps the act is health policy in which 50 million people will each receive an average of 5 utils' increase in quality of life, but 100 million will experience -0.05 utils due to increased taxes. Whether or not these quantities are accurate, at least the existence of both parties allows a start for weighing the policy's utility. But if one party did not exist, weighing would be more difficult if not impossible. Even in speculative assessments concerning future generations, the conditional "*if*" provides an anchor for weighing present parties' interests vs. *potential* future parties' interests before a decision is made. For example, the conditional statement may be, "If there is a human generation alive in 2050, then will our present utils X balance against their future utils Y ?"⁶⁸

The issue at hand may be worded, "My having a child is in the interests of living parties V and U ; is it in the interest of nonexistent but perhaps to-be-born W ?" There is no child, and one may never result from this decision. With no child at the table, that party, though eventually affected, has no interest *at the time of the decision*. In fact, it is implausible that one is doing the act for the sake of that party (Weinberg 2008, Overall 2012, and §1.1.1.).⁶⁹ In the decision to have a child, because it is a decision about establishing that existence in which one (the child)

⁶⁷ I adopt this later term while discussing Bentham for the ease it affords, notwithstanding its anachronism.

⁶⁸ A decision does not take the form of a conditional. The conditional "If X happens, then do Y " is not a decision, but the imperative "Do Y " is. Decisions are normally (non-conditional) declaratives or imperatives. One may weigh the decision beforehand in conditional terms, e.g., "If I have a child, then in the best case, can that child achieve happiness given X circumstances?" But the moral issue at hand concerning reproduction is not a hypothetical weighing before a moral decision. Quite differently, it concerns a decision about an act and whether the act may benefit the overall interests of the parties affected.

⁶⁹ Contrast the situation when considering the interests of future generations: *If* they exist, then we may assume they will have certain interests as persons, and these interests are weighed against given interests of present persons. If a future generation does not exist, we can hardly say it is in their interest to exist, because it requires existence to have interests. Coming into existence itself is not an interest; it establishes the basis for having interests. So, given existence, one has certain interests. Of course, given existence, I have an interest in continuing that existence. Continuance is another interest that can arise only after having existence.

then comes to have interests, the child has no interest in the decision at the time it is made.

(Compare Weinberg 2008)

Preliminarily, this character of the act of having a child brings to light a difficulty in construing the act in terms of Bentham's principle of utility. Early in *The Principles of Morals and Legislation*, he states this principle as that "which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question."⁷⁰ By this principle, it may appear at first that the only parties whose interests can be assessed morally in terms of having a child are among the living, as the nonexistent child cannot have an interest in coming into existence. Now, if you and your partner and friends and relatives want a child and would gain so many utils from that child's coming into existence, it may *seem* the action is conformable to the principle of utility.⁷⁰ So, should one have the child, whatever the circumstances for the future child?

It would seem that Bentham would be concerned about the child's circumstances beyond its mere coming into existence. There would be a need to weigh the happiness of the ramifying outcomes of the actions for all parties involved. Once the child exists, the resultant circumstances of its existence must be taken into account compared with the happiness its existence brings to the other parties. And the sheer overwhelming size of the other parties compared with the mere single offspring cannot be the sole determinant factor in the moral assessment of the act. As one

⁷⁰ After stating the principle of utility, in which he defines the principle in terms of an action, Bentham immediately goes on to define utility in terms of a "property in any object." This jump from defining the principle in terms of action to utility in terms of an object is confusing. He does state that this property of the object is its tendency to produce happiness. (The "its" here, being ambiguously anteceded by either "object" or "property," adds another hurdle to interpretation.) So, there is an action involved—in the production of happiness. However, for some actions, it is difficult to find an essential object involved that is producing the happiness and so is the utility. For example, in having a child, there may be a number of "items" involved which produce the happiness: the decision, the conception, the pregnancy, the newborn; some of these objects are abstract. It is sometimes more cogent to consider the action itself as having utility, as I will do from here on.

commentator has pointed out, Bentham is not interested solely in numbers, as he has often been represented (LaFlueur 1948, *xi*). Instead, he considers whether happiness is *generated*.

Now in gauging that happiness for morally assessing the act of having a child, one must take into account the possibility that that offspring will experience unremitting misery, or P. To assess the act fairly, grant that the future child's interest cannot be coming into existence.

Instead, look to the ramifications of the act, which encompass that offspring's life as a whole—thus now the future child has a place at the table of decision. The ramifications of the act for other people are: 1) total happiness and pains of having a baby, and 2) total potential happiness of having a grown offspring and the potential pains of a having a miserable grown offspring.

Bentham's seven "circumstances" of happiness and pain, including intensity, duration, certainty, propinquity, fecundity, purity, and extent, come into play. For both the happy and miserable child and parent, the intensity, duration, propinquity, and fecundity of pains and pleasures may be markedly high. The purity, as I have implied, is usually low, and the extent variable case-to-case. The certainty of happiness for the parent, for at least the child's early years, is fairly high; the certainty of misery for the child is P.

Because for the Benthamic utilitarian this single act, more than most other acts, must ramify into entire lifetimes, the calculus is particularly cumbersome. But the peculiar character of the act as I described can offset the awkwardness. Take the case of the agent who refrains from the act, or the case when, despite the decision to act, the act fails (no child is created). In either case, no one is hurt. Compare the health policy case. If no one acts on that policy, 50 million people will be hurt (by 5 utils apiece), and 100 million are made less unhappy (by 0.05 utils apiece). If no action is taken, some are hurt, some are made happier (and if action is taken, some are hurt and some made happier). Almost all such policy decisions will have comparable

consequence, similarly for almost all moral decisions—except those about having a child. But the peculiar fact about having a child has the following asymmetry, discussed in one form or another in the recent population-ethics literature: If you do not do it, no one is hurt (I presently come to the issue of the happiness that is lost), and by Bentham’s definition of a moral act, it is not immoral to refrain. In the policy case, by contrast, it is either moral or immoral not to act. It may seem, though, that in refraining from having a child, you also do not bring in untold happiness. And so would the act not be immoral, by the principle?

First consider how moral agency hinges upon moral context. Not all people are moral agents in decisions about certain policies, whereas most adults are moral agents in decisions about having children.⁷¹ Certain people, such as government officials, who refrain from acting on a policy may indeed be acting immorally by not bringing into effect many people’s happiness and by preventing pains. Most moral agents are not acting on any of countless public policies, and indeed those policies are not within their moral purview. Most people are also continually refraining from having children. Now having children is in most every adult’s moral purview, yet it is implausible to say that in every instance when they refrain, they are precluding future offspring’s happiness and so are immoral. For other acts which are in everyone’s moral purview, such as lying and stealing, an instance of refraining is moral. The moral difference for refraining from having a child partly hinges on the fact that one party does not exist (and never will) and has no interests to claim happiness or pain resulting from refraining. By Bentham’s principle, moral context seems to rule out people’s everyday passive refraining from having children. To refrain passively would not seem immoral by Bentham’s principle—nor distinctly moral, in that

⁷¹ For Bentham’s discussion and phraseology of these different contexts and responsibilities, see Bentham (1948), 313-314.

it is equally absurd to say one is, in every instance of refraining, preventing so many from suffering.

So, should the narrower context for morally assessing the decision not to have children be those occasions when a person *actively*, rather than passively, refrains from acting? That is, if the person seriously considers and decides to refrain? This scenario also appears no more moral or immoral than passive refraining. For if a person seriously considers against having children 5000 times in one year, it is absurd to insist that this person has 5000 times been immoral by not bringing in so much potential happiness.

But what about when you do act on the decision and have a child?⁷² Are you not acting morally by bringing about so much potential happiness—and yet also immorally by bringing in the probability P of unremitting misery? As I described earlier, the act would have to be assessed not merely in terms of a coming into existence. Instead, the offspring's life must be considered as a whole, if it is to be weighed against the interests of others involved such as its parents and relatives. The difference between a decision *to* have a child versus *not to* have one is that, in the former action, there would at least be a potential offspring whose lifetime could be theoretically assessed for its amount of happiness, qualifying it for admittance to the table for the act's moral assay.⁷³ There would be two ways to assess the act, one taking into account the totality of the acts, the other the acts individually: 1) weigh the probability P vs. the probability 1 – P, for all acts of having children. At this point in history, it still appears that $(1 - P) > P$. 2) Assess the individual acts that lead to offspring with unremitting misery as immoral, otherwise the act is

⁷² As for cases in which an agent has a child without the decision, moral assessment would still have to depend upon the party responsible—say the parents of the agent if they had forced the agent to have a child, or the agent if the act was one of simple irresponsibility.

⁷³ As Weinberg (2008) might say, the child is now an actual future person, not merely a potential future person, and thus has interests in its happiness, *given* its existence. But contrast how it still does not have an interest in coming into existence, as one cannot draw the parallel: “*Given* its existence, it has an interest in coming into existence.”

moral. The latter option is simply not plausible even by stringent utilitarian standards. The outcomes of cases when assessed individually still are subject to a high error of chance for either positive or negative outcomes. Even two mating partners who are both depressed and have a dominant gene for depression have a small probability of a happy offspring; and conversely for happy parents' having miserable offspring. Proposing that one should monitor the entirety of a life and then declare the instigators of that life either moral or immoral allows no moral hook or grounding: It leaves no method for anyone to assess an action before it is done, and some such method is definitive for normative ethics.⁷⁴

To this extent, the first option is better: It allows a method for assessing a current action. The question is whether Bentham's calculus is sufficient to handle this weighing of P and $I - P$. The problem involves nothing less than weighing the totalities of all human happiness and human misery. This prospect brings out the common complaint against utilitarianism in its weighing of happiness and misery, but to the extreme. It demeans those who suffered in the Central European and Cambodian death camps to ask whether their ills can be neutralized or outweighed by the amassed pleasures of so many privileged lives. It is fair to ask whether there is a level of pain below which no rational being's pleasure anywhere can compensate. There may be a threshold of P whereby $(I - P) < P$. Bentham's calculus is not detailed enough to calculate this threshold. If it were, then it may well show that $(I - P) < P$ and so people should not have children.⁷⁵

So the unusual character of the act of having children has led to a peculiar, asymmetric moral situation for Bentham: Unlike other acts with moral purport, to refrain from the act of

⁷⁴ This result then conflicts with the stance taken by Shiffrin (1999). See §1.1.2.

⁷⁵ There is another way to ensure Bentham's system can make human reproduction moral: make him believe in total utility. Human reproduction would then be moral as long as $P > 1$. But Bentham showed no evidence of being a total utilitarian, so this alternative is groundless.

having children is neither moral nor immoral; it is morally neutral in general. Yet, having a child appears to register on the moral scale, that is, is a morally assessable act: And by Bentham's system, if his calculus could be perfected, it may register the act as immoral.⁷⁶

2.3.2. Mill

Can Bentham's spiritual stepson, John Stuart Mill, offer a clearer answer? Mill inherited Bentham's Greatest Happiness Principle and modified and perfected it for his own version of utilitarianism. Before assessing how the principle may handle the challenge about having children, I look at some of the few places where Mill did speak to the issue of the rights and ethics of having children. In Chapter 5 of *On Liberty*, his primary concern is not questioning whether humans have a right to have children which is to be protected by the state. Rather, the concern is whether it is a moral crime to bring a child into existence when one does not have the means for its proper upbringing:

It is in the case of children, that misapplied notions of liberty are a real obstacle to the fulfillment by the State of its duties. ... It still remains unrecognized, that to bring a child into existence without a fair prospect of being able, not only to provide food for its body, but instruction and training for its mind, is a moral crime, both against the unfortunate offspring and against society; and that if the parent does not fulfill this obligation, the State ought to see it fulfilled, at the charge, as far as possible, of the parent....The fact itself, of causing the existence of a human being, is one of the most responsible actions in the range of human life. To undertake this responsibility—to bestow a life which may be either a curse or a blessing—unless the being on whom it is to be bestowed will have at least the ordinary chances of a desirable existence, is a crime against that being.... (1859, Ch. 5)

This passage may be the closest that Mill comes to answering whether it is moral to have children. He certainly does not say that, in general, it is immoral to have children. However, he

⁷⁶I refer readers interested in further arguments regarding Bentham to my unpublished paper, "Alternative Arguments for Whether Traditional Moral Schools Can Offer a Moral Assessment of the Act of Reproduction," available by contacting me at lmiller@gc.cuny.edu.

does signify that it is wrong to have children under conditions in which their sufficient physical and educational needs cannot be met. In other words, if their circumstances cannot give children a certain minimal level of physical and social provisions that can ensure a person's having "a desirable existence," then it is immoral for parents to cause "the existence of a human being."

Mill here is not questioning the general right to have children, nor would he likely do so.⁷⁷ But in his usual accession that one's right extends no further than the point where exercise of it would harm others, he finds that one's right—if there be such—to reproduce would only extend as far as it would not harm others, namely the offspring themselves. Now it would be appropriate to ask, what if, in all cases, there were some average probability P that any offspring at all could be harmed? Would this probability of harm not override the right?

Turning to *Utilitarianism* and the Greatest Happiness Principle (GHP): Would reproducing lead to greater happiness for a greater number than not reproducing? A primitive calculus will help answer the question, and a brute-force method of approaching the problem through such a calculus will at least provide a springboard to discussion. Creating a human life will have a probability of leading to a certain amount of misery as well as a certain amount of happiness, designated by the following utils:

- the misery M_1 that offspring X will experience throughout life until death (negative value)
- the misery M_2 that offspring X will cause others throughout X 's life (negative value)
- the happiness H_1 that offspring X will experience throughout life (positive value)
- the happiness H_2 that offspring X will bring to others throughout X 's life (positive value)

A brute-force expression that will apparently fulfill the GHP is when having a child leads to

⁷⁷ One can only speculate as to why Mill, like other moral philosophers, bypassed the question of the morality of the reproductive act itself. Perhaps he and other moral philosophers looked to the acts of adult moral agents in constructing and furthering the social world as being subject to normative rules of the sort that concerns moral philosophy. That is, it is incumbent upon adult human moral agents to act from moral duty and the role of moral philosophy is to bring into focus what are those moral duties and give them normative force. Therefore, to adjudicate the moral value of human reproduction itself, with the potential that it could be deemed immoral, would be like potentially taking away the whole source of normative force—human life and society—before the responsible agents of moral duty could even exercise it!

$$(1) \quad H_1 + H_2 > |M_1 + M_2|$$

The utils involved in not having a child are

- the misery M_3 that the parents and family of potential offspring X will experience by not having a child
- the happiness H_3 that the parents and family of potential offspring X will experience by not having a child

A brute-force expression that will apparently fulfill the GHP is when not having children leads to

$$(2) \quad H_3 > |M_3|$$

However, (2) overlooks certain important considerations. Not having a child also means the happinesses H_1 and H_2 will be deleted from the world, as well as miseries M_1 and M_2 . So expression (2) needs to be modified to take into account these deletions:

$$(2') \quad H_3 - (M_1 + M_2) > |M_3 - (H_1 + H_2)|$$

Similarly, expression (1) does not take into account the utils of not having children and so should be modified:

$$(1') \quad H_1 + H_2 - M_3 > |M_1 + M_2 - H_3|$$

Now, it is necessary to weigh the utils of having children against the utils of not having children to determine whether the former outweigh the latter. In general, for any two inequalities

$$a > b$$

$$c > d,$$

we can simply take the differences to determine which inequality is greater:

$$c - d > a - b \quad \text{or} \quad a - b > c - d \quad \text{or} \quad c - d = a - b.$$

Thus, to determine whether having children or not having children yields the greater total utils, we have to determine whether not having children yields greater utils than having children,

$$(2') > (1')$$

that is,

$$H_3 - (M_1 + M_2) - (|M_3 - (H_1 + H_2)|) > (H_1 + H_2 - M_3) - (|M_1 + M_2 - H_3|)$$

or vice versa,

$$(1') > (2')$$

that is,

$$(H_1 + H_2 - M_3) - (|M_1 + M_2 - H_3|) > H_3 - (M_1 + M_2) - (|M_3 - (H_1 + H_2)|).$$

(Or both expressions may be equal.) As a first attempt, at least, the brute-force approach to Mill's GHP can meet the challenge with a quantified answer as to whether having or not having children is more moral, if only we can sufficiently quantify the relevant utils.

However, this brute-force method, being only a rough start, does not take into account factors that Mill would likely find pivotal. Significantly, it does meet the challenge of P head-on: the fact that there are some lives in which the misery so far outweighs any good, that good can be said to exist only to serve as a yardstick for the bad. For these lives, H_1 (the happiness the offspring experiences in life) ≈ 0 . For such lives, H_2 (the happiness the person brings to others throughout life) ≈ 0 .⁷⁸ Then for some lives, $H_1 + H_2 \approx 0$. In such cases, then, whatever misery M (of any kind) that is experienced is quantifiably—not to speak of qualitatively—incomparable to the essentially zero happiness. Misery (unhappiness) can be seen to be not the symmetrical opposite of happiness; there is a lack of symmetry in what makes a life bearable or a horror. If there were a (rare) life with all happiness and almost no misery, that life would be bearable, in fact possibly a daily delight; the little unhappiness in that life would be so overshadowed by the happiness that the former might serve as no more than yardstick for the happiness and otherwise

⁷⁸ I am considering cases in which another's misery makes an agent happy as pathological.

be virtually forgotten.⁷⁹ As the scale slides toward more and more misery compared with amount of happiness, bearableness may hold fairly steadily. But as the relative amount of happiness closely approaches zero, one might see a rapid drop in bearableness, so that life is not merely unbearable but an outright horror—a horror that is not merely unbearable, not merely the absence of happiness, where the happy life was merely the absence of misery, but a positive evil. Herein lies the lack of symmetry.⁸⁰

How this horror creates an asymmetry should become clearer in the following discussion. Compounding the problem of this horror for utilitarianism is the fact that such evil is absolutely unpredictable from the starting circumstances. That is, from the circumstances into which one is bringing the newborn, one cannot predict, with a morally sufficient degree of accuracy, whether the offspring will experience such horror. So parents who were making full-hearted effort to follow Mill's *On Liberty* dictum about one's moral responsibility for one's offspring's circumstances might still be quite powerless against the following kind of unpredictability. Consider parents in two actual historical circumstances: 1) 1920's Central Europe, 2) 1960's Cambodia. Upper or middle-class parents in both circumstances could have been perfectly assured they were following Mill's *On Liberty* moral criteria for parenthood. Many Jewish, Romany, or Slavic parents in Central Europe may have had every reason to believe that they were bringing children into about the best circumstances the world had ever experienced, with a cruel war from European aristocracy's last breath behind them, democracies blooming across the sub-continent, rising technologies promising prosperous times and good health, and rich cultural traditions for their children with unmatched educational opportunities. Well-to-do parents in

⁷⁹ Another plausible view of such a life, though, is that the person is so unaccustomed to misery, that the tiny miseries encountered are experienced with great exaggeration compared with how a person with an average life might experience them! However, for simplicity of argument I overlook this possibility.

⁸⁰ This lack of symmetry contrasts with the "Asymmetry" of Parfit's (1984) provenance discussed in Ch. 1 and the asymmetry Benatar (2006) finds between the absence of pain and the absence of pleasure, discussed in Ch. 3.

Pnomh Penh in the 1960s also had some reason to be sanguine. Parents in neither region could have foreseen that in a decade would begin the most unprecedented nightmares the human race had seen in systematic massive torture, hatred, and death. In Cambodia, these horrors were carried out primarily against the urban upper and middle classes, whom Mill would likely have condoned for properly provisioning their children for “a desirable existence.” As Neiman (2004) has written of the Auschwitz atrocities, “both survivors and observers often repeated the claim: the best were those who did not survive.” (266)⁸¹ The emergence of such horrors remains, at least with current knowledge, scientifically unpredictable.⁸²

From these examples, then, two factors become clear, indicating the inadequacy of the brute-force approach to utilitarian justification of having children outlined earlier: 1) there are horrors that make life more than simply unbearable but unlivable. The horror of seeing and being victim of human cruelty to humans subtracts from the positive reasons for being a human, in a way that unending happiness does not add to such positive reasons. That is, happiness *is simply* those positive reasons, and unending happiness cannot add to them; horror subtracts from them, yielding a negative number. (Hence the asymmetry between happiness and misery as factors in

⁸¹ The horrors of the death camps, Neiman finds, made the idea of human life abhorrent to many of those who did remain alive. In fact, the Shoah, an event of such incomprehensible evil as to send the human race into a state of moral and spiritual shock, in which many humans have lost hope in trusting their species as moral agents. The shock of the victims of the Pol Pot scourge could also be said to have suffered a double shock, because many of them, being well-educated, were likely well-acquainted with the atrocities in Central Europe three decades before.

⁸² Assume that a science makes the prediction that a Holocaust is about to occur in Country X. How precise is this prediction? Consider various scenarios: 1) The prediction specifies the towns and cities which will be affected, the numbers of people, and the composition of the groups. If so, then the prediction can be publicized in those areas and among those groups, and the people can flee. But by doing so, the prediction is undermined and is thus inaccurate. 2) The account is general, just saying that some unspecified amount of people somewhere in the country will be killed by genocide. Perhaps hundreds of thousands or millions flee the country, and five people are shot. The predictors could still rack up their prediction is accurate, though by strict standards of scientific prediction it would be too vague to qualify. 3) The prediction takes into account its own effect, stating how many *would* have been killed if the prediction had not been made. So, it predicts precisely 400,000 will be killed, stating the regions, cities, and group composition. Millions flee upon hearing the prediction; 400,000 are nonetheless killed. Could the prediction then not be a part of the pogrom? That is, how else would the predictors have access to the kind of social data needed to derive such precision of figures unless they were a part of the social system that was carrying out the pogrom? In other words, the prediction would not be scientific but part of the plan carrying out the pogrom. See Rost (2013) on the possibility of predicting the risk of a genocide.

calculating utils.) 2) One cannot predict the emergence of horrors and can do nothing to shore up against them for one's offspring. Thus, parents can never really take full precaution against committing the kind of "moral crime" that Mill discusses in *On Liberty*. Since one can never know when a Holocaust or Pol Pot atrocity may arise, nothing can be done to assure "desirable existence" properly and sufficiently.⁸³ At the more domestic level, one may also not know when a child is slated for lifelong depression. At best, it is conceivable that one day scientific tests may make reasonably accurate predictions as to who may become depressed. So far there is too little evidence to assert plausibly that such tests could be accurate enough to assuage moral concerns about causing misery. That is, a test may point to aborting a fetus who might have turned into an averagely happy adult, or not to aborting one who, for some reason that neuropsychologists and geneticists and their tests could not foresee, became abominably depressed. Demand for such all-or-nothing precision may appear extreme, but even discounting this extremism, parents will always face the possibility that they are bringing offspring into a world in which such horrors may occur.

I cover one objection here:⁸⁴ Mill explicitly echoes Bentham's call for "everyone to count for one, no one for more than one." So to say that a few persons' misery and horror should outweigh the happiness of the group at large is to let the happiness of the former set count for more than one. Their votes are heavily weighted, which is unfair by Mill. I acknowledge, again, that this issue of majority tyranny is a controversial one in interpreting Mill. (Perhaps this issue of whether to have children can form a benchmark case—and one of the more straightforward cases—for deciding on this majoritarian interpretation or not.)

⁸³ There are no current shortages of sociopolitical thought which, if pursued successfully, would lead to comparable nightmares. See fn 64.

⁸⁴ For further objections and responses, I direct interested readers to the paper referred to in fn 76.

I offer two responses: 1) the objection overlooks Mill's assertion of "the equal claim of everybody to happiness." Saying that action A leads to X people having happiness while $X - I$ are made unhappy does not morally justify the act in Mill's system because A precludes the equal claim of $X - I$ people to happiness (see fn 76). 2) Different kinds of happiness or unhappiness must have different weights. If an act leads to fifteen people's receiving lollipops but one innocent person must go to prison for life, the act is patently unjust. The thrills of having a child around the house are great and the relationship itself is warm, but these benefits cannot by any measure be as great as the horror of one person's living through Auschwitz is low.

Given action A , A will lead to some amount of people X being happy to a combined amount H . But some amount of people Y , of a size a significant fraction of X , will experience misery to a combined amount M , where likely $|M| > H$. If $|M| > H$, any utilitarian should accede that A is immoral and should not be done. But by Mill, apparently A should not be done even if $H > |M|$ although M is of a size a significant fraction of H (perhaps $H > |M| \because X > Y$). If A is having children, then by Mill it should not be done.

2.3.3. Conclusion Concerning the Representative Utilitarian Views

A fair examination of both of these authors, Bentham and Mill, yields a case for how their systems at best make it hard to justify having children as positively moral. More recent writers who have asked whether we should reproduce have yielded extreme and, so far, utilitarian, answers: Benatar's (2006) proposal to cease human reproduction (see Ch. 3) and Hare's (1988) proposal for unrestrained reproduction to increase total utility. Total utilitarianism has the potential ramification that Parfit (1984) deems the "repugnant conclusion" (381) and indeed may repel many people: By total utility, humans should be produced as means to the great end of

happiness in the universe, however little of happiness that each individual may experience. By both Benatar and Hare, in opposing ways, it seems that humans would be sacrificed to some higher, abstract (rational?) end. Hare's answer is further disconcerting: Total utility as a moral gauge could lead to ready justification of Holocausts or Pol Pot horrors. One may say that if there is misery on Earth, we simply need more people to increase total utility, and if they are even more miserable, then we need even more people, ad infinitum.⁸⁵ I defer to Ch. 3 the utilitarian Singer's (2010) brief note on the morality of human reproduction. Other consequentialist theories, such as those for self-fulfillment, friendship, wellbeing, or wisdom, should have outcomes comparable to that for utilitarianism when faced with the question of reproduction, given P.

2.4. Deontology

Within traditional Western philosophy, some philosophers have discussed one's rights to have a child and responsibilities to offspring (Bentham 1948, Kant 1998, Mill 1859). Certainly, in contemporary industrial democracies, couples who elect to be "childless" are rarely considered immoral, yet having children, in itself, may strike us as somehow "*further* from" being immoral. If the parents of eight children live in a poor nation, the call may be for charity and aid rather than heartless chastisement of the parents for "overpopulating." By contrast, the rare parents in well-off families in wealthy countries who have eight offspring still thrive in an ambiance of enviable, wholesome prosperity, despite global resource pressures exacerbated by wealthy

⁸⁵ Overall (2012) also offers the point that total utilitarianism, or "the repugnant conclusion," at least as a work like Hare's presents it as a moral obligation, ignores the unethical burden this obligation would impose upon women, who would become mere reproductive tools to the goal of producing as many bodies in the form of infants as possible. See her discussion 130-131. The projection of there being as many women as possible miserably pumping out as many miserable babies as possible just so that there may be the tiniest grain of happiness manifested in each of these persons, even if that grain of happiness were no more than a split-second's enjoyment of a lollipop somewhere in that lifetime, just so that some abstract calculus were adding up all such blips of happiness popping up in the universe, is indeed a bizarre nightmare fantasy.

nations. Reproduction has something of a force of nature about it, an inevitability, whose morality few people question. Do we ask whether the liver should detoxify? Yet, sexual conduct has been debated for centuries; reproduction (when not coercive) seems at least as subject to moral scrutiny.

If the utilitarian approaches to the question of whether, given P, one should reproduce are unclear or unsatisfactory, the classic deontological approach—Kant’s— may be clearer or more satisfactory. Since having children may be not only a joy, but also, if not the firmest answer to the meaning of adult life, then more importantly a basic duty, deontology seems a promising alternative for this issue. Despite talk of our rights and responsibilities in reproduction, having children is often a call to duty beyond one’s personal delight. And for many it is a duty whatever the harms or happiness that results: Humans staunchly go on reproducing despite the direst surrounding tribulations. While Kant appears not to have spoken directly to this ethical problem, his duty-based system, fashioned to answer all problems of practical reason, is a natural place to look. Perhaps the categorical imperative can classify the act of human reproduction as moral duty.

2.4.1. The Categorical Imperative: Perfect Duty

In *Groundwork for the Metaphysics of Morals*, Kant (1993) describes four kinds of duties: perfect or imperfect, to either others or to oneself. A perfect duty is such that, if the maxim for an action were to be universalized as law, the world would be inconceivable or the maxim self-contradictory, and so one has a duty to refrain from the action, which duty “permits no exception” (Kant 1998, 15, 30 [4:402, 421fn]). But if the world would be conceivable under this maxim, or the maxim itself would not be contradicted, then because one could rationally will to

act on the maxim while making it universal law, it is a duty; but the fact it does not render a conceivable world, it is not a perfect or required duty but an imperfect or optional duty.

Preliminarily, I want to note it is a challenge to devise a universalizable maxim legislating that one need not reproduce yet which would lead to self-contradiction or an inconceivable world. If everyone were to follow such a maxim, the world would continue to exist; it would not self-destruct as a universalized maxim to suicide would. In following the suicide maxim, everyone would be dead; in following a maxim allowing non-reproduction, everyone would still be alive. Insofar as we would then have no duty to refrain from non-reproduction, it seems that a maxim requiring reproduction would not be a perfect duty. I will soon come to objections to this conclusion. First, I will examine piecemeal the different possible perfect duties for reproduction.

How may having children be a perfect duty to others? It may be either a duty to 1) the child to come, or 2) others who are alive, such as one's relatives and friends. In the first case, the duty would be to something that does not exist. One may plausibly speak of duties to future generations in terms of conditional statements, "If persons X were to exist, they would need certain basic resources." *If* we are going to bring about their existence, then we may have duties to ensure them of certain basics, comparable to the duties we have to existing persons. It is another matter, though, to say non-existent persons have a right to existence and we have a duty to give them existence. Insofar as there are infinite conceivable nonexistent entities and we would have infinite duties to all these, with no room left for our duties to existent things, claiming duties to nonexistent entities is subject to a *reductio*. Having children cannot be a duty to those children who would result from the act.⁸⁶

⁸⁶ See §§1.1.1.4 and 1.1.1.5 for related arguments by Harman and by Weinberg.

Could having children be a duty to one's relatives and community? Say, the relatives and community want *K* to have children and *K* does not follow the relatives' wishes. The maxim for this action may be, "Whenever my relatives and community want me to have children, I need not follow their wishes." This maxim leads neither to self-contradiction nor an inconceivable world: the world could certainly go on, simply with fewer and fewer children. It is even conceivable that the world⁸⁷ could go on with children, as the relatives and community may whimsically neglect at some moment to will that one reproduce, and at that moment one might commence reproducing. Having children cannot be a perfect duty to others.⁸⁸

Objection: The duty is not a perfect duty simply to a small group such as family and community. It is a duty to the species because the species' very existence depends upon individuals' reproducing. (As many religions dictate, "Be fruitful and multiply.")

One problem with this objection is the difficulty of finding a coherent maxim for the duty.⁸⁹ Say I refuse to reproduce. Is my maxim, "When the species wants you to reproduce, do not"? But there is no particular instance here of call to duty: *When* does the species want me to act? And how can the *race* be said to want me to act? Grant for a moment there is some kind of collective will. Then if, upon coming into sexual maturity, I do not act, have I broken my duty? Do I get ten years' respite into my sexual maturity before I am in moral trouble? If I die before reproducing, am I culpable? This case is unlike that of lying, which transgresses all humanity: In

⁸⁷ I understand that by "world," Kant, carrying over from the first critique, refers to both the *Sinnenwelt* and *intelligible welt*, the world of the senses and the intelligible world, as he says in the *Grounding* that a person "has two standpoints from which to regard himself and know the laws of the use of his powers and hence of all his actions: first, insofar as he belongs to the world of sense subject to laws of nature (heteronomy); secondly, insofar as he belongs to the intelligible world subject to laws which, independent of nature, are not founded on reason." (1993, 53 [452]). It seems that both the universe, or nature, as the laws of physics provides it, and the laws of mathematics and logic which are not given in nature constitute the agent's world. Thus, Kant's famous promise-keeping case makes the world impossible because it involves a logical contradiction. Beyond this simple understanding of "world," I refrain from treading further on the grounds of contentious Kant scholarship that could demand analysis of his entire corpus.

⁸⁸ See Overall (2012), 64-65 for an alternative, if somewhat similar, view on duty to others to reproduce.

⁸⁹ Another community need may be for, say, warriors. However pressing, this need leads to the same following problem of a coherent maxim.

lying, there is a specific instance of acting, the maxim for which, once universalized, contradicts the foundations of knowledge and speech (Kant 1998). Not having a child is not such a discrete act. If it is a sin of omission, then unlike other sins of omission there are not necessarily instances or situations in which its omission is discernible. A sin of omission such as withholding life-saving action involves discrete acts of withholding, with discretely discernible repercussions.⁹⁰ A standing lifetime duty to the species to reproduce, which must be filled before death or menopause, would fall under a category of duty new to Kant's system. It is implausible there should be a duty for which we are continuously, instantaneously (and thus infinitely) culpable as long as we abstain. Not surprisingly, the maxim to abstain does not lead to self-contradiction or an inconceivable world.⁹¹ (This postulated continuous, instantaneous duty to abstain would differ from a lifetime duty, such as that to care for a spouse or offspring or develop one's talents, which would not be so much a single continuous duty as much as a series of discrete duties to undertake discrete actions.)

As for whether reproduction is a perfect duty to oneself, Kant's case of suicide (Kant; 1998, 31 [4:422]) appears to be a good parallel. In this first illustration in *Groundwork*, if the maxim for suicide were universalized, "It is then seen at once that a nature whose law it would be to destroy life itself by means of the same feeling whose destination is to impel toward the furtherance of life would contradict itself and would therefore not subsist as nature" (Kant 1998, 32 [4:422]) It may appear that if the maxim not to reproduce, when one is physically capable, were universalized, the human race would destroy itself and hence the maxim would self-

⁹⁰ Other sins of omission such as withholding charity—regarding imperfect duties—are discrete; however, Kant discusses at least one, an imperfect duty, which is not discrete: developing one's talents. Later, I compare reproduction with this duty. Perfect duties appear to apply to acts which, whether right or wrong, are discrete, rather than acts that are discrete when right but not discrete when wrong.

⁹¹ This postulated continuous, instantaneous duty to abstain would differ from a lifetime duty, such as that to care for a spouse or offspring or develop one's talents, which, at least in the way Kant characterizes duty in the *Grounding*, would not be so much a single continuous duty as, rather, a series of discrete duties to undertake discrete actions.

destruct. Call this the “common-sense” objection. Just as suicide destroys a single life, cessation of reproduction would destroy the entire species.

However, care is needed in assessing the similarity between suicide and non-reproduction. Consider *K*, who elects not to reproduce because developing a talent would be a better use of energies. What are the precise situations in both *K*'s and the suicide's cases? Is *K*, by not adding *more* life to the world, somehow effectively subtracting from life as the suicide does? Here's how the two cases differ in this respect: In Kant's suicide illustration, the difficulty is that the agent is proposing to improve his life by destroying it, and this action is a contradiction because once it is destroyed, there is no life that is “improved” compared to what had been before. In *K*'s case of non-reproduction, the life that is being improved by not reproducing still exists: both the agent's life and everyone else's. There is no self-contradiction in this case.

However, it may seem that the contradiction in the maxim for non-reproduction arises differently from what my analysis implies: If the maxim for non-reproduction is universalized and everyone ceases reproducing, there is no more human race: This would be a case of species suicide, and it would seem that I, as a member of this species, could not rationally will it.

Below I list three points whereby suicide and non-reproduction are not parallel. First, though, note that calling the cessation of human reproduction “species suicide” is a misnomer. Species suicide would be, if the concept even made sense, a case in which all members of the human race killed themselves. The closest parallel between the individual's not reproducing and the species not reproducing may be this: In the former case, the individual lives a lifetime, and upon death, is no longer living and the individual has left no offspring who continue living. In the latter case, a set of individuals lives a set of lifetimes, and upon death, is no longer living, and the set has left no offspring who continue living. Neither case is suicide, and the moral

differences between them and the case of all members of the human race killing themselves should become apparent in the following discussion.

The three points about the lack of parallel between suicide and non-reproduction are:

1) There is a lack of parallel between transgressions of the positive duty for the agent in the suicide case versus such transgressions in the not-reproduction case. The positive version of the former is “Stay alive.” The transgressor of this duty takes a life *through a discrete act*. Any transgressor of this positive duty does wrong in performing that discrete act. The other, parallel positive duty would be, “Reproduce.” As indicated above, how or when does one ever transgress this duty? There is no instance of transgression.

2) There is a lack of parallel between the natural instincts, if there are such things, involved in the two cases. Against suicide we have a self-preservation instinct, and this instinct appears to be universal. Even those who commit suicide can be said to have it, and they overpower this instinct upon deciding that they can no longer bear their pains. It is unlikely that the urge to reproduce (as distinct from the urge to have sex)—which many people feel is universal—is such an instinct that people overpower when they decide against having children. Rather, many people simply do not have the urge. So, too, this urge to reproduce does not appear to be necessarily an urge to preserve the species. For one, what if Dawkins’s “selfish gene” theory is true and we do not reproduce to maintain the species? (Dawkins 1976) Also, many people who want children simply like children and want to have them around, without considering that they must do so to preserve the species.

The objection here is that, when people struggle to save themselves from drowning, they rarely consider, “I must preserve my life.”⁹² Instead, they have almost reflexive impulses to surface and to grab branches and so on. Similarly, the urge to save the species need not possess people consciously. Nature uses ruses and tricks to ensure that the race keeps reproducing, including the sexual urge itself. The response to this objection brings up a third instinct difference: The instinct for self-preservation is steadily operating. According to Kant, we have a duty to obey it. (Kant 1998, 12 [4:399]). Drives for reproduction are not continuous, and it is implausible to say we have a duty to operate upon such a drive continuously. If we did have such a duty toward reproductive drives, then we should have sex continuously and have as many children as possible. This outcome, fun though it may sound, is patently absurd—and the absurdity points to one more lack of parallel between the two cases in question.

3) There are two parts to this point about the lack of parallels: 3a (the background) and 3b (the conclusion). 3a) This part draws on an analogy between the suicide and non-reproduction cases. A human body is composed of so many cells, just as the human race is composed of so many individuals. A person may be said to have a duty to maintain, at the least, the minimum number of cells of one’s body that preserves one’s life. Thus, if one has been trapped in a situation from which one cannot escape with one’s life without having to cut off a finger, it is better to lose that finger and stay alive than to let the whole life perish. Other duties may require that one lose some cells. Duties that require strenuous muscular activity, such as athletics or rigorous piano practicing, call for a breakdown of muscle cells (which are later built back up in a way one wants for the activity of concern). In pursuing various duties, one may lose parts of one’s body, and do

⁹² Kant contrasts the natural inclination to preserve one’s life with the duty to preserve one’s life. 1998, 11 (4:398).

so morally, down to some reasonable minimal amount of cells, as long as no egregious deliberate harm is done, by which one preserves one's life and still fulfills these duties.

Next, assume that the species as a whole has a duty to keep the race reproducing. Then, up to the point that the minimum number of "cells"—in this case individual persons—is required to keep the species going, the members of the species, in pursuing their own ends, should have no particular requirement to reproduce. That absolute minimum is at least two people, likely a few more for genetic diversity. (Methods could be found—such as machines or trained animals—to take care of an increasingly geriatric population.) Whatever this precise minimal number, it is infinitesimal compared with the minimum of cells required to maintain a person's existence. In other words, parallel with the case of preserving one's own life up to a minimum of cells, the race as a whole can allow a vast majority of individuals not to reproduce, up to the minimal maintenance level.

What is unusual in this proposed parallel is not the numbers-differential in minimal "cells" but in what happens to those last few individuals upon whom the duty would suddenly fall to reproduce. Before this minimum is reached, the "cells" of the species—the individual humans—can pursue their other duties without needing to reproduce because the minimum number of "cells" has not been reached. So everyone in the population does not yet have a duty to reproduce. Then one day, the minimum is reached. So, suddenly, do these few remaining individuals have a perfect duty to reproduce, when there had been no such duty before? If so, then this notion of perfect duty is different from that which Kant laid down, because such perfect duties are supposed to be universalizable for all rational beings everywhere and for all time (Kant 1998;, 34 [4:425]).⁹³ What can account for this lack of parallel?

⁹³ For Kant, the application of duty requires anthropology, whereas the derivation of duty does not (23 [4:412]).

3b) Any duty to reproduce would rest upon the whole race, not upon individuals. This burden of duty upon the race is unusual in Kantian terms because the race is not a rational moral agent.

Objection: But moral agents relate to one another. In this capacity other moral agents are necessary to everyone's essence as moral agent, and the only way other human moral agents can come into existence, given the fact of death, is via reproduction. (Compare a similar viewpoint in care ethics, discussed in §2.6 below.)

This objection points to a quandary but does not entail that Kant's system resolves it. The quandary is that there appears to be no moral duty upon any *particular* mortal rational agent to reproduce, up to the minimal carrying capacity of the species. At that point, another, temporary moral duty would be in order, but the duty is otherwise not universalizable (and would lose its moral force after the race's emergency had passed). The quandary is that the maxim for this perfect duty would appear not to be universal but contingent, *if* one insists that Kant's system requires there *must* be other rational agents of one's species (which is a matter of interpretation of "rational being"; see next subsection, §2.4.2). Either one snips off this requirement and grants that Kant potentially allows the species to fade away but the system remains consistent with itself; or one retains the requirement and the system is left with a quandary. But perhaps the best response to this objection is: a rational being would rather *will* that the maxim for reproduction be universalizable, while granting that the maxim for non-reproduction is not self-contradictory. That is, one should now consider if having children is an imperfect duty.

Construing the act as a perfect duty is too problematic and is best dropped.⁹⁴

⁹⁴ This conclusion is consistent with other characterizations of perfect duty, such as perfect duties being those against which others have claims, and with common understanding of perfect duties. We do not commonly consider that people who have not had children, such as Simone Weil, Immanuel Kant, Mother Teresa, Saint Paul, Jesus Christ, or Florence Nightingale, to have been immoral for not reproducing.

2.4.2. Categorical Imperative: Imperfect Duty

For an imperfect duty in general, if a rational being can will that a maxim be universal law, the duty is imperfect. This duty may be to others or to oneself. Perhaps because of their non-binding nature and their reliance upon mere willing and not mere logic, Kant's imperfect duties are harder to characterize than perfect duties. He sometimes brings in consequential considerations, such as happiness and purposes (Kant 1998, 31-33). For an imperfect duty to others, such as helping those in need, a world is conceivable in which there could be a universal law that one need not help others in need, though this rugged-individualist world would be bare-bones. However, one should consider that, when in dire need, one would desire the love of others and so could not will a universal law that proscribes such love and aid. Outcomes for oneself thus come into consideration.

As in the case of perfect duties toward others, imperfect duties to others may involve two possible groups of others: 1) the child to come, 2) others currently alive. Similarly to the helping-others case, the world would be conceivable if all followed the maxim not to reproduce: The world would simply be bleak, for the species would slowly fade away. But can a rational being still will this maxim? I will first consider it in terms of potential duty to the child to come.

In the case of providing aid, the person who needs aid is the object of one's willing. In the case of having children, by contrast, how can the child to come be the object when the child does not exist? A maxim parallel to the providing-aid case may be, "One should will to have a child because if one's own parents had not willed to have oneself, one would never have been." The problem here is (a) the assistance in this case is retrospective, not prospective and so one can anticipate no better world if one wills the maxim (as happens in the providing-aid case); (b) it just may not be the case that one's parents willed one to be born. So too, unlike the person in

need who is benefited by aid, the non-existent child is not somehow benefited by being given existence: It cannot “care” one way or the other (see §§1.1.1.4. and 1.1.1.5.). If it could, then, analogous to the perfect-duty case to nonexistent beings, there would be an imperfect duty to give existence to infinite nonexistent beings.

As for imperfect duty to others: When refusing to fulfill their desires that one have a child, the maxim may be, “When others want you to have children and you can have children, refrain anyway.” Not willing the maxim does not have the boomerang deleterious effect of the helping-others case: It is simply never an issue of anyone’s life-or-death. It also seems unreasonable to demand anyone else to have children just because you would like their potential children to exist.⁹⁵ Likewise, if one is in a situation desiring a relative to have children, to say, “I should have children when they ask me because I may want them to have children when I ask them,” would be a convoluted maxim: The person one wants to have children may never find a suitable mate or may have other talents to pursue, such as Florence Nightingale had. Helping others, say when the other is drowning or is lugging weights up stairs, does not strictly demand a complete restructuring of one’s life.

Is reproduction then an imperfect duty to oneself (analogous to developing a talent)? The maxim may be, “Given that I have the potential to have children, I should.” But what is this potential? A purely physical one? Is this potential a talent? Then what about emotional, mental, or financial ability? If it is a physical potential, the maxim leads to a *reductio*, because we all have endless physical potentials, such as the potential to become maximally muscle-bound, or have maximally strong aortal walls, or have medium-fat arms, and so on. If one had a duty to fulfill every physical potential, then one could fulfill none. Similarly, if we sought to fulfill

⁹⁵ If the other person is one’s partner who wants to have a child, the issue would be that of fulfilling a promise made upon becoming partners, such as the possibility one may want a child.

anything because we had the financial (or emotional or mental) ability to, we would strive to fulfill everything and would fulfill nothing.

However, if the maxim to have children is seen as a subset of the maxim to develop one's talents, which gives rise to an imperfect duty to oneself, then the former duty is coherent. The maxim may be, "When one has the talent to parent, then develop it by having children." But then, the imperfect duty to oneself is not a duty to have children but to fulfill one's talent, which here so happens to be parenting.

Objection: A rational being could not will for there to be a cessation of rational beings. The only way for there to be humans is for them to reproduce. Therefore, there is an imperfect duty to reproduce (within the "leeway" of imperfect duties).

How could a rational being will that the maxim for reproduction be universalized? One could justly will that everyone develop their talents, insofar as everyone has a talent. But could one justly will that everyone reproduce? While derivation of the categorical imperative cannot turn to anthropology, application often does (Kant 1998, 23 [4.412]). (a) We now understand well that some people have plenty of other things to do in life besides raising children, for which they may have no talent. What rational creature could demand that a tin ear become a pianist? (b) Consider whether everyone should have as many children as their bodies can pump out. If there is some reasonable limit, then there must be contingencies limiting the duty to generate X offspring. Such contingencies could apply to certain people so that for them $X = 0$. (c) Kant's concern from the outset of his ethical work is with the practical reasoning of rational beings in general, of whom humans are but one kind. The concern—as the objection states—is that there continue to be rational beings. Kant evidently does not imply that humans are a type of rational being that must necessarily exist. His concern, rather, is that given the fact that rational beings

exist, *here* is the way they would use practical reason.⁹⁶ But whether rational beings must exist, or that certain kinds must, is another issue. It could be that humans in their finitude are contingent, not necessary.

But, the objector replies, how could a rational being *not* will its species to continue? One can conceive of a mortal and singular artificial rational being, say a cyborg, who would not will that its own species must continue to exist after its own demise. But for humans. such a prospect would be unsettling.

This objection, though, is actually a criticism of Kant's entire ethical program, not merely of interpreting it to say that it cannot make human reproduction an imperfect duty. That is, the question this objection raises is whether Kant should not have devised ethics for all rational beings after all, but for humans only. It may indeed to be hard for an ethics devised for all rational beings to account for human reproduction. Section §2.6 covers an ethics that may be among the most clearly human-specific of the major moral theories devised so far.

2.4.3. Discussion of the Deontological Approach

To force the categorical imperative to render human reproduction as a perfect or even imperfect duty is an unpromising venture. So by Kant's deontology it seems not to be a morally required action. But is it *immoral*? To save space, instead of going through the same process I did with the categorical imperative, I will take a shortcut, through another Kant work.

In "The Rights of the Family as a Domestic Society," Kant writes of the rights of persons to "acquire" another of the other sex and marry. He then states that "from the fact of procreation in the union," the parents have a duty "of preserving and rearing children as the product of this

⁹⁶ The *Groundwork* is steeped in this program. See any of: *ibid.*, 3 (4:389), 14 fn (4:401), 23 (4:412), 24 (4:412), 36 (§:427), 48 (4:442), 53 (4:448+), 66 (4:463).

union” (Kant 1952, 429-431). If adults have the right freely to seek one another and marry, and procreation is a possible fact emerging from this union, it follows that they have a right to reproduce. It does not follow that they a duty to reproduce. Rather, if one does have children, one has a duty to rear those children and provide those children sufficient means so the offspring may “maintain and advance itself, and also its moral culture and development.” If having children is not a duty but a right, as an act in itself it is no more moral or immoral than owning property in itself is moral or immoral. In how you exercise the right, morality becomes an issue. Kant’s injunction that the offspring be reared to the point they can “maintain and advance themselves” leads me to the following suggestion.

Kantian duties to one’s offspring now allows a way to consider how deontology may handle factor P from §2.2.2.’s list of human sufferings can: genocides, famines, massive starvation, plagues, wars, child abuse, murders and other crimes, political oppression, mental depression, poverty, hatred, forced labor. The past century’s waves of genocide may portend a mounting wave of such horror for our species in future. Any newborn anywhere in the world has a probability P of experiencing overwhelming misery. I have been taking this number to be the same for any newborn in any nation. While starvation is high in some nations, severe depression is chronically high in the U.S. Genocide may crop up in any country, whether the United States or Tahiti. The number P (even if only 0.05 or 0.10) is not trivial for someone determining the moral value of whether one can ensure that offspring truly can “maintain and advance themselves” in this world. How high must P be to make having children, for any human being, anywhere on Earth, immoral by Kant’s injunction because no one can ensure their children are safe from these harms? While the matter may be worth investigating, still deontology prima facie would have difficulty in justifying the allowance of P’s being any but a very negligible number

(say so that only a few individuals worldwide are affected at any period). Deontology would have to backpedal on its usual adherence to moral law to encourage rational beings to take such a large gamble on the good of rational beings when such an act has not even been shown to be an imperfect duty. Factor P, then, I propose creates a final seal on deontology's incapacity to show that human reproduction could be a moral act if it is morally assessable at all.

2.5. The Aretaic Approach: Character or Virtue Ethics

Compared with the first two schools examined, aretaic approaches to moral philosophy pose an additional challenge: While the former have apparent paradigmatic theorists, which provide readily available representative works for such a survey, the Western traditions of character or virtue ethics, while looking to Plato and Aristotle, are less paradigm-oriented. Part of this lacuna comes from the very nature of the school's theory: Its guidance does not emanate from a single, principled source. In a protégé, its tenets come forth from learning, eagerness, and inference, inculcated by the mentor in teaching and encouragement and suggestion. Aristotle, with Plato to a lesser degree, stands as an exemplary mentor and inspiration for many contemporary aretaic theorists. Still, with this tradition's tendency to view the virtues as culture-bound and culture-relative, thereby eluding a universal list of virtues, this survey likewise is challenged as to which list to take as representative (Sen 1984). Some aretaic theorists, such as Nussbaum (1993), argue that the list is indeed universal, but then it is unclear whether this claim is normative or empirical. If empirical, does this mean every last tribe indeed upholds the same virtues normatively, or can they indeed exhibit local misunderstandings of the virtues so they, too, are somewhat empirically mistaken?

Because of the cultural-relativity issue with the virtues, it would seem that one potentially could find a culture or subculture that upholds parenting (i.e., entailing reproduction) as a cardinal virtue. Thus, that (sub?)-culture's virtues could provide a virtue-ethics equivalent of an answer to the central question of why should one have children. In other words, if one takes Hursthouse's (1999) suggestion for "virtue rules" ("v-rules"), something like "Do the parenting act," there would then be an instance of a normative rule for reproduction. Certainly, one could vouchsafe that there are subcultures where this v-rule would hold. This fact may not help for agents outside any such subcultures. While this thesis has not overtly set out to find universal norms of behavior, it does, by the nature of the central question, look for a general way to answer it; thus, human beings, wherever they are, if they seek a way to answer it, could at least be provided a plausible and acceptable answer. Without aiming to settle the problem of moral relativity (which problem arises in other schools covered below), this survey in keeping with its spirit needs to settle upon some list of virtues.

I look to Aristotle's list in the *Nichomachean Ethics*, as that by this school's long-respected, almost iconic author. First, I should note that in the Aristotle corpus as a whole, it appears that he, like seemingly most people until recently as I mentioned before, assumes reproduction is a natural force, not falling within the moral domain. In *De Anima*, Book II, Ch. 4, he describes reproduction in living things, along with nutrition, as simply defining of living things; and nothing in the *Ethics* indicates that he views these basics of life as of any different status for human beings.⁹⁷ My examination of Aristotle's version of virtue ethics for how it may answer the Central Question is, as with this chapter's sections on consequentialism and deontology, making an interpretation of a system not geared for answering that question.

⁹⁷ Furthermore, in the *Ethics* he states "that none of the moral virtues arises in us by nature..." (1103a 19) The virtues somehow exist outside nature; nature is the part of us that involves reproduction; so the virtues are separated from the matter of reproduction.

In the *Nichomachean Ethics*, Aristotle recognizes both intellectual and moral virtues, and the precise relation between these two sets is not obvious, although I need not enter the interpretive debates because I am focusing mainly on the moral virtues. Those for the soul or intellect include *techne*, *episteme*, *phronesis*, *sophia*, and *nous*. Of these, *phronesis* and its wisdom about human tendencies seems particularly important in shaping the moral virtues to the golden mean. These moral or character virtues are distinguished by their focal passion, such as pleasure or fear and described both in terms of their excess and scarcity in a given person, as well as the mean, the mean being the virtue itself. For the focal passion of truth, the virtue (mean) is honesty or truthfulness, the excess is boastfulness and the deficiency is self-deprecation (IV, vi). The other virtues, in order of presentation (with the focus in brackets and the extremes in parentheses), are:

- courage [fear or confidence] (rashness, cowardliness);⁹⁸
- temperance [pleasure] (profligacy, extreme self-denial⁹⁹);
- liberality [giving and receiving wealth] (prodigality, miserliness);
- magnificence [giving or receiving on larger scale] (vulgarity, niggardliness);
- pride¹⁰⁰ [great honor] (vanity, undue humbleness);
- due ambitiousness [lesser honor] (over-ambitiousness, unambitiousness);
- good temper [anger] (irascibility, puckishness¹⁰¹);
- friendliness¹⁰² [pleasantness or pleasure-giving] (obsequiousness, contentiousness);
- truthfulness [honesty with oneself] (boastfulness, mock-modesty)

⁹⁸ The terminology comes from Aristotle (1941), Books III.6 – VI, (964-1036) although I alter it some in a few cases to facilitate arranging all these virtues in a table with limited space and consistent structure, as Aristotle provides these in the process of a prose discourse, not expressly to enable table-makers in later centuries.

⁹⁹ Aristotle says no name exists for this deficiency because it is so odd and rare as to be inhuman; so I have supplied a filler term for the lack of name.

¹⁰⁰ Aristotle does not mean “pride” in the sense that was later come to be seen as a flaw or sin (thus more like “vanity), rather it is due pride or something like greatness of soul.

¹⁰¹ Aristotle struggles for the word for the deficiency in this disposition, admitted there’s no good term, though he finally, reluctantly provides what McKeon’s translation renders as “inirascibility.” So I provided a cleaner (if still inadequate) term.

¹⁰² Again, Aristotle says there is no word for this mean, but I find “friendliness” almost captures the sense in the context he provides.

- wittiness [social amusement] (buffoonery, boorishness).

There is also the special, perhaps ultimate virtue of justice, which does not appear to have a mean disposition between extremes in response to a passion (Book V). Justice as well ties into political relations, and lacking the same pattern of characterization of the other virtues, Aristotle gives it particular detailing. Of all the virtues he discusses, justice is the virtue with the most apparent concern about how one treats others and a virtue that invokes express consideration for the facts and rules of the community and demands pointedly doing what is good for others.

These virtues exist within a wider context of what, by Aristotle, moral conduct involves, and it is hard to abstract them from this context to assay what they may say concerning human reproduction as a moral act, much less reproduction given P. He is upholding *eudaimonia* as the highest human good, a state not readily translatable but often rendered as “happiness” or “flourishing”; and this state is appropriate for souls that are indeed in *arête* (or virtue). In the highest state of *arête*, the agent need not struggle internally at all when faced with moral action, in contrast with an agent whose character is indeed continent but must struggle internally, say to overcome a desire, in undertaking a decision to action and so must exert strength of will (Hursthouse 2013).

Thus, it is markedly hypothetical to ask “What would (Aristotle’s) virtue ethics—viz. his list of virtues—have to say as to whether one should reproduce?” because not only are there these two high states of *arête*, there is also the problem of how to be a different (virtuous) agent in that situation making that decision if one is not that agent. According to Hursthouse (2013), “Following (and adapting) Aristotle, virtue ethicists draw a distinction between full or perfect virtue and ‘continence,’ or strength of will. The fully virtuous do what they should without a struggle against contrary desires.” By this reading, if one has attained perfect virtue, there would

not even be a struggle to make a decision; it would simply be made and would be right, because of that high character, and it seems that we who stand outside the situation are not privy to the substance of that decision. For the continent character, by contrast, there is struggle to decision, and we outside the decision may theoretically be allowed privilege to the contents of that struggle insofar as there is indeed content to it—the content of sides in conflict. Still, not being in that live situation, here on paper, the question and its answer then remain hypothetical.¹⁰³

The difficulty virtue ethics has in providing answers for hypothetical moral situations is a common criticism of the school (Hursthouse 2013); as guidance for moral conduct, it remains ephemeral and otherworldly for non-adherents. However, given that there have been proposals for applying virtue ethics to real situations, such as political-economic and medical ethics (Sen 1985, Nussbaum 1993, Walker and Ivanhoe 2007), it appears to offer some limited potential in assessing hypothetical moral situations. One approach is to assume a continent virtuous agent, given the entire set of moral and intellectual virtues, that is, with a character operating sufficiently as the golden means of them, and asking how one may reasonably expect such a person to behave in a particular moral situation.

Looking at the virtues that an (Aristotelian) continent agent would exhibit, some of them appear promising for encouraging this person to reproduce in general, namely liberality, magnificence, and pride or greatness of soul. Creating a new life could be viewed as an act of liberality to life itself, by expanding the compass of life in blessing it with a new human soul. However, because Aristotle's context for liberality is generally monetary wealth, it may be more

¹⁰³ A drawback for the question's remaining hypothetical in this virtue-ethics context is that, being abstracted and hypothetical, it seems to render the answer that I may derive (about how Aristotle's ethics would approach the ethical problem of reproduction) as answerable only by a rule, because by this system one seems to need to be in the situation in which the agent is reasoning. An answer contrived on paper is simply not in a particular ethical situation, and so my method of posing an ethical problem on paper in this way may be decried for operating inconsistently with the system discussed. I can only hope readers will allow me some leeway here.

appropriate to call this act one of magnificence. An act of magnificence is a work of art, hardly of calculation. There is expenditure for the sake of the thing done, and there is regard for like returns to devolve upon the agent. Aristotle provides the example of expenditures “connected with the gods—votive offerings, buildings, and sacrifices.” (989) This virtue, thus essentially concerned with monetary generosity and socially demonstrative acts that build upon the public and civic physical infrastructure, appears to be limited to those who have the means.¹⁰⁴ Adding a new body, which is not a part of the physical public infrastructure—not a sacrifice or monument (even if important for supplying motivation to continue that infrastructure in the future)—falls outside the substance and spirit of this virtue.

Pride or greatness of soul, upon closer examination, also turns out to be a doubtful candidate virtue for clearly fostering reproduction. Pride in Aristotle’s sense derives entirely from deserved honor, that of deserving the great things of which the agent is worthy. “Honours and dishonours, therefore, are the objects with respect to which the proud man is as he should be.... It is with honour that proud men appear to be concerned; for it is honour that they chiefly claim, but in accordance with their deserts.” (1123b, 21-23) Throughout Book IV, Ch. 3, Aristotle emphasizes how the virtuously proud person is concerned with the just desert of honor following from the goodness of deeds done, but also withstanding the dishonor of misfortunes. The proud do seek to do good deeds or deeds that turn out to be good, and these then confer the just desert of honor, which is “the prize of virtue.” In modern parlance, pride would be an attitude to develop over time despite the goods or evils that befall one. Yet, asserting that a particular category of action, such as reproduction, is one that the agent should pursue in order to boost honor and thence pride runs outside the domain of the virtue of pride. Pride is more of what we would call an attitude that the agent should take toward the vagaries of fortune—so the

¹⁰⁴ It would then seem that a poor person, lacking the essential means, would have difficulty being fully magnificent.

proud bears “himself with moderation towards... all good or evil fortune.” (1124a, 14-15) One may say that, for pride, one should have children, which will bring the agent honor; and even if the child turns out bad, the agent’s pride will withstand this misfortune. However, the fact that, whether the deed turns out good or bad, the agent’s pride will bear through, indicates that pride is not the sort of virtue that calls for one to do a particular deed (such as reproduction) but is rather concerned with the type of character and attitude one should take toward the honor or dishonor of deeds. It is not a virtue for justifying reproduction, but rather for how to ride the fortunes or misfortunes of that deed or other deeds.

Similarly, one cannot simply give money away and expect that act to manifest liberality or magnificence. The reproduction in itself is not the concern here any more than merely giving money is for those virtues. What matters is the act of rearing and shaping and, most important, then, what the offspring turns out to be. Reproduction itself is, in fact, as morally irrelevant as the coining of money is for magnificence. Surely, without the coined money there would be no magnificence, and if there were no reproduction there would be no honor via worthy offspring. Coining and reproducing are merely the givens, the assumed quantities or contingencies upon which to build the moral life. A building stone is not magnificence or other moral manifestation, but magnificence can manifest itself by employing those stones to build a temple. An act of reproduction would not be a manifestation of honor, but pride can manifest itself by shaping the offspring into a worthy citizen. (It would certainly fail if the offspring turned out unworthy, but again the reproduction itself remains morally neutral like the stone.)

One may try looking to other virtues such as courage or justice as candidates for fostering reproduction. In Aristotle’s rendition, justice concerns conduct between agents, and from his discussion he is concerned with conduct between existing agents, not between an agent and a

non-existent agent. It would be implausible to reshape this concept of justice so that it concerns conduct between an agent and a non-existent one such that the latter must be created. Certainly, once an agent is created, there would be concerns for the virtue of justice between the creating agent and the created, so that these treat each other with justice. This virtue proves not to be a good candidate, then, for a justification for creating the person.¹⁰⁵ Courage may be required for an agent who is afraid of having children but, for whatever reason, is called upon to reproduce, just as a soldier must develop courage when, for whatever reason, is called to the battlefield. But courage itself is not calling upon the battlefield or the requirement for reproduction. These are the life contingencies in which moral character is required. Even due or proper ambitiousness, which may be construed as calling for an agent to consider reproduction as a due ambition for a well-balanced citizen, would be stretching the virtue. As Aristotle construes the virtue, it is that one should have proper ambitiousness given an ambition, not that any particular ambition is what is due. Being a court judge or a general is not in itself a virtue; the virtue here is in holding due ambitiousness for the ambition. Nor would being a parent in itself be a virtue, but given that one is or has decided to be a parent, there is proper ambitiousness. (But see discussion of Hursthouse below concerning parenting as virtuous, though perhaps not a virtue itself.)

Could Aristotle's more general concern for the common or civic good offer grounds for justifying reproduction morally? It seems that reproduction is essential even to have a polis for which there is a civic, common good, as well as any of the sorts of goods that individuals esteem. That good for which we all strive, the point of all other goods, is "happiness" (*eudaimonia*), (1097a 15 – 1097b 7) Furthermore, Aristotle states, there are "some things the lack of which

¹⁰⁵ There may be another view of justice in terms of reproduction, and that is the justice following from two existing agents, such as a married couple, in that it would be just for these two to reproduce if it is understood that, in marrying they would have offspring. However, the justice in the case concerns their carrying out an agreement, not in that agreement's specific content (such as the agreement to reproduce together).

takes the lustre from happiness, as good birth, goodly children, beauty; for the man who is very ugly in appearance or ill-born or solitary and childless is not very likely to be happy.” (1099b 2-5) Happiness seems to need such prosperity, he sums.

In response, I first note that Aristotle writes that a childless person would be not very likely be happy—not that reproducing is necessary for happiness. Second, this objection requires reaching further into territory that is already treacherous, insofar as this examination of his virtue ethics presumes that an act that he would deem natural is indeed morally assessable. Further examination is needed into whether the common good and happiness in general would indeed be harmed by gradually diminishing numbers. Two crucial differences between his day and ours must be taken into account. In his day, a hearty *polis* was important to help fulfill needs of constant warfare and defense against raids. Otherwise, it is hard to say precisely how Aristotle may respond to such a vision of a *polis* in which the humans are gradually diminishing in numbers because of increasing childlessness. Currently, many nations with diminishing population due to low birth rates, such as Italy and Russia, still seem to allow citizen’s needs to be fulfilled. As for the objection’s concern that numbers diminishing until only the elderly remained would certainly harm the common good, another difference between his era and ours is relevant. In his day, technologies were not so complex as to inspire visions of robots to handle one’s needs. But one could reasonably ask whether, if there were caretaker robots in his day that could fill in for everyday needs such as care of the elderly and disabled, Aristotle would say that not having children would necessarily lead to individual unhappiness, as there are plenty of other activities for the soul to sustain eudaemonia or “flourishing.” As far as I can ascertain, his works say little about the precise value of childrearing and childcare to surmise an answer here—although a contemporary virtue ethicist does bring in these values, as I cover momentarily.

The other Aristotelian moral virtues listed, such as wittiness, are more evidently not virtues enjoining reproduction, although similar exercises as I have done on these virtues examined could be carried out on them. I believe that similar lists of virtues would also face a difficulty in offering up virtues that clearly enjoin reproduction as a morally condoned (or discouraged¹⁰⁶) act. Only a list that contained a character trait such as “creating of new human life” or “procreative” or “parenting”—or, more awkwardly, “following strictly local conjugal rules” where such rules require reproduction of all who can—would likely provide *clear* moral enjoining of reproduction. I have not seen all lists of virtues, but the lists I have seen offered none of these virtues, so Aristotle’s list appears to serve as a fair example of moral virtues and what they can offer vis-à-vis the moral assessability of human reproduction and what moral virtues would have to be structured in order to render reproduction morally assessable.

The closest I have seen of something like “procreative” being made into a moral virtue is Hursthouse (1987). Hursthouse describes gestation as such a challenge and as such a character-building process demanding and building fortitude that it should be deemed heroic and thus morally virtuous. In fact, it is intrinsically worthwhile morally, not because humans are intrinsically worthwhile and thus creating them endows the creator with moral value, but because the act endorses the value of love, family life and emotional development. In Ch. 4, I return to a moral valuing that bears much in common with this one, although it has a strong set of conditions that do not entail that reproduction across-the-board is a virtue in itself but can be valued only within a context of values. Furthermore, Hursthouse speaks not so much of the act or virtue of reproduction but, slightly differently, of the moral worthwhileness of childbearing. It is the battle, as she puts it, the challenge and fortitude of gestation and birth and how these endorse

¹⁰⁶ Curiously, certain lists of virtues, such as one by Paul of Tarsus, would tend to discourage reproduction. He held that it is better to abstain from conjugal love and marriage, although for those who could not control themselves, conjugal love is at least permitted.

values (of loving and family life) and so make the act valuable. It is not, then, directly the issue of reproduction, of creating a new person, that is morally valuable.¹⁰⁷ This result has a curious ramification, in that in Hursthouse's view, although the act of reproduction involves three persons, only one is given moral consideration, and that is the mother. In this view, the act of reproduction morally allows an opportunity for a woman to undergo the battle of gestation and childbearing (and rearing, it seems). The child becomes a *sine qua non* subject for this heroic act and the father a bystander. The act is of such nonpareil heroic achievement that other possible acts are its mere handmaidens. Women, as childbearers, have a moral superiority over men, Hursthouse notes, because of their capacity to undertake this heroic act.

As Overall (2012) offers some sobering criticism of Hursthouse's proposal (57-59), I add only some points that pertain to the idea of childbearing as a virtue. That is, I consider it as though it were a virtue added to the Aristotelian list. As a virtue, it focuses peculiarly on the self's struggle undertaken primarily for the moral value of the battle. By contrast, for Aristotle, virtues such as courage do not direct the agent to battle but instead pertain to behavior given a case of battle. It would be the case, then, that for Hursthouse's virtue, one voluntarily starts and proceeds into battle for the sake of the rewards of battle. This much alone would not conform to Aristotle's golden-mean virtue of courage but to the focal passion's excess, that is rashness or foolhardiness. One does not set off into battle in order to prove or even to experience one's courage or moral superiority. Furthermore, in Hursthouse's depiction, the mere act of going into this battle is the virtue, so that the main moral worthiness lies in the entrance into battle itself,

¹⁰⁷ Overall (2012) observes that childbearing indeed cannot be "intrinsically" valuable if, as Hursthouse describes, it is valuable because it endorses or fulfills other values, which values then would be prior to it, and it subordinate to them.

quite at variance with the Aristotelian approach of virtue as a mean.¹⁰⁸ As Hursthouse presents childbearing, it would be difficult to construe it as an Aristotelian golden mean virtue.

There may be ways of reconfiguring the Aristotelian golden mean as virtue in order to accommodate childbearing in itself as a virtue, but one still must face the problem of the distinction between childbearing and reproduction, as discussed. There is the further difficulty of P, which I have not gotten to with the listed Aristotelian virtues since they have not even passed the preliminary examination of their potential for enjoining reproduction. Even if Hursthouse's proposal of childbearing as morally valuable in itself were construed as a moral virtue, P would add to its setbacks. Her proposal already has the setback of its characterizing virtue as valuable, not because the beings it creates are valuable in themselves but because the act (subserviently) fulfills other values. Now, given P, this postulated virtue would have the added peculiarity of not only not valuing the act for the beings created but lacking clear indication of the concern in case they were miserable. In giving the beings created secondary value compared to the value of the agent as the harbinger of the virtue, there is in this approach an intrinsic indifference to the beings created, whatever their condition.

However, within a more recently developed school of moral philosophy, caring, specifically modeled upon parenting, has been proposed by some writers as a virtue (DesAutels and Waugh 2001). This proposal is hardly accepted by all in that school (Held 2006). However, even if parenting were a virtue, it is not evident that, as seen in the context of the other virtues discussed, reproduction in itself is morally assessable. Rather, given reproduction, parenting

¹⁰⁸ And even further, in light of my interpretation of Aristotle, there appears to be something overly self-involving for agents in Hursthouse's proposal. If the agent cannot share the moral glory with another who may have been as much fight and effort into the pursuit as she did, such as her husband, it would be a more self-involved virtue than Aristotle's others, in which the glory is not so much shed upon the virtuous agent as upon the fact that the virtue is attained. However, this interpretation of just how or whether one should bathe in the moral glory of virtue may not find universal adherence.

(viz., good parenting) would be a virtue. Caring as a virtue would be similarly hard-put to render reproduction itself as morally assessable. However, in the next section, in examining care ethics vis-à-vis its potential response to the central question given P, particularly care ethics that does not assume caring as merely a virtue but something else, caring may provide a stronger case for rendering reproduction itself as morally assessable. For now, as for virtues and virtue ethics, like deontological and consequentialist ethics, they offer no clear way to render reproduction morally assessable, much less as moral or not, given P or not.

2.6. Care Ethics

Feminist ethics may be considered to have slowly developed over the past two centuries in the West with the rise of the women's movements and female suffrage. It then took off as a deliberate new school in the 1960s. Care ethics developed within feminist ethics, spurred partly by Gilligan's 1982 *In A Different Voice* and its finding that, while in practical reasoning both American men and women rely on justice and care, many women assess ethical situations more often in terms of specific relationships than abstract principles. Both feminist and care ethics have sub-schools that represent a variety of kinds of ethics. Some feminist ethics schools are liberal and incorporate utilitarian, deontological, aretaic, contractualist, or other approaches into a feminist context. Similarly, some specifically care-ethics schools incorporate other approaches. Because of this variety, to give this survey due diversity I need to focus upon approaches that fall not too squarely within the schools I have already covered. Within the feminist tradition, and further, within the care-ethics school, a few theorists share little philosophical foundation with the other large schools of ethics. In fact, these theorists see care ethics as establishing care and the human relations involved as the foundation and thus as having an entirely different

foundation than the more traditional schools, based as these are on rationality or virtue. Because of this distinctiveness, in foundations, methods, ramifications, and applications, this school of care ethics deserves the special attention of this chapter's survey. In fact, this school declares it is necessary to overhaul and restructure society completely (Held 2006):

as we see the deficiencies of the contractual model of human relations within the household, we can see them also in the world beyond and begin to think how society should be organized to be hospitable to care, rather than continuing to marginalize it. We can see how not only does every domain of society need transformation in light of the values of care but so would the relations between such domains if we took care seriously.... When its social and political implications are understood, it is a radical ethic calling for a profound restructuring of society. (18-19)

This approach in its purer form thus calls for a shakeup of the morals and their assumptions of almost everyone on Earth. I focus, then, on a work that characterizes itself as looking as purely as possible to care as the foundation of ethics, with perhaps less admixture, at this basic level, with other schools than other varieties of care ethics exhibit,¹⁰⁹ Held's 2006 *The Ethics of Care*.

Before exploring whether by this approach one may derive a moral assessment of reproduction in light of P, though, I add a further prefatory remark concerning feminist ethics and this issue.¹¹⁰ Reproduction has been treated throughout this thesis as an isolable, deliberative act, insofar as the agents involved in reproducing can, at some point, make a decision as to whether to reproduce. Even if there is some point at which such a decision is reached, human reproduction, of course, entails a long string of actions resulting from this decision, not merely sexual intercourse (or its contemporary laboratory substitute), but gestation, birth, and child-rearing. These last three sets of actions have, particularly in many agrarian, urban, hierarchical

¹⁰⁹ However, I note that in the course of this book, Held acknowledges that, when dealing with matters that arise in the public sphere, it is sometimes useful to look to how other schools of thought, such as virtue or deontological ethics, shape social policies and work with these other methods. Beyond its basis, then, this care ethics is somewhat ecumenical—and the very nature of care may be said to bring out that ecumenism.

¹¹⁰ I am indebted to Jesse Prinz for bringing up the need to speak to this issue to follow.

cultures that began appearing about 10,000 years BPE, largely been relegated to women. Since the rise of feminism and feminist ethics in Western cultures in the 20th Century, some members of these cultures have come to examine and analyze this gendered allocation of labor (Ilahi 2000, Washbrook 2007) as unjust (Okin 1989). According to this outlook, it is more just for women in general to have access, if desired, to the types of labors which men were traditionally accorded, such as soldiering or heading corporations; while men should in turn take a larger share in child-rearing. This social movements' goals appear to have been partly, although far from completely, achieved (Hausmann et al. 2012), in that more women in these cultures have accessed work domains that were almost exclusively men's of, say, fifty years ago, and men in these cultures share more in child-rearing and other household duties that were almost exclusively women's fifty years ago. However, until that aimed-for equilibrium in gendered work-roles is attained, a gender issue arises within some possible answers to "Should one reproduce?" when one explores beyond the most basic issue of whether a human qua human should create another human. Namely, the burden, the pressure to reproduce, seems still, even in industrialized cultures that characteristically put self-interest first, to rest more heavily upon women (Overall 2012).

The very way that children are raised in gendered roles, such that the girl spends more playtime in household and child-rearing-type games, shapes personality and character to become, at least in part, adult child-rearers (Gilligan 1982, Okin 1989). Thus, the very nature of one's character may be indelibly embedded with the social expectation to do the preponderance of child-rearing. In such cases, answering "Should one reproduce?" may face the challenge of separating the social expectation to child-rear embedded in the character from the other facets of the character that look beyond the home. If one answers, "Of course I should reproduce; it's expected of me," to what degree can one reconcile this answer with other personal tendencies

that say, “If I do reproduce now when I’m twenty, I will lose the chance to develop competitively my skills in field X; but if I wait until I’ve developed these skills sufficiently, at forty-five, one runs a higher risk of pregnancy problems that could hurt the baby. So, given these character and practical facts, should I not reproduce despite the facet of my social character that says I should?” A reasonable question for this agent to ask, then, is, “*Why* should I reproduce—because of the facet of me that is the social expectation to do so, or because of some other reason I have developed independently of that facet?”

Because of the social expectations, of which women even in industrialized cultures continue to have the greater burden, the thesis’s Central Question faces some gendered issues: Asking “Should one reproduce” may have slightly different moral concerns for women compared with men.¹¹¹

This gendered aspect of the central question is important to consider, especially for feminists and other thinkers interested in working toward equitable distribution of labors between the genders. Within the approach of the thesis, the requisite examination of the agent’s answer to the question would fall under either: 1) the rationality of the examined reason to reproduce or not, as covered in §1.3., such as, “Is it rational for me to reproduce if my only reason is social expectation, when other interests weigh against it?” This rationality of the reason could form an important consideration for feminist analyses of whether reproduction is rational for particular women; or 2) the morality of the reason, such as, “Is it right that I allow my personal reasons to develop my career skills to override the social expectations that I reproduce, also considering that I have no other personal reason to reproduce?” What is “right” here would depend upon the agent’s own moral system. Then, in light of how feminist ethics is so diverse as to embody in part or whole other ethical traditions, it is not apparent there is a singular feminist

¹¹¹ See Hursthouse (1987) and Overall (2012) for further dissection of this gendered aspect of reproduction.

outlook for morally assessing this reason. More generally, I do not see there is a singular feminist answer to “Why should I reproduce?” but a set of moral-systems’ perspectives that, in this case, would have an added feminist viewpoint.

Finally then, for now, for the purposes of this chapter, there would be no general feminist ethics to which to turn to answer whether one should reproduce, as an isolable morally assessable act, particularly in light of factor P. This finding confirms the motivation given earlier in this section for singling out a representative type of feminist ethics, care ethics, not so much for its representativeness as a type of feminist ethics but, more important, for a unique type of ethics tout court, distinct in foundations, assumptions, and normativity from other moral schools covered. But later, in Chapter 4, in looking again to population ethics and human reproduction, I return to the broader feminist viewpoint, the gendered aspects to the central question, and how these may influence an agent’s decision about reproducing.

2.6.1. A Broad View of This Selected Variety of Care Ethics

Controversially, care ethics is sometimes likened to aretaic ethics—indeed, some commentators (Slote 2001) say that the former is a type of the latter, and care a virtue. Held (2006) disagrees with Slote, finding care not a virtue but a practice. However, care ethics does share with virtue ethics the fact it expressly has no simple, formulaic principle for action like that of deontology or consequentialism. Expressly distinct from those latter two schools, care ethics eschews the centrality of rationality as the primary appeal to agency and primary tool whereby agents determine, via a principle, how to proceed in decision-making for action. As I noted at the beginning of this chapter, care ethics, like all the ethical systems examined, does appeal to rationality (at the very least, to reasoning) at a different level, namely in the process of

argumentation to persuade agents to adopt the system.¹¹² But this use of rationality does not entail that the core method by which the agent is to operate in making moral decisions is itself a rational formulation. In fact, in care ethics, such an agential method is not necessarily rational (though rationality is not forbidden here). So without an overt formulation of procedure or step-by-step method for decision-making, in care ethics it is not easy to pin down how an agent is to proceed from moral foundations to decision to act. It is not easy to “shake down” care ethics to say how it would answer in advance on many a given type of act, so this characteristic makes it particularly difficult to determine how care ethics would morally assess, say, reproduction given factor P.

Nonetheless, there are essential postulates to care ethics—there must be, to delineate it as a way of thinking and one distinct from other schools of moral philosophy. Given postulates, one could, as done with aretaic ethics in §2.5, piece together what an agent following care ethics reasonably may consider concerning human reproduction given P. In this section, I attempt to capture these postulates of care ethics and present the system in such a way to make it clearly amenable to such an examination. In the following section, I pose the question to care ethics and see how it replies.

I first lay out some of the key concepts of care ethics and then assemble or capture them in postulates. Since I have just discussed other schools, and these are so central to the audiences that care ethicists address, a heavily emphasized concept lies in the contrastive picture of the moral agent: While deontology and consequentialism assume the agent is independent,

¹¹² I believe a case can be made that, at least among the care-ethics arguments I have seen, rationality in the sense derived in 1.3. and Appendix B is appealed to in attempts at persuading readers and that most if not all of the tentative rationality precepts offered in 1.3. are assumed in these appeals. It is understandable that writers in care ethics would appeal to some degree to rationality in this way, as rationality has so strongly permeated cultures that are now heavily industrialized that, like this thesis itself, argumentation for a particular outlook would face greater difficulties without such an appeal.

autonomous, and abstract, care ethics holds that moral agents are interdependent and embodied. Autonomy, then, takes on a different dimension, because agent autonomy is central to care ethics but it arises—and can only arise, for humans—in the context of relations to other persons. The social definition of agents, then, is primary for agency, contrasted to the other two schools whereby an abstracted individual outside of social context is primary in defining agency. Not only is the individual defined as necessarily interdependent in social relations in general, but specific social relationships define that individual and define that individual more than other social relationships do. Thus, agent A is defined as an agent not only as an embodied human being named “Claude” but is as well a member of the Nouvelle Calédonie society and someone with deep relationships with family members M, N, O, ... and with less involving relationships with R, S, T, ... These relationships are as much a part of A’s moral considerations when undertaking a decision as are A’s peculiar interests that are not shared by these other agents; and the more distant relationships have lesser bearing on A’s moral considerations. These agents in these relationships are themselves embodied human beings. Furthermore, A cares for A as well: Caring for oneself is a part of caring for others because if one is not fit to care one cannot, of course, care, because care demands action.

Another key concept of care, then, is that it is a practice: It is an ongoing (always expanding, as time goes on) set of actions that an agent undertakes for others and oneself within this social interdependence. It is not merely an attitude or even just a virtue (although it incorporates these). Merely thinking, “I care for those malnourished children down the street” does not suffice for care, in this system; when one carries food to the children or helps reconcile their alienated parent to them, then one is caring. Crucially, caring does involve the emotion of caring and empathy as well as the action; at least in actual practice, these emotions help drive the

provision of care and keep it effective, for without these (moral) emotions, an agent would likely not provide the needed care in the pertinent way.

Care, as the central concept in the system, is action or activity that we all know, to some degree,¹¹³ as human beings because in order to survive infancy and early childhood, someone must have cared for us. Here, then, care ethics derives the core of its universality. Care is about the most basic, if not the most basic, characteristic of being human. Even among mammals, which eponymously care for their young to varying degrees, as by suckling, humans require the longest period of care—years—and the most intensive, as training in culture and language are essential. Without such care, we would not truly be human, as this care in training to be part of society appears to be what distinctly makes us human or *Homo sapiens* as opposed to some other species of the genus *Homo* or even other genus in the order Primates.¹¹⁴ (See further discussion on these characterizing traits in Ch. 4.) To ignore the centrality of care to us as human beings would be in fact to ignore our humanity.

Although we know something about what care is from having experienced it directly, and most humans in turn apply it to others as they grow—to both peers and to infants—some appear to be more adept or talented at giving care than others. Nonetheless—to bring in another defining concept—if only because we have experienced it and it has made us what we are as humans, we cannot help but have some valuing of care.

¹¹³ Some agents may be too incapacitated, by physical or mental debility, to be able to recall or identify care. By some lights, these persons may not be full moral agents anyway (though certainly deserving treatment as fully human moral patients.) Patients with autism, or with some personality syndromes such as Asperger's, may fall into this category, as these persons appear to have deficits in the average display and sharing of care.

¹¹⁴ The exceptions that arise here in the form of alleged "*enfants sauvages*" or "wild children"—those reared by wild animals, which are well-documented if still controversial (Newton 2002, Ward 2004) in terms of whether they are really "wild" or simply neglected or mentally disabled. pose an interesting problem for all kinds of ethics. These children generally have no language and no culture and appear to behave like wild animals, without typical human behaviors. For ethical purposes, I find that the most cogent and charitable way to treat these cases, if genuine as reputed, is as we do those persons with severe physical or mental debilities: They should be treated as full human beings as moral patients, even if they cannot be held as fully responsible moral agents.

Caring seems to be to be the most basic of moral values.... Without some level of caring concern for other human beings, we cannot have any morality. These requirements are not just empirical givens... [W]ithout some level of caring moral concern for all other human beings, we cannot have a satisfactory moral theory. (Held 2006, 73)

Care ethics encourages agents to seize this value and consciously, deliberately uphold it. This seizure¹¹⁵ of care's inherent value and consciously upholding it as our central moral value may be the most pivotal step in building normativity into care ethics. One may even say that deliberate seizure and application of this value in our moral decisions is the driving force of care ethics as a system. That is, surely most humans do practice some (varying) amount of care; but once we understand its centrality in our moral values and uphold it as among our highest, or the highest value, and then act upon it in that capacity, then we are practicing care ethics (as well as care).

As a summary of the key concepts, then, care is an ongoing, day-to-day human practice, driven partly by emotions of caring and empathy, which we generally value because it is essential to defining us as human beings. In acting consistently with this valuing of care in our moral valuing, we practice an ethics of care. As our practice of care necessarily concerns others and the care that we bestow upon them and so arises wholly within the social context, this ethics of care then builds upon our relationships with one another as embodied persons interdependent upon each other. Our determinations or decisions for moral actions are thus understood to be contextual: Their moral value is contextually assessed according to the care due in our relationships with one another. This care, of course, even for adults, similarly though to the care

¹¹⁵ This diction may seem somewhat inconsistent with the gentleness with which care works. Seizure, though, need not be violent: One can seize a peach on a tree branch with due respect for it without damaging it. Seizure can also be an intimate and lively embrace, as in the Latin *carpe diem*. Furthermore, care is not passive but active, and may involve taking initiatives with some amount of assertiveness in the interest the cared-for.

given the young, involves a nurturing support for both or all parties in relationships. In short, care “seeks good caring relations.” (Held 2006, 36)

From these key concepts, postulates for care ethics can be formed directly. I believe the major distinguishing point for these postulates is that between care itself, which is a fundamental, natural human practice (so that a given act of care may or may not be moral), and the ethics of care, which is a deliberative, normative moral practice built upon the concept of care in an attempt to direct or systemize care and ensure that acts of care are indeed moral. The transition from care to an ethics of care comes when agents recognize care as our deepest moral value and deliberately place their relationships, from their most immediate and extending eventually to all humanity, in conscious and deliberate perspective of care and act consistently with this prioritization. These postulates, which are not to be taken as found in the following form in Held (2006) or other care-ethics treatise but to represent only one (my) possible synthesis and interpretation of care ethics, are:

- I. Care is species-defining practice in that all humans, with a years-long vulnerable and dependent infancy, experience passively as children and that most humans experience actively as adults.
- II. Insofar as care is *sine qua non* for being human, it has inherent value for humans.
- III. As with all values, we elevate or debase this value in our valuing and action.
- IV. To the extent agents knowingly elevate this value in their valuing and actions, they then ascribe care an increasing moral significance, with conduct strengthening the basic social cohesion among humans, potentially extending to all human society. In this way they begin practicing an ethics of care.
- V. Insofar as care is “the most basic of all moral values” (Held 2006, 73), normatively it is good to practice this ethics of care. That is, we should practice it.¹¹⁶

¹¹⁶ This postulate may be the most critical in the successive postulates, as it is where the postulates turn from descriptions to normative prescriptions. I cannot defend the step to normativity, but I find that this step is made in Held (2006), although not by the precise formulation and sequence of postulates as I offer here.

- VI. Ethics of care enjoins us to act as embodied persons within relationships rather than as independent agents abstracted from our social context of interdependence.
- VII. Moral value in action is fixed by care due in relationships and is thus contextual, and much of the moral value is perceivable in these contexts through the relevant emotional input of empathy and other caring emotions.¹¹⁷
- VIII. The moral value of our actions is assessed accordingly to the extent we act in due care for those relationships, which relationships by care ethics extend, to lesser but still substantial degree of moral compulsion, to others we do not know in other cultures.

Again, these postulates are not meant to be complete for all care ethics or even to imply that all care ethics must operate by such or similar postulates but only to serve as a fair, working example of care ethics postulates for the purposes of this chapter. These, then, enable an examination of how care ethics may answer to whether one should reproduce, given P.

2.6.2. Care Ethics and Reproduction

One immediate concern in terms of how care ethics may approach the thesis's central question is this: Is the question itself not couched in the sort of assumptions and terms inexorably steeped in the theory of abstract, individualist, disconnected agency of rational moral philosophy (whether utilitarian or deontological or even aretaic) from which care ethics strives to distinguish itself?¹¹⁸ Is it then not seeking a single answer, such as "Yes, [or no] one should [or should not] reproduce"? Care ethics, after all, is contextual, by which an agent is necessarily within relationships and responsible to those, so that actions are done within this context, which gives

¹¹⁷ Thus, by this postulate, moral value is assessed not by purely rational means, as consequentialism and deontology would do, but through emotional input specifically and only in the context of relationships.

¹¹⁸ I am indebted to Carol G. Gould for first pointing out to me that care ethics is distinctly different from deontology and consequentialism in terms of the understanding of what an agent is and that one then may not readily pose care ethics the exact same sort of questions that one poses these other two types.

the action moral value according to the appropriateness of the care practiced therein. It is a matter not of one singular action after another but of the series of actions that compose meaningful lives and pursuits.

I believe that, in posing care ethics this question and having it answer on its terms, none of the essential characteristics of care ethics need be contravened. Answering the question “Why should one reproduce, given P?” does not require that an agent abstract oneself from the context of relationships, insofar as one may attempt the answer within the context of one’s relationships to those who have been given miserable lives, nor abstract the action from the context of larger series of actions. If the answer is provided conditional upon those contexts, it is nonetheless an answer. Care ethics, at least as discussed by Held (2006), does not appear to be inherently inimical to the view that an agent must make choices in action and that these choices are morally assessable according to care ethics standards. In fact, Held overtly acknowledges that agents operating within care ethics can be considered free moral agents, that is those who make choices in action: “Moral agents guided by the ethics of care are ‘encumbered’ and ‘embedded’ in relationships with actual other persons, but they can still be free moral agents.” (84) The concern for the thesis’s question is not whether choices in action are made by independent individuals or encumbered individuals or made for the sake of solely oneself or in the context of encumbered relationships in which another’s needs must be attended to: The concern is simply that an agent can make a choice for some reason tout court, whether that reason is one’s selfish concerns or an encumbering relationship. The thesis question does not make any assumption about the process whereby the agent derives the reason, be that a rational or emotional process. The answer must, within the context of whatever system is assumed, simply be consistent with that system, whether the core reasons for action by that system are derived by rationality or by emotions of

empathy and responsibility. This requirement of consistency with one's own understanding of what one's ethical outlook involves does not contravene any moral philosophy's basis for the reason of action, if that reason be emotional. Without such consistency, there can be no discussion of what the moral philosophy entails or is about; and Held repeatedly observes that care ethics would have certain kinds of entailments, as in public policy, and not other kinds. As one writer who has encouraged care in ethics in political and social philosophy notes in a related context, concerning free choice (in self-development): "To claim to understand *A* and also that *A* entails *B* and then to refuse to conclude therefore *that-B* would be to fail to be rationally consistent." (Gould 1988, 63) Again, as I pointed out in §2.1., there is a distinction in uses of rationality between a system that maintains an agent must use rationality to derive the answer for how to act, and a system that uses the precepts of rationality, such as that for reasoning and issues of consistency, in formulating its tenets and how they are to be executed. Thus, for an agent acting as a freely choosing moral agent deriving a reason for action emotionally, if a tenet *A* entails *B* but the system also leads the agent to not-*B*, there is a problem that needs attention.¹¹⁹

The question for care ethics, then, is why should one reproduce, given *P*, that is some significant likelihood the offspring will be miserable whatever one does? An immediate response from care ethics would be that one should reproduce to create relationships that lie at the heart of care ethics. Without such relationships, there would be no care, and no care ethics. As social relationships are at the core of humanity, without relationships, there would be no humanity.

Given the existence of humanity and its social nature, care ethics, based on this very core of

¹¹⁹ As a drastic example, say the tenet *A* (not necessarily a real tenet of care ethics or any actual system) holds that we should rely upon our emotions of "empathy, sensitivity, and responsiveness" (e.g., Held 2006, 10) and our thus taking responsibility of the vulnerable, particularly neonates. An agent *S* emotionally finds that one should do *B*, that is, what one can to ensure that all neonates across the world are cared for so that they can survive the traumas of infancy and early childhood. But also, another agent *S*₂, or *S*₁ at another time, takes the tenet *A* as meaning that, to avoid the hardships of infancy and early childhood, one should do *C* and euthanize all neonates, thus best following empathy, sensitivity, and responsiveness. However, *B* and *C* are inconsistent. There is a problem in the ethics somewhere.

humanity, is among all the proposals for ethics so far the most responsive to humanity's needs. These moral needs, being based in social relationships, are thus most furthered by furthering relationships, which requires creating them because without being created they would not exist. Thus, there is some degree of compulsion for agents to reproduce.

This reason to reproduce by care ethics—to ensure that the very core of humanity and care ethics exist, viz. relationships—appears to follow from the postulates of care ethics. However, I believe that upon closer examination, it does not follow. The postulates do indeed note that care is a central, defining practice for human beings as without it we would not survive as humans, we all experience it as infants, and it commands the highest moral value. The postulates do acknowledge that social relationships are the *sine qua non* of our humanity as social beings, and these thrive through care. But they all speak of relationships as givens in human social contexts. Relationships exist, and they *are* this defining core of our species. The postulates allow the possibility of agents' forming new relationships by, say, meeting new people, and even allow one to form them by creating new persons, but they say nothing about the necessity of generating new relationships by creating new persons. One may believe, it is only common sense that somebody somewhere must generate new relationships via reproduction because if not, the supply of potential new relationships would eventually run dry. I acknowledge this common sense notion is valid. However, it is simply another empirical fact, not a part of the postulates and is not obviously entailed by them. Furthermore, although the postulates allow for new relationships, whether by meeting or making new people, they do not hold that it is necessary that any agent create new relationships in any way whatsoever. The postulates merely provide the empirical facts that relationships exist, human life by definition is composed of

relationships, and the care that best informs these relationships derives from that experienced as an infant or perhaps provided to an infant, later in life.

One may reply that the postulates are then simply incomplete. We need to add one that incorporates this fact about the need for turnover of new potential relationships by creating new people. Ad hoc, we can add this postulate, call it “IX” to follow number VIII above:

IX. It is a fact of embodied humans that each lives only so long, thus for there to be an ongoing supply of new relationships, at least some agents need to reproduce. There are still some problems, even with this postulate. One is that neither this one nor any of I – VIII answers why there is a requirement for an ever-refreshing, ongoing supply.¹²⁰ This requirement may have to be built-in axiomatically, such as, “Humans want there to be an ever-refreshing supply of potential new relationships.” Furthermore, it would not be correct to assert that humans want to be restricted only to meeting new people or new adult relationships, but at least some want new adult/infant relationships, namely with the very agent who is the adult in this pair. So IX needs to be modified:

IX'. It is a fact of embodied humans that each lives only so long, and that humans generally want the chance to form new relationships, and among these some want new adult/infant relationships in which the agent is the adult, thus at least some agents need to reproduce, preferably those who want the adult/infant relationship.¹²¹

The postulates now allow that some agents should reproduce, namely those who want to in order to create a new, adult/infant relationship. However, it is a leap to assert that the “should”

¹²⁰ An immediate objection may be that care ethics often looks to mothering as paradigmatic for care, and thus without this paradigm—in, say, an increasingly childless world—there would be no model for care. This problem concerning paradigms for care, though, is the very one I attempt to answer in developing an argument over the course of the next several paragraphs, after which I then turn to this objection.

¹²¹ I cannot here go into applied-ethics issues such as those concerning maternal surrogacy, which this modified postulate may need to pass certain tests; the postulate as is should suffice for this discussion.

here is a normative “should.” Rather, as XI’ stands, it is only a descriptive “should,”¹²² saying that if an agent S wants X, then agent S needs to do Y. At best, this conditional is a hypothetical imperative. But to get a bona fide normative “ought” out of the postulate, one needs to build in the additional concept that if one wants X, then one *ought* to do Y, where ought is a morally normative “ought.” This building-in will not be easy, as one would have to devise a new theory of morality asserting that if an agent wants some X, that agent is morally compelled to do Y to attain that X. There is a great problem here, not the least of which is prioritizing wants since some wants in life will be more pressing than others, and some may be pressing but deleterious if realized.

Another possibility may be that a postulate is needed to say that, normatively, people should create new relationships, of whatever kind (meeting or making new people). Thus, a subset of such new relationships would be adult/infant, and there would then be a normative route to reproduction in care ethics. However, before even trying to formulate a new ad-hoc postulate or revising IX’, I should point out that this compulsion for forming new relationships would not be in the spirit of care ethics. Care ethics, at least as writers such as Held and Gould present it, allows the possibility for forming new relationships, if one finds, for example, the ones that one is born into are unacceptable, particularly if abusive, but does not require it. In fact, the core of care ethics, as in Postulate I, looks to the relationships we are in as defining us as individuals as much as our idiosyncrasies do, finds our basic moral values in these and the care involved in them, and enjoins us to concentrate on these primary relationships and extend our moral concerns outward from there. The formation of new relationships is then an option, if properly justified, not a moral obligation.

¹²² As in “Jenny hasn’t eaten all day. She should be hungry by now.”

Postulate IX' does allow for reproduction more overtly than do the previous eight postulates (one may say that, actually, they did not disallow it; postulate IX' shows how the act is not inconsistent with the postulates). But the postulates still do not indicate that anyone should or why anyone should reproduce. It would be helpful, then, to look to the very postulate that introduces normativity in the postulates, V: "Insofar as care is 'the most basic of all moral values,' normatively it is good to practice this ethics of care. That is, we should practice it." The other postulates, particularly VI – VIII, have normative quality insofar as they describe how, given an agent's following the ethics of care as a norm, an agent would be acting. That is, if an agent ascribes to a certain norm, and principles concerning that norm describe how such an agent would act if following those principles, then those principles in effect become guides to what the agent should do. Similarly, postulates such as VI – VIII, given an agent's ascribing to care ethics, become in effect prescriptive of what the agent should do. Thus an agent ascribing to care ethics (V) should act as an embodied person within relationships (by VI), stay attuned to the moral emotions that help indicate the moral value of action in due care within relationships (VII), and assess moral value according to the extent one acts with due care in relationships (VIII). In this normative perspective, Postulates VI – VIII still draw the agent to attend morally to existing relationships. (Postulate IX' takes on no new normative quality when examined in this normative light directed upon VI – VIII.) However, in this normative light shed from V, postulates VII and VIII seem to have some promise of helping care ethics answer the central question.

By Postulate VII, the agent should stay attuned to the moral emotions of empathy, sensitivity, and responsiveness which can indicate the moral value of care-actions due in relationships. Can these emotions then not indicate that some agents should correctly respond emotionally by creating new relationships? The emotional longing to have a new relationship by

creating a person would seem to be a relevant emotion here: It would guide one to care properly for that relationship by creating the person. This may indeed be a valid emotion for creating a new relationship. However, this emotion must be established as indeed a moral emotion. Emotions of empathy, sensitivity, and responsiveness are emotions between two distinct, individual, embodied agents. Both Gould (1989, Ch. 1; 2008) and Held emphasize the importance of individuality and differences of humans as embodied persons in relationships. Perhaps one has imaginary “friends,” as many children do, but these are not with real, embodied people, and to speak of sensitivity and responsiveness to such a “friend” is only to imitate emotions one has for real embodied persons. These emotions are sensitive and responsive to how an actual person actually feels, not a projection of how a real person may feel or how an imaginary “friend” might have felt if it had indeed been a real person. One cannot feel what a non-existent person feels because that non-existent person has no feelings. Similarly, one cannot show empathy, sensitivity, and responsiveness to any non-existent person, even if the patient whom one is thinking about may one day be replaced by an actual person one has created. (Notice, the real person may somehow replace the imagined person in the agent’s thoughts but cannot somehow fulfill the imagined one, because the imagined person cannot possibly match the real person finally created, unless one has supernatural powers.) There is no relationship between an existing person and one who does not and has never existed; at least two real people are required for a relationship. Without a relationship, there is no moral context for a relationship, no context for the moral emotions of a relationship, such as empathy, sensitivity, and responsiveness. With no moral context of relationship, one cannot fall back on these relationship-dependent emotions to say they are the justifications for creating a relationship. That is, the moral emotions of empathy, sensitivity, and responsiveness cannot be the emotions that

lead one to reproduce qua moral act. There must be some other emotion, say longing to hold something cuddly and cute (such as a baby), that must be established as a moral emotion if care ethics is to answer the central question.

Care ethics may then try a further postulate, X, to establish this emotion as a moral emotion commensurate with empathy, sensitivity, and responsiveness but unlike these, not requiring a relationship in order to be applicable. This moral emotion is quite distinct from the other ones, because these involve how two (or more) existing people feel; this one involves only how one existing person feels. (And it has further burdens, which I shall discuss.)

X. An agent may feel a longing to create a new relationship by creating a person or simply to long to hold something cuddly, cute, and vulnerable. This emotion is moral.

This postulate would help make it normative to reproduce. But the postulate has many or all of the problems discussed in terms of making XI' normative: Is this want or longing like other wants? If so, and if the emotion for any want is moral and so the agent is morally compelled to fulfill that want, we again invoke the deeply problematic ethics of fulfilling any want that occurs. If this emotion in Postulate X is distinct from all others, it needs justification for why it is distinct (besides as a means to allow care ethics a normative response to the central question). If it is distinct because it creates new relationships, there remains the problem of why creating new relationships is distinctly moral, as discussed above. There must also be criteria determining whether one should always act upon this want when it occurs, or whether it is subservient to other moral considerations of the type Mill and Kant discuss in terms of reproduction, concerning sufficient material means for raising a child. That is, it cannot be moral in and of itself but must be heavily qualified.

Little is accomplished by declaring this longing a moral emotion, so Postulate VII presented from a normative viewpoint (as provided in ad hoc Postulate X) is not of help in answering the central question. Postulate VIII may be a better candidate here. It enjoins the agent to assess moral value according to the extent one acts in due care for relationships. Can creating a new relationship, either in itself, or so that one may then act with due care for the relationship established, not be sufficient grounds for gaining moral value and so morally justify reproduction? I believe doing so would be stretching VIII implausibly too far. For one matter, Postulate VIII enjoins the agent to assess moral value to the extent that due care is provided in a relationship, so it pertains to the relationship once established. So whether or not the agent established the relationship, what is of moral value is the due care given to it. In other words, the alternative reading is seeking moral value from the very facilitating of a situation in which one subsequently gains moral value by acting with due care. For comparison, one may similarly want to establish a situation whence one may gain moral value by telling the truth or honoring one's parents, and then assert that additional moral value was gained by establishing that situation. It is hard to see how establishment of such a situation is of prima facie moral value, for it could as well be said to be conniving and so of moral disvalue. One must question why an agent should go out of one's way to establish a situation in which one can do a moral good, when there are plenty of opportunities one need not contrive to do moral good. Since the deliberate establishment of such a situation may or may not be morally good, it is not in itself a moral good. Construing Postulate VIII so that it makes creating the possibility that one may then do the moral good of care does not lead to a plausible account of why one should reproduce.

In sum, to say that by care ethics, one should reproduce to create relationships that lie at the heart of this ethics is not the angle to take in trying to answer the central question.

Another angle for the answer is: One should reproduce because the very model of social relationships derives from that of parental care (“model” in the sense of “paradigm,” not in the sense of “perfect”). If there were no such models, there would be no care (and no care ethics) and no human beings.¹²³ Thus, to retain the model, given human mortality, there needs to be a steady refreshing of infant/adult relationships, and at least some agents then need to supply these model relationships.

This answer offers a plausible justification for why reproduction is important for care ethics. However, it does not provide a morally compelling justification for reproduction by means of care ethics, to which shortfall I return presently. First, I point out that some observers could contend it is at best contingently true that if there were no parental models of care, there would be no care. Humans conceivably could acquire care by some other method, say by injection of a certain drug or by configuration of their neurons by physiological or electromagnetic-field manipulations or microchip insertion. I point these out, not because I subscribe to them (as I do not), but because in the current philosophical climate in which Twin Earth arguments about empirically implausible or impossible hypothetical scenarios, where a substance XYZ, against all laws of physics, has the identical properties as H₂O, are seriously entertained for having philosophical content, such scenarios for care-acquiring are appropriate. I maintain that all we need do is grant it is indeed contingently true, for humans as we know them, that they need some kind of embodied parental-like care in infancy to be human beings, as these sorts of humans are what we care about in this moral discussion, not XYZ humans on some Twin Earth who can attain our identical type of care by injection.

¹²³ There appears to be a small implicit circularity here: If there were no models (of care), there would be no care ethics. This is true insofar as care ethics is made possible, by definition, because there is need for long infant care in the species. But one could not justify the need for care ethics by saying if there were no care there would be no care ethics, as one must say why it should matter there would be no care ethics (if there were no care).

I find more serious problems with the first half of the argument's conclusion, "to retain the model, there needs to be a steady refreshing of infant/adult relationships." It begs the question (twice) and may not be true even by the postulates of care ethics. First, the truth value: Care ethics does grant that the origination of care derives from the care we experience in the parent/infant care relation, whereby the latter party is wholly vulnerable and dependent upon the former for growth and protection. But care extends from that model to other relationships, such as to one's sister or spouse, cousin or older step-child, best friend or lover. If these relationships are truly caring, they are as sufficiently caring as those of parent to child. If they cannot even aspire to be as caring, it is hard to say if the original model would suffice as a model for care ethics. To state this analysis another way: Not all parental relationships are good models, and many caring, non-parental relationships exhibit better caring than many parent/child relationships. That is, some "ideal" model (again, not meaning "perfect") of caring is now derived or synthesized by the care-providing agent from whatever source even if at one time (in human history) the primary original model was the parent/child. The first question begged is then the idea that the parent/child model is indeed the ongoing necessary model. At best, some empirical evidence would have to be offered to indicate that this model is superior to all other types of model of care and must remain the sine qua non such that if it were to disappear, all the other types would not persist or would significantly wither away.¹²⁴ Such a research project

¹²⁴ Carol Gould has raised the objection that, as the postulates state, people learn about caring from having been cared for in infancy and childhood, and that abstract models of caring could not suffice. In response, I note first that at issue in this point of the argument is whether non-parent-child relationships can be as good paradigms of care as parent-child relationships tout court, not the fact that people generally have happened to have first experienced care as infants and children. Second, while we may learn about the fact and the need for care—and the emotional connections involved in care—from having been cared for in our earlier years, we may be too young then to master the precise fine skills of practicing care. These may well need to be honed through adulthood, as we develop care for siblings, lovers, friends, parents, and other relatives. Merely because we happened to have learned our first experiences of care from being cared for when very young does not entail that we cannot experience as good caring and hone as good caring skills from our caring for and being cared for by other persons in our lives, such as friends as lovers. Thus, these persons could be as good paradigms of care as parents. The question remains begged as to

would be exceedingly demanding. Alternatively, common sense may seem to say, why of course other types of caring relationships would wither away if the parent/child model disappeared. But this contention that common sense would even say so needs further specific support (do sufficient numbers of subjects agree?), along with support for whether common sense is a reliable final word tout court.

The second way the statement begs the question is implicit in “to retain the model.” Why do we need to retain the model? Why, because of what the second premise says, that without care there would be no human beings. So to retain human beings we need the model. But the question to be answered is why to retain human beings (that is, an ongoing supply of new ones).

There is a further problem with the argument in the second conclusion, “at least some agents then need to supply these model relationships.” The problem is much like that arising in the other argument for care-ethics-based reproduction saying we need new relationships: This conclusion is too vague for a normative injunction, asserting that somebody somewhere needs to add to the parent/child model-relationship base by creating children—but it is not clear who that somebody is to be.

These arguments so far have been preliminary to the section’s main question, the same main question for all the sections of this chapter: Namely, why should one reproduce, given P? By some lights, these preliminary discussions about care ethics may have already indicated that as is, this ethics cannot sufficiently answer the central question. However, consistently with the

whether being cared for as a youngster is necessary, not merely contingent, for humans and their honing top-quality caring skills. Third, if people who have experienced poor caring during childhood have some chance of learning caring from peers (that is, poor childhood care may lead to a greater tendency for poor adult behavioral outcomes, but not necessarily leading to such outcome, thus giving the possibility of deriving good skills from relations with peers), then these peer models can indeed be as good as those experienced in healthier parent-child relations. Finally, these adulthood peer-relationships need not be deemed abstract models of caring, any more than parent-child models are abstract: They are as real, concrete, embodied, and deeply emotional relationships as that of parent-child.

whole chapter, care ethics should be examined with this extra caveat of P. Perhaps in being so examined, care ethics can yield another kind of answer.

In fact, the factor P can support the contention that care ethics can answer why reproduce. The factor P, the fact that a substantial percentage of all humans, all offspring, will be utterly and irremediably miserable in life, exemplifies the need for the care ethic: (1) This fact demonstrates how all humans need to muster maximum care to all whom they can. Surely, the practice of care exists in the world, but it is often displaced by such values as egoism, power, and pursuit of self-interest. It needs to become our number one value, and our emotional response to these figures (concerning P) call upon us to respond with more caring action. (2) More subtly, the fact of P, the statistical figures, is a demonstration of how vulnerable humans are and how this vulnerability brings out the caring response in us. If we were to cut off the spur to our caring response by not having more children, we could well be cutting off the caring response tout court and doing no service to the miserable. (3) To cease reproduction because of the existence of miserable people is in fact to do a disservice to those people as human beings, as if de facto declaring them subhuman, not worthy to have ever existed. Who are we to make such a declaration? It is parallel to saying, "Look, there are handicapped people. There is some probability that any act of reproduction will lead to handicapped people, so we should not reproduce." We can better serve miserable people by showing that life is worth living by our continuing reproduction, continuing to spur our caring, and our in turn doing all we can to help existing and future miserable people.

These reasons are not merely plausible, but are so convincing I am ready to concur that care ethics has answered why humans should reproduce, even (rather, especially) given factor P. It is curious that care ethics could better answer why reproduce, given P, rather than not

accounting for P. The more and more I look over these three reasons just provided in the last paragraph, the more I start to wonder if they really do add something more than the answers given without regard to P. The first of these three does feed into the other two by emphasizing how the fact of misery does spur caring response and, by (2), demonstrates human vulnerability, which, by (3), is equally coupled with the need of promoting the dignity of human life as worth living. However, standing alone, (1) can offer little more than a justification for why care ethics is needed, not why we need to create further people upon whom to practice care. Our emotional response to the figures behind P do and indeed should, if one is compassionate, move us to care for the miserable. But this caring, in the context of (1) alone, could be extended solely to existing miserable ones with no need to create new ones.

Reason (2), I notice, is conditional, and based upon a surmise, which not only needs proof but, like a previous argument, apparently runs contrary to care ethics' postulates. The surmise of the conditional is that if we cut off the spur for caring that comes from parent/child relationships by not reproducing, then we will cease caring, such as for those already existing miserable people. As mentioned earlier, to establish that without the parent/child relationships continuing to exist somewhere our caring will wither away, the evidence is wanting. Again, this scenario runs against the spirit and letter of the care-ethics postulates, which allow that we can form relationships with others by our own choosing, as caring as any relationships, which is a major point of care ethics and of its moral value in caring's very extensiveness. There is also a vagueness to the conditional, in "if we were to not have children"—namely, it is unclear who precisely "we" are, that is who exactly is reproducing or restraining from it. It is unclear whether it merely must be some people somewhere in the world, or someone in the local community, or at least one person in one's internet "community," or an adjacent residential neighbor, who

should be reproducing to keep our caring spurred. The diffusiveness bespeaks the same unclarity about just how and why parent/child caring relationships must continue to exist to keep caring itself properly refreshed. By the very postulates of care ethics, we should then be able to care for the miserable sufficiently without there being any reproducing going on.

Reason (3) is very strong, and I have a hard time disputing it. But I do detect some small flaws. For one, it makes a category mistake in comparing handicapped people to miserable people. Just as only a fraction of non-handicapped people are miserable, there is no reason to believe more than a comparable fraction of handicapped people are. The problem is not that non-miserable people are declaring miserable people are undignified because they are miserable. The problem is that, in cases of a non-miserable person empathizing with a truly miserable one, the former comes to understand the latter lives and has lived in such anguish for so long that not only that person's but all human existence seems not worth the effort. From the miserable person's perspective, it would be lacking in empathy to say I will go on to take a chance of creating more people who feel as badly as you, because if I do not, my care will not be sufficiently spurred to care properly for people like yourself, even though no amount of care has proven to halt your misery. Granted, that person may be so miserable and apathetic, as many are, so as not even to care about other miserable people and their fates. But even from such a person's perspective, the idea that one's misery could have been created because others were taking a chance that such misery could happen in order that their own caring responses would be spurred to care for others, including miserable people, would appear unjust. If such agents (those wanting their caring spurred) had to resort to such recourse to spur their caring, caring would appear as a hypocritical and not so worthy aspiration. At the least, caring should be ignitable by means that do not so use

others in such a way to make itself grow. For the miserable people who could still care enough about life to perceive such injustice, I would have to agree with them.

These flaws in reason (3) leave it hard to support. There may be other reasons for how care ethics may respond to the central question. I have provided the best support I can, and though parts of this support come very close to providing solid answers, in the end they have too many flaws to embrace them. In many ways care ethics comes closer than the other systems examined so far in answering the question, probably because its very basis is care, derived from the caring parent/child relationship, so crucial to reproduction. This relationship is not reproduction, though, so something further is needed, a more extended or general context at the very basis of morality. I also believe that care's appeal to basic moral value—care in its case—and human valuing as a moral foundation also accounts for how it comes so close to providing an answer. In Chapter 4, I take up this issue and what further moral context and valuing may help take the extra step needed here. In the meantime, I must quickly look at some other ethical systems and how they may approach the central question, as well as one moral outlook (in Ch. 3) that claims an answer to it.

2.7. Other Ethical Outlooks

2.7.1. Sentiment- and Emotion-Based Ethics

Hume stands out as a significant spokesperson for the case that our moral sentiments, not rationality, are the true players in morality.¹²⁵ Because of the way that we and our capacities are

¹²⁵ Authors in the area may distinguish between sentiments and emotions. According to Prinz (2008), “A sentiment is a disposition whose occurrent manifestations... are emotions.” (84) I try to abide by this distinction where relevant. It is especially important for those commentators, especially contemporary ones such as Harman and Prinz, who look to psychological models of emotions and in turn to specific emotions that appear to be involved in moral assessment. I thus use “sentimental ethics” as an umbrella term for those theories that look to the sentiments as the basis of moral judgment and assessment, as opposed to reason or rationality as basis, and among these theories are those that specifically look to the emotions. “Passions” I take as synonymous with “emotions.”

made, our reason cannot tell us how to act; our passions guide us. This view is enjoying a resurgence and has influenced a wide range of authors, from Haidt (2001) to Prinz (2009) and Churchland (2011). One challenge it poses for the thesis is that, similarly to aretaic and care ethics, it does not readily answer how agents should respond to specific moral questions. In fact, sentimental ethics of the sort I am pinpointing often serves essentially as a metaethical framework for describing how we operate as moral animals, explaining whence we have notions of right and wrong and thus what is the nature of right and wrong and of the moral and immoral. However, it is possible to let this framework serve as entry to if not foundation of normative theory, as I shall consider.

In claiming the sentiments or emotions as the arbiters of right and wrong, sentimental ethics may be considered to have two basic sources whence we derive our notions of what kinds of acts are right and wrong: 1) something universal to humans, such as a capacity selected for by evolution; or 2) culture. The former, universalist approach is taken by some evolutionary ethicists (Ruse 1995). The latter lends itself to cultural moral relativism (Prinz 2009; Haidt 2001; see also Harman 1975 on moral relativism). It is also possible to compromise between these two extremes, for example by saying some basic criteria for distinguishing moral from immoral acts are universal but different cultures manifest these differently. Presently I look at the latter—relativism—and touch on the former in the next subsection.

As with the other moral-philosophical schools, there are wide ranges of theory types within any broad category such as sentimental ethics. Again I select particular works that appear

By some accounts, such as Calkins (2011), Hume is a virtue ethicist. No doubt, many moral philosophies, including deontology and consequentialism, and especially care ethics, are not limited by the school borders I have drawn and in fact leap freely across them. The best that I can do in limited space, as many historians end up doing, is to draw the admittedly often artificial boundaries for the sake of organizing an argument. It is true that although a hybrid moral philosophy that straddles both school *A* and *B*, even if *A* and *B* separately could not adequately answer the Central Question, may still, as a hybrid, be able to answer it, the argument could suffer. This possibility only means that the inquiry demands an enormous effort and this token of it may fall short, but it does not mean the enterprise is on the wrong track.

representative of the broad category. Current relativist moral sentimentalism, such as Prinz (2009), and Haidt (2001), often turn to the psychology of emotions and cultural anthropology for justification of moral relativism. Experimental studies indicate that decisions to act in moral contexts are highly informed by the emotions rather than reasoning. These emotional responses in turn are heavily, if not exclusively, formed by one's culture. However, not just any emotion informs moral decisions, but only select ones, often called the "moral emotions." (Prinz 2009, 68) These are the emotions that research studies indicate are evoked in an agent in violation of or conformation with moral rules.

Discerning which emotions inform and constitute moral assessment is neither straightforward nor without controversy. Even psychological models of all the emotions are highly contested. One early moral philosopher of the sentimental school, Hutcheson, whom Prinz discusses, acknowledged only two moral "emotions," approbation and condemnation, which Adam Smith said were sentiments composed of more basic emotions. Prinz breaks the moral emotions down into positive and negative. The latter are further broken down into other-blame ("reactive") and self-blame ("reflexive") (2008, 69-79), and both of these into the more basic emotions of contempt-anger-disgust, depending on the source of the offense,¹²⁶ and guilt and shame, respectively. Positive moral emotions, by this account, are admiration, gratitude, gratification, and dignity, depending on who is the agent or patient (other or self). Caring, empathy, and concern, by contrast, are sentiments, and not necessarily moral; similarly, by Prinz, liking, disliking, loving, and hating are sentiments, and not necessarily moral ones. However, other commentators promote different schema of the relations and contents of moral and non-

¹²⁶ The source of offense may be another person, the community, or nature, so that for other-blame, the emotion from an offense by another is contempt; that for offense by the community is anger; and that for offense by nature is disgust. For self-blame, the corresponding emotions are guilt, guilt/shame, and shame, respectively. (Prinz 2008, 69-79)

moral emotions and sentiments. Harman (2006), for example, considers that guilt and shame are not necessary emotions for morality.

The problem for sentimental ethics in terms of the Central Question grows out of the difficulties in dividing the moral from the non-moral sentiments or emotions. After distinguishing the moral from non-moral emotions, Prinz builds up a theory of moral conceptualization and judgments, a type of sensibility theory, whereby “emotions are *constituents* of moral judgments.” (99; emphasis in original) He then answers the “Euthyphro” objection to such a theory; viz., Is it our moral emotions that create moral norms, or do moral norms create the moral emotions? As he puts a more potent version of the objection: Wiggins and MacDowell “say that there is no way to individuate the emotions that constitute our moral sentiments without reference to what those emotions designate.” (118) In other words, we tease apart moral from non-moral emotions as the former pertain to morality; but by sensibility theory we know what is moral by looking to what social phenomena that the moral emotions pertain to. This problem, of course, arises in any sentimental theory.¹²⁷

¹²⁷ Prinz answers this objection by turning to a “ratchet effect” in moral emotions’ origins. A person may have been led to feel sad by being ostracized after some act, thus coming to note some kind of “rule” was violated. A “predictable pattern of behavior” comes to corroborate the emotional response in instances when such rule is relevant. “After this pattern is established, the emotions that once had no moral significance take on new meaning,” and in sufficient time and after further ratcheting process, then “It is a moral rule.” (119)

The objection and a response to it are important to support this sentimental theory and merit more examination than I can give here. It is still not clear, though, what makes the rule deriving from the pattern of behavior a moral rule and not just some kind of rule, say a legal rule or the rule for how to make a well-praised chocolate cake (which could follow the same ratcheting process). It still appears we have to know it is specifically a moral rule because it is the kind of rule that invokes the moral emotions, which returns to the objection’s question. The further response may be: “We know it is a moral rule, because it is our culture that establishes which rules are moral, which legal, which of other sorts. We know it just as we know other facts established by our culture and language, such as what is a cake and what is a cookie.” There are problems with this response. One is occasioned by cultures and languages that appear not to have clear distinctions between these different kinds of rules. The Semai of Malaysia appear to be one such culture. (See Dentan 1979) If there are no distinctly moral rules, are there no distinct moral emotions for those people? If so, it appears that the cognitive basis of the theory is faulty. But despite such problems, for now I allow that a culture member can distinguish moral rules to be such, and thus continue.

By sentimental ethics, generally, we get our moral rules from our culture. Contemporary industrialized Western culture,¹²⁸ for example, would assess gladiator contests as disgusting and thus immoral, whereas ancient Romans did not. Some subcultures of the former find bullfighting disgusting and immoral, other subcultures do not. So, for the thesis's preliminary question, "Should one reproduce?" a sentimental ethics' initial response would be to answer it as one would a parallel question of bona fide normative content, such as "Should one help that feeble person carry that sack of groceries?" or "Should one poke a sharp stick into a puppy to see it whine?" One consults one's culture-formed moral emotions and detects gratification for performing the former and guilt for the latter and answers yes and no, respectively. But "Should one reproduce?" may, in this culture, very well not win such a clear response. One agent may say, "I like reproducing, so I should do it," but liking, at least in Prinz's theory (85), is not a moral sentiment, so this response is not registered as morally assessable. Another agent may say, "I admire *X* for having two children," and insofar as admiration is a moral sentiment when the "other" is both patient and agent, as in this case, then the answer would be yes; at least for *X*, it is moral to reproduce. But another agent *Y* may say, "I feel guilty reproducing," for whatever reason, perhaps all of *Y*'s siblings are sterile and are hurt by *Y*'s reproducing though pretending to be happy uncles and aunts. So for *Y*, reproducing is immoral. It appears that in this culture, there is no clear moral rule about reproducing, and furthermore it is unclear whether reproduction is moral, immoral, or not even morally assessable.

However, in certain other cultures or subcultures, there are strong beliefs about the role of women and reproduction in the scheme of nature and society. Thus, in certain Hindi villages (World Health Organization 2010), a woman, particularly a married one, may be ashamed at not

¹²⁸ I acknowledge that there is no unitary industrialized Western culture but a vast number of overlapping sub- and sub-subcultures. For the sake of discussion, I must rest with a stereotype of a member of fictitiously unitary industrialized culture, the cultural details to which I trust the reader to supply in a reasonable way.

having children. Shame is a moral emotion, so not reproducing, in this case, would be indicated as immoral by the sentimental system. The husband may also be ashamed of himself and his wife for having no children, and so he would either be immoral or chastise his wife for her immorality. We outside the culture, and with our own moral rules about agency and autonomy, may judge such a rule unfair, because at the least it may be the woman's physiology, and not her (allegedly selfish) will effecting the barrenness. Such disparities in cultural rules create hurdles for sentimental ethics which I cannot investigate here. The problem I am concerned about in terms of the Central Question (as well as its preliminary question) is whether moral emotions are effective, consistent, and reliable guides to what are a culture's moral rules. For one matter, with the Hindi village example, one should re-examine whether the emotional responses of the agents are indeed registering immorality because a moral rule has been (willingly?) breached or whether, say, the act or default represents a host of other acts, say from past lives, to which the current act of reproduction or non-reproduction is a mere manifestation but not in itself directly morally transgressive. Shame may not be sufficiently correlative with immorality in the sense of agent-directed action. More generally, the questions(s) can generate a muddle for the theory, in an effort simply to make sense of how the theory evaluates an action cross-culturally. If the question posed in 1) one culture (as the Semai in fn. 127) registers no real response because there are no real lines between moral, legal, customary, and other rules; 2) another culture, such as the Hindi village, evokes a moral response but this response does not clearly—though possibly does—indicate a moral transgression; and 3) a culture such as ours evokes a multiplicity of responses, ranging from moral to immoral to non-moral (non-registering as one way or the other)—then it is not clear how this theory would handle such a question of potential moral import consistently.

Now, consider “Why should one reproduce, given P?” One can only conjecture how the Hindi village, for example, would respond to this modification: perhaps by deferring to the fact that misery is only the manifestation of how one has lived in previous lives. In the industrialized Western culture, the qualification “given P” may make some difference somewhere. The concepts of ecology and the fact that each of our actions, even the seemingly smallest, often have extensive ramifications globally are increasingly prevalent in this culture. Many culture members may understand that every time they start their car, they are increasing global warming and diminishing their grandchildren’s resources, even if such realization does not get the agent walking (Calkins 2012). The prospect that an action *A* means a likelihood of percentage P of creating horrible misery for someone may evoke certain moral emotions in some people, such as guilt, shame, anger, or contempt. Some agents, assimilating such (rationally derived) reasons concerning reproduction may in turn develop a new emotional response. They may revise a previous “indifferent” or “*indeed* reproduction is moral” response to “immoral.” Others, though, may insert a comprehensive doctrine, such as atheist libertarianism with its faith that the free market will always find a solution to any problem and that humanity has a moral mission to spread throughout the universe (Mautner 2009, Caplan 2011a). Discerning the moral emotion of dignity when their doctrine runs up against P, such libertarian agents may feel all the more dignified given the challenge of P and declare that reproduction is an outright moral duty for all, to spur the free market and thus market innovation that will surely ameliorate such misery. The moral-emotional responses to the central question given P are potentially as wide-ranged as those for the Central Question without P, lending no more focus, or less, to the responses.

Sentimental ethics, as a metaethical theory, may do well in explaining how notions of right and wrong develop in a culture. In fact, with the school’s recently turning to psychology

and cultural anthropology for explication of the moral emotions, it is poised to derive an evermore-precise explanation of right and wrong. I am unsure how well, as it now stands (as if it were a unitary outlook!), that it can respond to a new candidate for the moral domain, such as human reproduction as an isolable deliberative act, especially when the moral concern extends beyond a single culture and stretches to global issues. This problem of assimilating new candidates into the moral domain and into the general moral discussion is related to that of how sentimental ethics can account for moral progress, a problem that Prinz (2009, Ch. 8) acknowledges and tries to face. I believe that one approach useful for sentimental ethics would be to uphold its reliance on cultural anthropology ever more adamantly, in the search for common traits of cultural practices and values paralleling the universals of individual behavior chronicled by experimental psychology, which this ethics upholds as well. Such commonalities do not mean culture has any less grip on forming our characters, that nature would then win over nurture in our concepts of ourselves, that “human nature” will be fixed and controlled by unsavory forces, or that evolutionary psychology will abet social engineering. In Ch. 4, the general approach I propose to help answer the Central Question will be seen to have some commonality (as it does with care ethics) with the conclusion that Prinz draws for how sentimental ethics can lead to moral progress: “Unlike classic normative claims, I think normative claims must always be made from within a value system.” (303) Values and valuing, in that chapter, are *the* key to deriving an answer.

2.7.2. Other “Naturalized” (Scientific) Ethics

I have space only briefly to note more recent schools of ethics. “Naturalized” ethics ambiguously refers either to ethics that looks to nature for the basis of moral values or to the methods and

results of natural sciences. Naturalism, not a single school of moral philosophy, is a broad approach to metaethical and normative theory. Hume, Harman (2001, 2012), and Prinz take naturalistic approaches, as some care ethicists may. Spencer (1978) was an early, 19th-Century adherent to evolutionary based ethics; Nietzsche (1967) tended toward looking to nature, not necessarily through the aid of science, as a source of values. From Spencer's work onward, some strands have looked to biology for understanding the source of human values. Reproduction itself is so central to evolutionary theory that it creates a likely nexus for evolutionary theory and ethics. It may seem that either 1) human life, in its (moral) guides for behavior, should place reproduction as the number-one moral sanction; or 2) life and reproduction are so basic, are such a given, that humans and their guides of conduct need not even mention reproduction. If reproduction is so central to life that few moral systems, even in other cultures, have seemed to have made a moral issue of it, then is it somehow *wrong* even to entertain the possibility of making it a subject of moral instruction?

At this point, supporters of such thought may fall into Moore's (1988) Naturalistic Fallacy. If it is somehow *wrong* even to try making reproduction a subject of moral instruction, then is it somehow wrong not to reproduce? If so, then just because life must reproduce to be life, one must answer why that life in itself is the good that we are morally required to perpetuate via reproducing. There is also the problem of whether it is wrong even to try making reproduction a subject of moral instruction. While Ruse (1995) has tried to look to evolution for normativity, Churchland (2011)—typically more moderately—focuses on the origin and (neurophysiological) nature of human cooperation and trust in social groups. Our very brains are structured so as to be socially cooperating creatures, so we *should* conduct ourselves as socially cooperative creatures. It is not evident how to draw from this approach a challenge to the Central

Question. We may model our social lives so as to optimize social cooperation, and perhaps live fulfilled lives by such moral modeling. But we could all do so without reproducing. Harris (2010) also looks to the biological sciences for our moral guidance, but less specifically into our brains, maintaining more generally that the sciences can point to how we can optimize human wellbeing: “being good and feeling good” (189) are directly morally connected. We *should* follow the best of such scientific results. There are moral facts, as real as any. Medicine cures our ills; a vibrant economy creates jobs and countless goods; religion harms us. Harris sees humans’ using scientific research to triumph over our biology and make ourselves into whatever we want. In fact, pursuing wellbeing may not even be in “nature’s” interest, insofar as it may not make us more reproductively fit. Thus, he sees reproduction as morally irrelevant. (His naturalistic approach, it turns out, is veritably the opposite of the naturalistic approach I use in Ch. 4.)

Information ethics is a school of normative ethics, to be distinguished from the applied ethics area pertaining to computing and information technologies. Bynum (2008) traces it to the doctrines of cyberneticist Norbert Wiener’s vision of humans’ and machines’ one day becoming equal participants in society: As machines, particularly computers, are information-based, the centrality of information for machines and humans drew attention to the nature and worthiness of information itself. An information-ethics proponent, Floridi (2008) speaks of information as a type of resource. He proposes that information itself is the moral patient of ethical concern in a “patient-oriented ethics” (47). The nature of being is information: Any being does not just contain but is information. The negative of information is entropy, which is evil, and increase of information is morally good. I find that this ethics would not clearly answer the Central Question. If the moral agent’s moral compulsion is to increase and preserve information, a new genetic combination via offspring would add a spurt to the universe’s information storehouse.

However, one could as well simply let human DNA in glassware combine and get the same result. Would an agent not better increase information by building only self-replicating, non-decaying (i.e., auto-part-replacing) machines to increase information? However, machines are not anti-entropic as life forms are while alive, insofar as they are closed systems. Yet, the more that life forms increase, locally there is decreased entropy in the organism but ever-intensified entropy in the universe. As for P, the problem is whether misery is a type of information or of entropy. In sum, this school of ethics may be too new to have developed a pathway to offer the Central Question much challenge.

2.8. Conclusion for Chapter 2

Of all the schools of moral philosophy examined, the one with the clearest answer to whether one should reproduce, particularly given P, is Hare's total utility, which faces the problem of Parfit's Repugnant Conclusion. Of the rest, care ethics, with its moral focus on care of others and oneself as a socially defined being, holds some potential here. The essential connection between its postulates and this potentiality lies in taking care ethics' basis in values a step further, as I do in Ch. 4. Sentimental ethics seems to have potential as well insofar as it nudges us to look to the emotional needs we have as human beings in formulating just what sort of actions we should pursue. In fact, each moral system examined has something to contribute to answering the Central Question, particularly in light of P, as I hope to make evident by the end of this work, To help answer how we can take our basic valuing (which is an extension of care ethics' valuing) and structure our values from it in a rational way, I look, naturalistically, to what the sciences, most importantly anthropology, can tell us. This naturalism is then not metaethical or normative,

but offers an aid in applying the norm of basic valuing to specific values we assign for ourselves within our cultures.

In the end, then, this problem of human reproduction, which traditional Western ethics has barely touched upon, can bring together what appear to be disparate moral philosophies. Before reaching that point, it is pertinent to turn to those overt attempts of the last decade or so to answer the thesis's preliminary and central questions.

Chapter 3

The Challenge from Recent Efforts to Answer the Central Question

“Is it possible,” he thought, “that I cannot master myself, that I am going to give in to this... nonsense?” (Those who are badly wounded in war always call their wounds “nonsense.” If man did not deceive himself, he could not live on earth.)
Turgenev, *The House of Gentlefolk* (tr. C. Garnett)

The past decade or so has seen a handful of philosophers take a next logical step in the discussion of population ethics as Chapter 1 narrated. One next possible question in that discussion is: If human population is burgeoning so as to threaten the lives of future people, should one have children? This question plays one part in Overall’s (2012) inquiry into human reproduction. Another angle on the question would be: If human life leads to such strife as much of human history has demonstrated, especially with the horrors of Hiroshima, Nagasaki, Auschwitz and the Cambodian Killing Fields of the past century, not to speak of the Mongol depredations and other long-ago massacres, should one even reproduce? This is a variant of Chapter 2’s question about P, which still wants direct philosophical response, as the chapter noted. Related to this question, but more general, is: Given that human life, indeed all human lives, are encumbered with (varying degrees of) strife and misery, why should one reproduce? Benatar (1997, 2006) comes very close to dealing with this question by saying that because of the moral ascendancy of pain and suffering, we in fact should not reproduce (so there is no good way to justify why we should reproduce).

In this chapter, I examine these and other recent works that come close to the inquiry of this thesis,¹²⁹ concentrating heavily on Benatar’s work, not only because, among these investigations, it comes perhaps the closest to the issues herein, but also it has drawn

¹²⁹ I do not cover Hare’s 1988 “Possible People” in this chapter, as I have covered it in Chapter 2 and found its total utilitarianism untenable.

considerable controversy and criticism, particularly from commentators in the population ethics community. Singer (2010), in his newspaper ethics column, brought to the general public the issue of whether one should reproduce, exciting a lengthy reader-commentary on the newspaper's web site. Singer unfortunately offered little of his own analysis, but at least posed the question, focusing heavily on Benatar's work. That work and the handful of others to follow here, because they are so close to the thesis's concerns, pose it a significant challenge that deserves separate treatment in this chapter. However, I find that, in the end, these works still fall short on the key issues, which are then handled in the closing chapter.

3.1. Leslie

The earliest pioneering work that I can find dealing directly with whether humans should reproduce, in the way this thesis presents, is Leslie's (2004; originally published 1983). As with many works ahead of their time, one may consider whether this one has garnered insufficient attention or controversy because the zeitgeist was not yet ready.¹³⁰ Certainly, Valenti's and Overall's volumes appearing in 2012 with their titles slight variants on the Central Question attest that the field may now be ripe to approach these questions head-on.

The title of Leslie's 1983 essay "Why Not Let Life Become Extinct?" is not a rhetorical question. That is, the essay does not assert that we should allow life to become extinct. Leslie's focus is initially on the possibility of nuclear weaponry's causing extinction, yet the issue of "producing new lives" becomes pivotal. The essay's general theme is that, according to views that "quite a few philosophers now hold... we have no duty to ensure life's continuance."

¹³⁰ Or, less mysteriously, the population-ethics discussion within whose scope it falls had not yet built up enough steam and foundation to be able to place this article's "higher-level" concern. That is, in Chapter 1's history of population ethics and its map of the trend toward the thesis's two main questions, the field needed notably more development and filling-in, viz. understanding just what were the relevant problems involved, before this community as a whole could enter confidently into these questions.

(124)¹³¹ The essay disparages such views, faulting primarily “maximizing the minimum good which anyone receives” for disallowing any amount of pleasure, no matter how great that amount, being bought at the price of anyone’s pain.¹³² The upshot of this view would be that, if human life can continue only upon the condition that happy lives are bought at the price of miserable ones, then human life should not continue. This is an extreme stance which, Leslie notes, “luckily, most philosophers agree... is devilish.” But the view that “isn’t safe” from such widespread disapproval is what he calls, “Average Utilitarianism,” by which good acts are only those which raise the average value of our experiences.¹³³ By this view “life ought to be allowed to become extinct if generating future generations would necessitate any however slight lowering of the average.” (125) A second view maintains that “abstract facts” about billions of future, possible happy lives are not sufficient ground for moral obligation to bring about such lives. On the other hand, by this view, creating such lives is “*permissible*” even though some miserable lives may be created in the process. While Leslie notes the inconsistency here, as the conclusion should be “that our duty is not to stop producing children” (126), his greater concern is the rapid dismissal of possible billions of happy persons as being “mere possibilities” that do not deserve moral consideration. He takes issue with the idea that such possibilities are merely “mere” morally: “any decision on whether to produce a situation, even a situation which includes a new life, can reasonably be influenced by what the situation would be like.” So “mere possibilities” are actually at the core of moral consideration. (See Weinberg 2008, discussed in §1.1.1.5, which strongly opposes such a view of merely possible people, but see his point (4) below.)

¹³¹ Rather than saying that the very human-reproduction question had opened up, as this quote may imply, actually Leslie appears to be saying such discussion needs to open up, such as to whether we do have a duty to ensure life’s continuance.

¹³² Wasserman (2004) takes a similar view; see §3.3.1. below.

¹³³ Parfit (1984) also offers a strong criticism of Average Utilitarianism.

Before providing his own approach to the ethical problem of whether one should take steps to prolong life or let it go extinct, he concedes five points to the philosophies he criticizes: (1) “maximizing a minimum” has its strengths—“so long as it is not made one’s only aim”; (128); (2) in many situations we often should *not* make sacrifices of actual persons to benefit only possible ones (such as sending funds to starving, distant people—which funds may never arrive—instead of feeding one’s own starving family); (3) the world is indeed overpopulated; (4) we have no duty to mere possibilities if indeed they are to remain as mere possibilities, and (5) the “more radical concession”: in ethics we can be sure of nothing, especially anything so indefinite as future generations and our duty to them. Leslie takes these caveats seriously as he moves into his main and quite concisely stated point (see below). This apparent tentativeness is not doubt about his position in particular but a hesitation about the momentousness of the whole moral issue, so that we should all give pause before jumping to conclusions. The result of our conclusions, after all, could be the fate of the race, if they influence whether we allow it to go extinct through nuclear destruction or cessation of reproduction.

Leslie’s own outlook revolves around the “requiredness” of ethics and what brings it about. The universe begs for explanation; and our ways of modeling it, as through physics, cannot help but posit some value for it despite its evils. Such value to its existence, he contends in perhaps his most difficult step, “might be due to an ethical requirement that it exists.” Many commentators would likely take issue with the idea that an ethical value to the universe’s existence can come from a (pre-existing) ethical requirement for its existence. But Leslie maintains that this ethical requirement is not like ordinary ethical requirements, nor does it entail that the thing required is bound to exist or would exist given certain conditions. If anything, this sense of “requiredness” squares with the general, ordinary notion of what ethics is about. There

is a type of requiredness about ethics, and it seems to arise not arbitrarily for humans but out of a quality in the universe.

He defends this view against potential charges of naturalistic fallacy, of deducing “*whether something is good from what it is like.*” He is not saying that ethical requiredness is somehow a part of anything’s constitution. Instead he is saying that having this intrinsic value would make its existence required in a certain way, specifically an ethical way. He admits that one can still not know, from investigating the constitution of something, whether that thing is intrinsically good. And so we cannot know from looking at life alone if life (considered as life-forms in general) is intrinsically good¹³⁴—yet this step leads to possible justification for its extinction. In this context he asks if we could not at least consider consciousness as being in itself good, that is required, and so worth keeping humanity alive. Even consciousness could not be sufficient good to justify existence of life, because although there may be some ethical requirement for its existence, other matters may override that requirement. And even if it were intrinsically good, there is a widely held outlook that something’s being good does not in itself command one’s duty to it. “If right means producing maximum goodness... then it is a mere tautology that producing maximum goodness... is what is right.” But if this conclusion were such a tautology, it could seemingly not be the source of such extreme contention between those who hold it as moral inspiration and others who say it is “a product of corrupt minds.” Echoing G.E. Moore, Leslie takes the stance that “I have never managed to see that it would be a duty to do what... would make the universe truly worse than something else one wanted to do.” (130) As attractive, in certain ways, as he finds theories such as 1) those maximizing the good by wiping out all life, or 2) Popper’s negative utilitarianism, by which we focus only on minimizing

¹³⁴ I can concede this point, while contrasting it to Chapter 4’s proposal that our values in general stem from valuing life in and of itself. Such valuing does not imply that there is, in any universal sense, an intrinsic value to life, but rather that humans (intrinsically) value it.

suffering rather than maximizing happiness, he writes “I urge you to believe such positions are wrong.” While few philosophers are overtly calling for the end of the race, many others’ outlooks naturally lead to such a conclusion, yet they are not admitting these implications. Leslie concludes his essay in a roundabout manner:

if a reluctance to wipe out life painlessly, or to let it die out, is not a willingness to accept one person’s misery as the price for the happiness of others, then I should much like to be told why not, when it could seem so very likely to result not only in happy men but also in at least one who was miserable. (133)

Leslie urges us to admit that we do have to stand up to the reality that *if* we want to have human life go on, and even if we have the sanguine prospect of billions of happy lives, we must admit the possibility that there will be miserable ones, probably no matter what.

As he warns in his fifth concession above, he finds that in moral philosophy, little is definite beyond conditionals such as, “If *X* is right, then *Y* is not.” In keeping with his concession, he leaves us with little more solid material than a conditional. If we do not want to let human life go extinct, then morally we must concede that some will suffer. He has offered his justification for why we should not let the race die off, deriving from a certain ethical requiredness in the universe’s existence. If people accept this justification for why human life should continue, or some other justification, then they must accept the conditional he states. If they do not accept this or any other justification, then they are not ethically bound to admit that there must be any suffering.

Leslie’s argument is presented with a resignation, as if the fate of the human race cannot lie in a moral argument but in some other kind of force. It relies upon an unspoken hope that humans will at least come to see that their existence is valuable, and if they do, then they must morally accept certain grim realities about some human lives. Benatar’s argument, by contrast,

taking the opposite stance, is knifelike, cutting with hard moral reason. Any who fail to take the highest moral path are submitting to immoral unreason.

3.2. Benatar's Argument for Extinction

While some writers, such as Shiffrin (1999), have implied that human procreation creates an overall harm over benefits, Benatar's argument expressly asserts that it is not moral for humans to procreate. Building on his 1997 paper, Benatar (2006) has laid out an elaborate, consequentialist redoubt and defended it from all angles. While Leslie offers a hesitant call for the race's continuation, Benatar decrees that self-imposed restraint from reproduction is our most rational and ethical option.

He begins securely within the population-ethics dispute (see §1.1.) over whether coming into existence can ever be a harm. His first contention arises in the discussion of whether certain impairments make a life not worth living. He makes a distinction in the concept of "not worth living": a life "not worth starting" vs. a life "not worth continuing," (2006, 22) He asserts that much confusion and unjustified conclusions have been made because of waffling between these two senses. "We require stronger justification for ending a life than for not starting one." (23) Thus, one can validly assert "that it is preferable not to begin a life that would be worth continuing." (24)

His next strategy is to develop a particular conception of an asymmetry in the experience of pain vs. pleasure. This conception becomes his central thesis, so it is worth contrasting it with other asymmetries discussed in population-ethics contexts. Benatar's asymmetry differs from Parfit's "The Asymmetry" discussed in §1.1., whereby there are moral reasons not to create someone whose life is "not worth living" but no morally compelling reasons to create someone

whose life goes well. Furthermore, in §2.3, discussing consequentialism, I described another asymmetry in assessing the weights of pains and pleasures in a population when determining the morality of an action. Thus, so many pains X in a subpopulation are not equally matched against the same number X of pleasures in another subpopulation. Thus, a lifetime of migraines in one person is not evenly counterbalanced by a lifetime of reading pleasures in another person. (The subpopulations may even overlap, so that the pain and pleasure may be experienced by the same person. In such a case, the only verification we can have as to whether these are indeed not matched is that very person's testimony.)¹³⁵ In cases in which the pains and pleasures are in non-overlapping subpopulations, the asymmetry arises due to the fact that, because of the imposing and evil property of pain, we cannot assume it is all right for one subpopulation to experience pain while the other experiences pleasure. Pain is inflicted, generally against one's choice; pleasure is not inflicted. One selects one's pleasures for oneself and has the option not to choose them; one never opts for pain (barring anomalous situations). Imposing unjustified pain upon another is almost invariably morally forbidden;¹³⁶ bestowing unjustified pleasure upon another is almost invariably morally optional.¹³⁷ Thus, the aggregate of pains has a different kind of value from the aggregate of pleasures, and we cannot with any confidence counterbalance a set of pains against a set of pleasures.

Benatar sees the asymmetry of pain and pleasure from the perspective of a different application and, in the end, with a different terminological use. He evokes this asymmetry by means of a demonstration: We would all agree that it would have been better if a life of complete

¹³⁵ Benatar would object that even in the same person, pains cannot be adequately weighed against pleasures. We are too deceived by evolutionarily selected mental processes to make such assessment validly. See *Better Never To Have Been*, Chapter 3.

¹³⁶ In "duties-rights" parlance, this proscription would be infringement upon rights; others might call it infringement upon interests.

¹³⁷ In "duties-rights" parlance, this obligation might be called imperfect. Note, though, that Harman 2004 and Woodward 1986 object that we may have some obligation to supply good or pleasure.

misery had never happened¹³⁸ that is, it is good when such a life has not happened, “even if that good is not enjoyed by anyone”; however, we do not say that the absence of pleasure is bad “unless there is somebody for whom this absence is a deprivation.” (1997, 156) So we would find it bizarre to think it bad if a life that could have been devoted to pleasure had been prevented from existing. Such an absence of pleasure is not “not good,” “bad,” nor “good,” but simply “not bad.”

In other words, while few would dispute that the presence of pain is bad and the presence of pleasure is good, the case does not seem to hold symmetrically for the absence of pleasure or pain. Instead, Benatar says, “the absence of pain is good, even if that good is not enjoyed by everyone, whereas the absence of pleasure is not bad unless there is somebody for whom this absence is a deprivation.” (2006, 30) He supports this asymmetry by showing how it is the best explanation for four other asymmetries. For example, “we regret suffering but not the absent pleasures of those who would have existed” (2006, 35). He also looks at symmetrical alternatives, such as the scenario in which the absence of pain is good and the absence of pleasure is bad, or in which the absence of pain is not bad and the absence of pleasure is not good, and finds these inadequate.

The asymmetry can then be seen within the following four possibilities:

- 1) if the person exists, the presence of pain is *bad*;
- 2) if the person exists, the presence of pleasure is *good*;
- 3) if the person does not exist, this absence of pain is *good*;

¹³⁸ It is possible, of course, that what we might all agree would be a life of utter misery might be a consensus among everyone except the person who lived the life of misery. This possibility brings up a thorny issue, which Benatar preempts in his Chapter 3, by arguing that we all have lives with more misery than pleasure and our thoughts that we were still just as well off by having lived are deceived. Thus, the person whom we all concur had an utterly miserable life that would have been better not to have ever lived, but who believes life had been worth living anyway, is merely deceived (like the rest of us about our own lives).

4) if the person does not exist, this absence of pleasure is *not bad*.

The asymmetry is apparent in the difference in moral outcome between (1) and (4) contrasted to the similarity in moral outcome between (3) and (4). The latter two are both *good*, whereas between the former two, (1) is *bad* whereas (4) is, instead, only *not bad*, rather than *bad* as it should be if the relations were symmetrical. It cannot be emphasized enough that, in cases (3) and (4), it does not matter if there is not someone who is now experiencing the *good* or *not bad*; we nonetheless deem it good that a life of pain has not come about or not bad that a life of pleasure has not come about.

The chart he provides for the asymmetry may clarify the contrasts:

<u><i>Scenario A</i></u> <i>(X exists)</i>	<u><i>Scenario B</i></u> <i>(X never exists)</i>
(1) Presence of pain (Bad)	(3) Absence of pain (Good)
(2) Presence of pleasure (Good)	(4) Absence of pleasure (Not bad)

Table 3.1. Benatar's Asymmetry Chart. (Based on Benatar 2006, 46.)

He contends that, "given the asymmetry, (2) is not an advantage over (4), whereas (1) is a disadvantage relative to (3)... thereby show[ing] that Scenario B is preferable to Scenario A." (2006, 43) Then "coming into existence... is worse than never coming into existence..." (2006, 57)

It is evident, then, that Benatar's asymmetry differs from the asymmetry I discussed in §2.3.: His is not about weighing aggregate pleasures vs. aggregate pains for assessing the morality of an action. Rather, Benatar's asymmetry refers to a qualitative difference in the

existential necessity of pleasure and pain as moral determinants. Pain simply should not be.¹³⁹ Morally, pain is necessarily bad. Pleasure, by contrast, is not necessarily good: Pleasure may be good; but it is not true that pleasure *should* (or must) be experienced. He does not analyze his employment of “asymmetry of pain and pleasure” precisely this way, but I describe it so here, as a way both to distinguish it from the way I was using the term ‘asymmetry’ earlier and further to characterize his use of it. (1997, 161)

Benatar’s asymmetry leads to a clear moral result: If the person exists, the presence of pain and pleasure has the moral result of *good + bad* (in the view of both the person and we the living). If the person does not exist, the absence of pain and pleasure has the moral result *good + not bad* (in the view of we the living). In the moral calculus, $good + not\ bad > good + bad$. Thus, it is better not to exist than to exist. By extension, one does more good if one does not bring life into being than if one does.

Now that he has established that it is better not to exist than to exist, Benatar argues that any coming into existence is actually a harm. He warns us not to be misled by the fact that “although existence holds no advantages over non-existence... [n]ot all cases of coming into existence are equally disadvantageous.” (1997, 161) Even the least disadvantageous human existence is more disadvantageous than having never come into existence. We are misled in our judgments about the merits of our own lives insofar as we most often arrive at these judgments by comparing our lives to that of others. This is one practice that keeps us from looking honestly at the positive harms that have been done to us by having come into existence. Benatar suggests

¹³⁹ Stephen Neale (personal communication 2012) has raised an interesting question about Benatar’s view on pain: “Doesn’t Benatar see that the more pain there is, the more pleasure there can be?” I anticipate that Benatar’s system would say that 1) introducing more pain is still introducing more pain, even if there is an equivalent measure of new pleasure introduced, because, as Benatar says, a unit measure 1 of pain outweighs a unit measure 1 of pleasure; so, 2) even if pleasure were vastly greater than pains so as to far out-shadow them, there would remain the kind of asymmetry he is worried about. Maybe there is some infinitesimal diminishing point, though, where Benatar would finally have to concede, say googolplex units of pleasure vs. 1 unit of pain. I thank Stephen for raising this puzzle.

how the process of natural selection has ensured a psychological mechanism for coping with our own harms by downplaying them. He cites copious experimental data for this mechanism. But just because such a natural coping mechanism exists does not mean it is morally correct, he asserts.¹⁴⁰ In fact, the very existence of such a coping mechanism reveals that we do experience serious harms that must “be smoothed over.” But the existence of such harms is morally significant, despite the fact that we have a coping mechanism. Not only must we be aware of harms that are done to us, but we must be aware of harms we do to others; any natural tendency to downplay these is no moral excuse to downplay them. After all, we may have many natural, evolutionarily selected-for tendencies that require moral supervision. Allowing any coping response to overpower our judgment about harms done even to ourselves has moral repercussions in general: If we are overlooking harms done to ourselves, we are overlooking harms done to others when we bring others into existence.¹⁴¹

Whatever exactly are these harms that are so great, Benatar only partly answers. (I discuss this issue more in a section to follow). First I want to point out two matters: One is his fleshing-out of the harms argument, done with some cogency, in offering the example of death as a harm: We all experience death, and it is a harm for us all. While Thomas Nagel and others¹⁴² have offered arguments for why death is a harm to or, more generally, bad for a person, this view is not universally conceded. Many observers from different eras and cultures (Gautama Siddhartha, Epicurus, the Stoic tradition, among others) have to the contrary viewed death as no

¹⁴⁰ Similarly, “We would not take a slave’s endorsement of his slavery as conclusive evidence that slavery in his interests.” (Benatar 1997, 166) See the same page for much of this discussion about self-deceptive mechanisms for survival’s sake.

¹⁴¹ One may argue: If our offspring also have this coping mechanism, and no one is really sensing or in any other way manifesting the harms, what harm done? The response might be: 1) not all may have this coping mechanism intact, and so there are billions of people who suffer severely, and many who even take their own lives because of the suffering, and, more important, 2) just because a person does not feel a pain does not mean it is all right to inflict a harm.

¹⁴²Such as Nozick (1982).

harm.¹⁴³ To assert, as your main example of why life itself is a harm, that something is a harm which many people find is not and then base a moral principle upon the asserted fact of such a harm, cannot establish a universal moral fact. The other point is that to say you have many harms done to you, but your neurophysiology is such that you do not sustain or manifest the full impact of them, is a bit of a smoke-and-mirrors trick that is susceptible to strong critical attack (see §3.3.1.).

Yet, Benatar notes, another but related clever invention of evolution has produced is the impulse to have children. Very few people, if any, make children for the children's sake. (As Chapter 1 revealed, at least one author in the population ethics debate has argued that one cannot make children for their sake.) In fact, Benatar states that parents cannot have their children's sakes in mind when procreating. While most parents are indeed deeply concerned about their offspring's not suffering, the best way to prevent it is through simply not procreating: "there are many reasons why people do not notice this, or why, if they do not notice it, that they do not act on the realization, but the interests of the potential children cannot be among" their reasons. (2006, 6) Bluntly, "Children cannot be brought into existence for their own sakes." (2006, 97; he is echoed by Weinberg 2008) Although "Serving one's own interest" in general (or specifically by having children) "is not always bad [and] is often good... where doing so inflicts harm on others, it is not usually justified." (1997, 164) In the 1997 essay, Benatar falls short of pronouncing that having children is across-the-board immoral, although, given his premises and argument, it is not clear why he falls short.

Even if having children is not immoral... my argument suggests, at the very least, that it is not morally desirable.... Since it is actually not in their interests to come

¹⁴³ Benatar acknowledges that "Not all share this view of death" as a harm. But he does not offer objections to their view or acknowledge as well how this fact affects his argument. The only discussion he makes in this context is that his view of death and of the harm of existence still does not entail that he must morally condone suicide. See Benatar 1997, 162.

into being, the morally desirable course of action is to ensure that they do not.
(1997, 167)

However, in *Better Never To Have Been*, he comes out more strongly with the suggestion that generally procreation can be considered immoral, while not denying coital or parental interests, which he says are not contravened by this result.¹⁴⁴ If one accepts that it is immoral to produce a life that is such a harm as to be “not worth living,” then one should accept that procreation itself is immoral. (But he pulls back; see below.) His argument then puts considerable load upon the proposition that most lives are in fact of poor quality, and this must be weighed against the objection that non-procreation is too demanding.

we cannot tell, when we deliberate about whether to bring somebody into existence, whether that life will be one of the few that is not of a very poor quality. It seems, then, that those who accept that coming into existence is a great harm [see his asymmetry chart] and that there is a duty not to procreate where the offspring would suffer great harm by being brought into existence must accept that a duty not to procreate is not too demanding. (2006, 101)

This approach is not an overwhelming indictment of procreation but rather an appeal to voluntary acquiescence to a moral position, given certain premises that must be accepted. It is meek and far from a charge that the human race is largely immoral because its members continue to decide to procreate. In fact, directly after the above passage, Benatar makes a long plea for reproductive freedom (102-113).

Much as his argument thus turns, as I have noted, upon the contention that everyone’s existence is much worse than each individual believes, no matter how well one believes one is doing in life. Citing extensive psychological studies, Benatar proposes that nature has built-in mechanisms by which humans deceive themselves as to the quality of their lives, and these

¹⁴⁴ Coital interests are apparently not contravened because persons can be sterilized and still have sex. It seems that parental interests would not be contravened because persons could always adopt children—but if all subscribed to Benatar’s view, then there would eventually be no children to adopt. For these, there may be some recourse in Schwarzenbach’s (1992) version of Aristotle’s concept of the “reproductive soul,” whereby one reproduces by passing on one’s soul to others through teaching.

mechanisms help ensure that humans will keep going on and passing along their genes: “cheery procreators... play Russian roulette with a fully loaded gun—aimed, of course, not at their own heads, but at those of their future offspring.” (2006, 92) Given that procreating can only cause harm to others and not procreating cannot harm others, he finds that not procreating is the moral choice.

He promotes a program of phasing out the human race through gradual voluntary extinction by refraining from procreation (2006, 182-200),¹⁴⁵ (a proposal at which he only hints in the 1997 essay.) Granted, those who would have to live through the final years of the race would have to suffer some for this demise. I can imagine that elaborate automated care facilities would have to be set into place to ensure proper and ethical care of the last few elderly who would have no younger generation to attend to them. And these last human remnants would potentially be sad to see the race go. But Benatar is certain that these voluntary persons would be able to persevere through this anguish, all for a higher cause.

He further supports this anti-natalist view by showing how it solves problems in population theory, such as Parfit’s “Asymmetry” and still-unknown Theory X. While Benatar admits there could be some psychological harm in massive voluntary extinction, especially for the last few persons alive, he believes that these harms are outweighed by the greater ones of the species’ prolonged continuation. After all, an end to the species will have to come eventually, and less harm would be caused by making that end sooner.¹⁴⁶

¹⁴⁵ Benatar’s call for voluntary human extinction must be distinguished from that of the Voluntary Human Extinction Movement, which is based upon the idea that the human species, in its ineluctable destruction of the environment, is an impending threat to the rest of life, the moral good of which outweighs that of the human good.

¹⁴⁶ As clear-cut and confident as the argument is, Benatar exhibits something like hesitation. One is the meekness by which he offers the pivotal proposal that procreation is (or only may be?) immoral. The other is an outright confession: “Sound though I believe my argument to be, I cannot but hope that I am wrong.” (2006, 13) In the context of the otherwise clear-cut argument, this caveat is equivocal: His confessed hope, the reader comes to realize, can only arise from a deceptive drive that evolutionary selection processes have instilled—the drive to survive. So is he disingenuous in relating this hope in his argument, rather than, as a rational being, editing out the

In sum, while Leslie concludes it is not immoral to have children, although not necessarily moral to have them, Benatar finds that though it may not be immoral to have children, it is most moral not to have children. But Benatar does waver: He does not draw the strongest conclusion that the body of his argument would suggest, which is that, if having children is creating unnecessary harm and not having children creates no harm, then it should be immoral to have children. Here, then, are two of the most direct answers we have so far to the thesis's central question, and curiously both arguments are hesitant (Leslie more than Benatar). And Benatar offers an unexplained caveat to his argument against having children: "I cannot hope but that I am wrong." Section 3.3.2. reveals the upshot of these two rents in his argument. But first, I mention his other critics.

3.3. Benatar's Critics

3.3.1. Major Criticisms

The theory has had its critics, such as Harman (2009), who faults it for its own asymmetry in terms of what is impersonally good and for its devaluing higher pleasures; McMahan (2009), who faults it for disjuncture in individual-affecting vs. impersonal value.; Overall (2012), who levels four separate criticisms at Benatar's argument, some of which intersect with the other authors'; and Wasserman (2004) who finds, among many faults, primarily a too-strong reliance upon avoiding harms. I lay out these criticisms not by author but by theme and show how Benatar's theory resists them.

One set of criticisms focuses on Benatar's asymmetry itself. First, Overall (2012) holds that Benatar's alleged asymmetry is not an asymmetry: avoidance of bad things and the absence

hopeful passage? This passage seems to rub against the "entirely serious" (2006, 7) intent of the soberly presented thesis and may hint of a hole in it. But I reserve critical examination of it for another place.

of good things are not asymmetrical. Even in existential cases, such as those that Benatar is handling, the absence of good can be bad, not simply “not bad.” She offers the case of a nation of ten million, half suffer and half are fine. An angel appeals to God to relieve the suffering and inequality. God does so by rolling back time and “uncreating” the ten million; the angel is appalled, and we should be too.

A related criticism of the asymmetry (showing that both halves of it are actually symmetrical, but now from a different angle) holds that if it is good that a person avoids harm by not being created, then it is equivalently bad that a person misses benefits by not being created (Harman 2009). However, this criticism, in assuming an equivalence of harms and benefits, misses a crucial difference in the nature and pain and pleasure, which I cover below. This shortfall then smooths this criticism’s bite.

Another criticism of the asymmetry (Harman 2009) focuses on whether, as Benatar maintains, in creating a person we harm the person by leaving the person open to the harms that occur but, asymmetrically, we do not benefit the person by opening up the possibility for the benefits that may accrue in the person’s life. Harman finds that the first half of this asymmetry, causing the harm, “equivocates between impersonal goodness and goodness for a person.” (780) This concern ties in with the following criticism and can be met comparably, particularly in noting, as Harman as well as Wasserman (2004) does, that Benatar does take a stance on this issue and is not equivocating. Thus, the apparent equivocation was only due to editorial lack of clarity.

A second general category of criticisms looks to the impersonal vs. person-based valuing involved in assessing procreation according to his asymmetry (McMahan 2009, Overall 2012). Thus, to say that it is good for a person not to exist and so avoid the harms of existence is to

imply there is a person for whom it is good, but the very fact there is no such person precludes this possibility. The question of any moral good is moot. Harman (2009, 781) lodges a similar complaint. As Overall quotes Benatar, “Those who never exist cannot be deprived...” (104). This context is simply inappropriate for an impersonal valuing. In short, “Benatar misuses our usual moral language.” (104) However, the apparent shortcoming in Benatar’s theory here can be ascribed almost entirely to a vagueness in the way he relates the theory. Two writers, Harman (2009, fn. 3) and Wasserman (2004), have clarified from personal communications with Benatar that he had intended not an impersonal but an individual-affecting valuing here. The person that would have been created would have been harmed. If so, Harman observes, then it would also be the case, as already discussed, that the person who would have been deprived of a good (say by not being created) would equally be harmed. Harman finds that here Benatar could only respond with an asymmetry between goodness and badness, which is implausible. However, I say he need not: He need only observe again the differences in the nature of pain and pleasure and their subsequent valuing (which thus perhaps accounts for the commonly upheld moral disjuncture between avoiding harm to others but lesser duty to creating their pleasures).

Pains, whether physical or emotional, are often intensely felt; most pleasures are more nebulous. Grief due to a deceased loved one can dim one’s experience of life for months or years, as can intense chronic pains. It is a rare pleasure that is equivalently intense and long-lasting; and those rare ones, such as love for a child, require active input on the part of the agent, and furthermore may not be steadily experienced as pleasure as a pain can be. Pleasures are generally more fleeting, whether the pleasure of solving a math problem, publishing a fine book, or savoring a wine. This ontological difference between pleasure and pain would defuse the symmetry that Benatar would, according to this criticism, purportedly have to admit between the

good of avoiding a harm and the bad of depriving of a good in terms of procreating or not. There would then be no need of positing such a symmetry, which in turn undercuts Benatar's reliance upon individual-effecting values. In sum, the criticism that he relies upon impersonal values is misplaced, and the criticism that his relying upon individual-effecting values leads him to an implausible assumption about goodness/badness asymmetry overshoots the target.

A third set of criticisms (Harman 2009, Overall 2012) concentrates on Benatar's contention that nature fools humans into believing their lives are worth living. This topic involves a thorny line of inquiry currently rife in cognitive studies and philosophy: Whether our subjective experiences are valid. Eliminativism (Churchland 1981) holds that many of our supposed intentional states are illusions. Discussions of "folk psychology" and its innumerable errors, like those of "folk physics," lead to a paternalism in cognitive studies, tending to deny our subjective states their validity or veracity. If "scientific" psychology turns out to be wholly correct and "folk" psychology—the customary belief in the reality and validity of intentional and subjective states—generally unreliable, then Benatar's argument (if studies continue to back it up) that people's sense of their lives' basic goodness is wrong may gain some ground. If not, or if studies eventually indicate that human belief in their lives' goodness is overall correct, then this criticism still faces a further problem, and that is the factor P discussed in Chapter 2. Maybe a sizable portion of lives, whether in Colombia or the U.S. or Saudi Arabia, are so good that goods outweigh the harms of existing. Nonetheless, demographic and epidemiological studies, as §2.2. evinced, indicate that a sizable proportion of the population is miserable and, if health organizations' projections are correct, miseries such as depression, loneliness, and mental illness will expand with increasing industrialization. There is a plausible case that pain is indeed morally and ontologically asymmetric with pleasure. This asymmetry would lend especial moral

weight to considering whether we, as members of expanding industrial culture, should continue the gamble of imposing these pains on persons just so that some can have the overall pleasure of living. Even if this asymmetry is denied or ignored, there is still a moral question of whether one should gamble with real lives, by subjecting some proportion P of humans to misery so that some others can have the pleasure.¹⁴⁷ This answer to the criticism, though, brings up another criticism.

In the literature I am covering, this fourth set of criticism has only one member, Wasserman (2004). He contends that Benatar must rely upon the centrality of avoiding harm at any expense, yet Benatar provides insufficient justification for this tack. Benatar must place such a high value on avoiding harm that it outweighs the good or benefit that may come from an act, and Wasserman finds that an overvaluing of avoiding harm is faulty precisely because it precludes such goods.¹⁴⁸ However, this argument ignores the widespread moral understanding about avoiding harms over providing benefits (see previous paragraphs). Furthermore, the former is passive and can consist in avoiding action (say not having sex), and the moral duty is satisfiable because one simply may never do the act that is the duty's transgression. The latter (providing benefits), requiring active provision, opens up the possibility of never-fulfilled moral duty: If one has a duty to provide benefits, viz. the benefits that come from being alive, one is open to a requirement of unending duty that is never fulfilled because there is always one more

¹⁴⁷ The objection could counter this response by saying that this situation is only socially contingent, and the solution is simply to alter modern industrial cultures in such a way as to preclude the mounting depression, loneliness, and mental illness. I cover a related, but in the end notably different, proposal in the next chapter. The problem here, though, is that it is not evident that industrial culture could be so readily altered as to retain all its widely favored aspects—comforts relying upon intensive resource use—while simultaneously tweezing out these negatives. For one matter, theoretically, such industrial culture, for the type of beings that humans are, may be such that these negatives come with it. For another, practically, the projections of these negatives' increases arise despite intensive efforts over the past century and more to eradicate or curtail them. (Such brute-force, medically oriented attempts may only be one more exacerbating condition of such a culture.) The next chapter, while not proposing to alter culture in such a brute-force, medical way, instead analyzes such culture's values that commonly function antagonistically with a valuing I discuss in the next section, that of valuing life in and of itself. (Devaluing that value via prioritizing values common to modern industrial culture may account for these negatives of depression and mental illness, although in that chapter I do not attempt such connection.)

¹⁴⁸ Wasserman also faults Shiffrin (1999) for a comparable over-valuing of avoiding harm as grounds for avoiding a potentially great good (of existence).

life to be given the benefits of existence. Some moralists may say it does not matter if a duty cannot even theoretically be fulfilled (unless, in this case, one lived infinitely long and created infinite new lives) to make it a moral duty.¹⁴⁹ However, even if one does not accept this moral quandary then, more germane to the objection's argument, it begs the very question that Benatar poses: Yes, he does place a high value on avoiding pain, as it is in the natures of pain and pleasure for human beings that the two values are not precise value-opposites of one another (as per my previous discussion). The burden then rests upon the critic to show that the benefits could cancel the comparable number of harms, which this objection does not do, as it merely states that avoidance of harm should not be so powerful. I am not saying that the critic's meeting this challenge is not possible, but only that the objection has not met the challenge, and I have not found a way to meet it, either. In light of the natures of pain and pleasure, it is difficult to maintain that the latter can cancel out the former in the way this objection appears to assume.

A fifth category of criticism is seen in Overall (2012), and that is that Benatar's argument, especially its call for extinctionism, would likely harm women—in a rather surprising way: If such a high value were generally placed upon phased voluntary extinction by means of ending human procreation, the position of women as traditional child-rearers would suffer. Their traditional labor would be seen as producing bad consequence (by giving rise to those miserable things, human beings). However, Overall offers no reason for why its opposite could not be just as plausible: that, if there were such a species-wide embrace of voluntary extinctionism, women

¹⁴⁹ Overall (2012) offers a related challenge, in that “in general we think making *people happy* is a good thing, so why then should we not recognize an obligation to make *happy people*?” (113) She quickly answers that she does not intend to defend such a duty and it would likely not be correct to do so. One may reconsider here Kant's (and other philosophers') observation that people generally do not know what makes them happy, which is part of the reason not to base a morality upon obligations to happiness (Kant 1993): While it is hard to say what makes people happy, it is not so hard to say what makes them miserable. We further do not know just how to fashion the world to ensure they are happy, but we can readily say how to fashion the world to make them miserable. This much is at least further practical and epistemic considerations for what makes Wasserman's (2004) objection difficult to accept and why avoiding harm so often has such stronger moral obligation than providing benefit.

could be esteemed as caring, for their willingness to refrain from creating more suffering. Or further, if moral education were so penetrative into the global population, then moral education could as well include due respect for women in the new kinds of roles they could take.

Among the five categories of criticism I have covered, four involve, at basis, no other than the curious asymmetry in the nature of pain and pleasure, harm and benefit. As long as pain and pleasure, harm and benefit, are so pivotal in normative morality, Benatar's argument has an edge. Each of these criticisms has not found a substantial flaw in the way his argument uses this basis of pain and pleasure to derive its moral conclusion that it is more moral to refrain from procreation than not. My different kind of criticism, to follow, points to an entirely different, critical flaw in Benatar's argument.

3.3.2. A Further Difficulty: The Value of Pain and Pleasure

There is one dangling thread in his argument that these critics have come close to but passed over: We have to step further back from this notion of the relative value of pains and pleasures. My question then is: By what value do we establish that the values of pain and pleasure are the determinate ones for assessing that a life is worth living? Bentham (1948) takes it as axiomatic that pleasures and pains are nature's value of good and bad: They *are* the value (or disvalue). If pleasure is the value and something causes pleasure, that thing is valued proportionately to the pleasure. But this assumption overlooks the fact that we can in turn value or disvalue the pleasure or pain. A person feeling pain, for example, as when an exerciser feels muscle pains upon stretching, may disvalue those pains so they are not bad and in fact value them as a good as indicators of the muscles' conforming to the exercise's call (without this person's being a masochist, within reasonable limits of pain). A person may likewise feel a pleasure but devalue it

so it is not good, as when a lover experiences orgasm while preferring it not to happen at that time. Benatar's theory, like Bentham, assumes that pleasure and pain are the ultimate sources or determinants of value. By contrast, one can ask by what criteria do we value the pleasure or disvalue the pain. When we disvalue pain, we do so at least partly for its subtracting from experience of life itself and value pleasure for allowing that experience unobstructed or even heightening it. We more highly value life in and of itself than its pleasures or pains; this valuing is that by which we then place value on pleasure, pain, and other qualities such as power or wealth.

Benatar would object that such an overarching value is simply a deceptive one that nature instilled in us to keep us living and passing on genes in its unending cruel evolutionary process. But then, nature must have also built in the valuing of pleasure and pain; and by what criteria should the valuing for these have priority over the valuing for life in and of itself, as Benatar must maintain? If nature would give such priority to pleasures and pains, so that an organism could disvalue life in and of itself and yet somehow not see its continuance appropriate, nature would then have built in a mechanism working contrarily to its own unending cruel process, which is inconsistent with the very objection. We could look at the valuing of pleasure, pain, and life in and of itself as all instilled by nature for whatever purposes, but then there remains the question of which trumps which.

3.3.2.1. Valuing Life in and of Itself: A Preliminary Look

To support the position that upon the problem of valuing pain and pleasure, Benatar's argument stumbles, I should provide some idea of what this deeper valuing, of life in and of itself consists in. In Ch. 4, I go into more detail about human valuing of life in and of itself, but for the present

chapter's purposes it is useful to lay out some of the basic notions about this valuing in an attempt to forestall confusion about it.¹⁵⁰ I derive the basis of this valuing from what seems necessary about humans as evolved life forms and the nature of values. Also in Ch. 4 I argue that humans are evolved, organic (carbon-based) life forms. Without going further into evolutionary theory of fitness and survival (see Dawkins 1976 or Savage 1977), I believe it is widely accepted that humans have a drive to survive. While drive to survive, valuing survival, and valuing life are different phenomena, I believe they can be connected in the following way. I make a proposal, risky for its seemingly (to me) being empirical but with little way to falsify it: Humans do not merely have a drive to survive, they value their survival. Furthermore, they do not merely value their survival, they value living, or life itself. Survival is, of course, simply staying alive. Living, or life itself, encompasses the ongoing set of actions and experiences in the course of a life. But even further—the most crucial part of this proposal—humans value life in and of itself. As I describe further in the next chapter, this valuing is for life itself other than merely for what one can get out of it for other purposes, that is, other than mere instrumental value. Such valuing is readily apparent in ethnographic descriptions of many forager societies which exhibit a reverence for not only their own lives but for other life forms and for “creation” (the universe, as far as they know it) itself (Lee and Daly 1999).

The second major point in this proposal is that this valuing is the connection between beings (humans) as mere survival-entities and beings who hold values. They do not merely stay alive (survive) through natural drives, but they hold values, which, I propose, stem primarily—initially— and solely from their valuing of life, specifically life in and of itself. That is, all

¹⁵⁰ I am indebted to John Greenwood the need for my describing this valuing of life at this point in this work.

human values originate in humans' valuing life.¹⁵¹ Valuing life—not merely surviving, as bacteria and insects do, but valuing life itself—is here suggested to be the source of all other values. Whether or not nonhuman animals hold values, humans characteristically do, these being the relative weight they give one class of item (or belief) which is reflected either implicitly in their actions concerning an item (such as retaining it or rejecting it) or more explicitly in their assessing an action concerning it. Life itself would be the initially primary item they value, and all other values would stem from it according to the degree to which the item supports life. Hence the value they place on life itself would be the initial value as well as the source of valuing other items insofar as these support life itself (although these other values, as I emphasize, are subject to be given greater value than that of life, if the agent so chooses.) For example, people value food; they do not merely grow where their spores fall upon a food source, as fungi do, but they ascribe a value to food and seek it. Food, of course, is central to life, and I suggest that they value food because, ultimately, they value life in and of itself. As another example, in many cultures, people value money, and this valuing, I offer, stems from money's capacity to procure, among other things, the essentials for life; and in this way the valuing of money is subservient to the valuing of life in and of itself, which value money serves. Now, as I detail further in Ch, 4, it is possible to value something such as money, or power, for its own sake, over and beyond how these may answer to the needs of life. Even though such values, for a culture or individual, originally stem from valuing life in and of itself, they may become prioritized over the value for life in and of itself. Misers in a gold rush may ascribe gold such a high value that they would strive to attain it even to the expense of their own lives. Gold for

¹⁵¹ I am not saying that each and every human values life or indeed values tout court. Some psychopaths may value little if anything at all, including their own life. But the possibility that psychopaths value little if anything (or follow any morality, for that matter) does not diminish the fact that most people do hold values nor detract from my proposal that these values originate ultimately from the valuing of life in and of itself.

these individuals then becomes of greater value than life. For another example, a warlike tribe such as the Yanomamo (Chagnon 1977) may so value honor that they would uphold it over life itself, sacrificing their own lives to uphold honor's standards.¹⁵²

I add a few brief observations about valuing life in and of itself. One is that I distinguish between the descriptive or empirical notion of the valuing and the normative use of it. I offer the descriptive hypothesis that valuing life in and of itself is the source of other values and that, since human behavior is complicated by culture and by that capricious characteristic of the species often called “the will,” other values that stem from it may in practice be given greater weight to the point life itself is of little value. Normatively, though, there remains the possibility for individuals or cultures to prioritize their values in optimal accord with valuing life in and of itself or to prioritize their values so that this valuing is overpowered by other values to which it had originally given rise.¹⁵³ The second observation is that, while all values may be held subjectively, the set of values held by an individual or group constitutes an objective fact. The valuing of life in and of itself does not differ from other values in this respect. Finally, individuals need not be aware of their valuing in order to uphold values. Their valuing may be discerned through behavior or exhibition of attitudes. A culture's valuing and its prioritization of valuing life in relation to other values are discernable (although the induction may be testable for error) through the group's practices and beliefs. This susceptibility of value prioritization to discernment is important in the next chapter.

¹⁵² According to my proposal for valuing, it would not be the case that this group is somehow valuing life by killing each other. Rather, they uphold a value—honor—that had likely originated in values that ultimately stemmed from valuing life itself, but in the meantime honor became of greater value than life itself, similarly as gold did for the gold-rush misers.

¹⁵³ I intend to say not that it is a normative requirement but a normative possibility stemming from the nature of valuing of life: This valuing can be overpowered by other values to which it gave rise. (I cannot yet say, though, exactly why that optional overpowering should be the case; I believe that analysis would require a separate inquiry into the nature of valuing and this particular one.) Because cultures and individuals can set different norms for prioritizing values, they can serve as a force prioritizing the norms for valuing life in relation to other values.

3.3.2.2. A Detailed Case Illustrating the Valuing of Life in and of Itself

I now look at a more detailed example illustrating the valuing of life in and of itself in comparison with other valuing such as that for pleasure and pain and how the former ontologically precedes the latter. If this priority can be the case, then it can be the case that pleasure and pain need not be the ultimate determiner of value and so Benatar's argument, founded on such a basis of value, has a difficulty on this count.

Consider Alice. Alice finds that her life has not gone well: talent wasted, years spent on side-tracks, no fulfilling relationships developed during that time, family members killed as well as some past friends after their having squandered their lives. She appears to be a good candidate example for Benatar's argument for why one is better never having existed. Yet, Alice has a certain connection with life, including wild nature, art, and physical exercise such as swimming and hiking. When she is involved with these, she feels fulfilled. Even when not involved with these, she can ask herself, "Do I love myself? Do I love my body? Do I love life?" and answer all three questions "yes." At the same time, when she asks herself, "Has my life gone well?" she answers "No. Events have not turned out well." She notes a division between her life itself and the events of her life. The latter are mostly pain; the former is neither pain nor pleasure but is something about which pain or pleasure is, in the final analysis, irrelevant. Pain may detract from experience of her life itself, but that life itself and its value are not thereby diminished. It is not simply the case that when she is not involved with the pleasures of art, nature, and sport, she is thinking "I may be in pain now, but later I can get back to those pleasures and then I'll feel all right." Instead there is a sense of her life, her being, that runs through all phases, whether those phases be when she is experiencing the pleasure or recalling the pains.

It is hardly, then, a matter of a mere hope that in a painful phase she will return to a pleasurable phase. Those pleasures, rather, are moments when this sense of her life has a type of fulfillment for the present moments; those times when she is back with the pains are moments when this sense of her life does not have a type of fulfillment for the present moments. The set of experiences themselves, concerning which she would admit that the events have not gone well for her, she sometimes thinks of as a garb that she has not put on herself, and that she cannot shed, but is not really her or her sense of her being. That sense of her life and being is more basic than any phase of the pleasure or the pain; it is that by which those pleasures or pains attain definition. Insofar as this sense of her life is precedent, it trumps over those pleasures and pains. If it is an illusion, then the pleasure and pains, dependent upon the former, are an illusion as well and are no more reason to render her being alive (having come into existence) as an overall harm than if neither the sense of her life nor the pleasures and pains were not illusions.

It could be objected that what Alice is enjoying—nature, physical exercise, arts—are simply pleasures, or higher pleasures, such as the platonic pure pleasure or Millian “higher pleasures.” This valuing discussed in the context of her life seems to be something that we construct.¹⁵⁴ I go into detail meeting this objection because it is pertinent to the next chapter’s discussion of this valuing of life in and of itself. I agree with the objection insofar as those activities from which she received enjoyment while doing them—experiencing nature, physical exercise, arts—indeed count as pleasures, and one may call them “higher pleasures.” The point of Alice’s case here is that even when she is not experiencing even “higher” pleasures, she can discern she has a valuing for life in and of itself. It is not that, during phases of not experiencing these pleasures, when she asks herself whether she values life and answers yes, she is merely getting a pinch of pleasure. If she does get a pinch of pleasure at such moments, it is not that

¹⁵⁴ I thank John Greenwood for raising this objection.

pleasure in itself that she is valuing above that valuing of life in and of itself (or “volio” for short¹⁵⁵). Rather, at such moments, she has that realization, and then a pleasure flows from it or does not flow from it. She does not, for example, pull up that thought because she knows she will get a spurt of pleasure from it. Rather there is underlying valuing that she notices is simply there regardless of any pleasure or pain. She senses, in fact, that the understanding is veritably always with her: She observes that she always values life in and of itself, even when she is simultaneously in pain over how poorly her own has gone along with those lives around her. It is not even a hope that one day she will return to pleasurable moments, though of course she certainly welcomes those returns. The case, rather, is that she values life in and of itself despite whatever pains or pleasures—high or not—come her way.

This valuing is then not a “higher pleasure” itself, because for long periods on end she feels that she is not having pleasures; in fact, those periods when she does have pleasure are distinct from those long periods when she does not have pleasures (while retaining this valuing) because they do in fact consist of pleasure whereas the other periods do not consist in pleasure, so the valuing itself cannot be a pleasure.

One may further object that, to whatever degree she may be aware, she is nonetheless always experiencing a pleasure from this valuing, throughout her days, including those when she does not believe she is experiencing pleasure but only pain, and during those days when she is experiencing what she believes is pleasure—nature, arts—she is in fact experiencing a double-pleasure, that of those pleasure plus the pleasure of always having volio. But this objection must assume 1) Alice is somehow alienated from herself so that she is not even aware of her own pleasure, specifically that which the volio alone allegedly induces; 2) the volio pleasure is an

¹⁵⁵ Throughout Ch. 4 and for the remainder of this one, the acronym, when used, is in small letters to avoid the constantly shouting “VOLIO.”

entirely different and separate kind of pleasure from others, and since it is a valuing one retains over long periods of time, one somehow receives pleasure from it over long periods of time; or 3) there are some pleasures which we do not experience. I believe few people would concede to the third, as it seems that pleasures by definition are experienced. As for the first, it arbitrarily introduces a (perhaps ad hoc) harsh judgment about Alice's character, when all other indications about her character point to her being well in touch with herself. (I beg leniency for my resorting to vague concepts such as "being alienated from oneself," but this further objection itself calls for such phraseology.) Yet, if it is the case that humans generally do have this valuing, and this valuing is indeed a pleasure, I then have to note that this valuing's "pleasure" must be only a background pleasure, although it would then be a background which gives value to other activities and that gives value to other, "non-volio" pleasures, such as the arts or physical exercise. This approach would be much like that of the second of the three possible assumptions noted. The same purpose would then still be served by volio as I characterized it in terms of its not being a pleasure, namely that of being the primary value that gives value to other activities. I see no point or advantage in evoking a special kind of "background pleasure," except in an attempt to conform with theories that say that pain and pleasure are actually the source of all values. If such theory is to prevail, then it must make an awkward concession that there is a special "background" volio pleasure, and then there are all other, unrelated kinds of pleasure and pains that come and go and are experienced differently.

There are other possible interpretations of a case like Alice's, such as: this sense of her being that persists, despite her experiences, only represents a strong or sanguine character; or perhaps she is mentally or emotionally deranged. As I have suggested, though, it makes sense to grant that valuing of life in and of itself has priority over valuing of pain and pleasure and in fact

can serve as arbiter of how we value pleasure and pain and the harbinger of other values.¹⁵⁶ This deeper sense of being that Alice experiences and that corresponds with this valuing could partly be accounted for by the kind of psychological research results that Benatar cites, whereby people, much like Alice, commonly do not regret their lives no matter how bad they have gone—but it does not conform to his interpretation, which holds that people are simply hoodwinked pawns of nature’s delusion that keeps their selfish genes reproducing. My interpretation, that such a human tendency represents a deep valuing itself and is the source of other valuing, better explains the importance, value, and place of pleasures and pains. In this sense, then, Benatar’s argument, which hinges on the valuing of pain and pleasure as the ultimate valuing on which morality relies, needs to answer to this deeper valuing.

Before moving to fuller examination of this valuing in the next chapter, I must look to one other recent effort that approaches a response to the thesis’s main questions.

3.4. Overall

Overall’s (2012) perspective on the morality of human reproduction may be characterized, in part, as care ethics facing the challenges posed by recent population ethics debates, specifically overpopulation and resource depletion. In the end she appears to have approached the thesis’s preliminary question of “Should you reproduce?”, but it is unclear whether she has directly handled “Why should you reproduce?” I briefly describe her moral concern with human

¹⁵⁶ Another shortcoming of Benatar’s argument is that it lacks justification for why nature’s mechanism for fooling us into thinking our lives go well is any more inaccurate than our feeling of pleasures and pains. That is, if this mechanism creates an “illusion” that we do not suffer so much, it is not apparent why this “illusion” is any less real than the pain. Similarly, if one’s physical exercise generates natural somatic opiates so that one’s headache is no longer painful, it is not apparent that this opiated relief is any less real than the headache.

And yet a further shortcoming is how his theory—by his own admittance—applies to all sentient beings: They, too, must be made not to suffer by coming into existence. By extension, though, since all life may eventually evolve and become sentient, there may be moral imperative to end all life; only nonlife should exist (but perhaps not even it, because it may evolve into sentient life).

reproduction and why her handling of it falls just short of answering the thesis' main questions as fully as I would hope.

Overall explicitly sets out to transform the widespread notion that procreation is purely a private matter—as remote from public or moral concern as, say, choice of vegetable at dinner—into awareness of the moral dimension of procreation. Procreation has been long considered within the context of individualistic behavior choices, whereas, she asserts, ethics has recently striven to show how our choices and actions actually take place within a broader community. Deciding to reproduce not only affects one's and one's partner's lives, but certainly that of the progeny and everyone in the world community. Thus her aim is not “policing people's procreative motives” and setting strict moral rules about how people should behave reproductively, but is rather to stimulate people to think “deeply about a fundamental aspect of human life” (8) in a morally honest way. That is, she is providing something like paving materials for a new avenue of moral thought.

As the thesis does, Overall assumes a basic capacity for moral agents to make a decision about reproduction, while recognizing that many people the world over, especially women, are pressured into reproducing, whatever their personal outlook. To simplify the discussion, she explicitly focuses on the decision to conceive (rather than, for example, the decision to abort). From this point, her main argument is that people should consider that this decision to act is one concerning morality and encourages them to weigh their decision carefully from all possible moral angles. She recognizes that people may have any of a variety reasons to reproduce, (including some much like those invoked in §1.3.); for example, they think that being parents would make them happy or that children are financial insurance for their old age. However, her enjoinder for agents is to examine their decisions from the broader moral perspective that

extends beyond the individual's interests and into that of the community in which moral decisions operate. Then, of course, the position of the child and of the community and world in which it is to live and function can call for an agent to give greater scrutiny to one's reasons to act. There are also the sorts of concerns like those of Kant's and Mill's discussed in Chapters 1 and 2, in terms of the prospective parents' capacities to take due care of the child. Overall sees that the contemporary issues of population-ethics inform the decision as well.

Many would-be parents, especially in successful market economies where plenitude appears to demand extending personal happiness to as many as possible, should give serious thought to the practicality of making more happy people. Ever-increasing consumers of "happiness" via material goods can well mean ever-diminishing happiness from (decreasing levels of) material goods via depleting resources.¹⁵⁷ Nonetheless, Overall cautions that these very societies that do deplete much greater resources than the global average still pose a serious threat for the human population in the near future. Their numbers grow partly through reproduction, and this fact alone should be a factor for prospective parents in such societies to consider. (At the least, doing so heightens awareness of the potential problem.) Granted, these societies provide many opportunities for lives, careers, and lifestyles that do not require all to reproduce in order to have a fulfilling life. In light of the multitude of opportunities for choice, Overall encourages pluralism in procreative options, building up the increasing procreative tolerance that these societies are exhibiting. Adoption, in vitro fertilization (so some parents may not even have

¹⁵⁷ Giving such an outlook the proper consideration that she encourages, I add, is made into an upstream struggle when attitudes such as Caplan's (2012) are rife, fanning the tendency to create more abettors of free-market and future creators of evermore abundance—by having at least three offspring per couple. By such a hypothesis as Caplan's, the market will force human reason always to solve problems such as resource depletion by discovering new ways of doing things. Overall notes the often-observed fact that in cultures where women are provided education and access to birth-control, population increase tends to even out to replacement levels; and this fact helps render such a hypothesis as Caplan's moot, as in more resource-intensive societies that do have such educational and contraceptive access, the tendency is to decrease the average of 3+ per couple.

intercourse to have children), gay parenting, and of course couples and singles without children, are among the alternatives testifying greater toleration and acceptance.¹⁵⁸

Overall also emphasizes the gendered quality to the moral issue of reproduction. Women have not only been and continue to be the bearers of the brunt of social compulsion to procreate, but they also still have the brunt of the physiological burden, at least through the term of gestation. She believes that this gendered character of procreation should be taken into account in a decision to reproduce. A woman must face greater direct repercussions from the act of reproduction itself, such as changes in one's body, the need to alter diet and lifestyle during pregnancy, and effects on one's career. All these effects are important practical considerations for prospective parents to take into account when assessing a decision and the act's further moral implications beyond the mere fact of conception. For example, the woman should not be pressured one way or the other by a partner. There may also be important policy considerations allowing for pregnancy leave in the workplace.

However, it remains unclear how this gendered aspect of reproduction bears on the issue of whether, in a decision of conception itself, it is right or not for two gametes to be joined to make a zygote and thus create a new human being. At the most, the gendered aspect, at this juncture of moral deliberation (whether to join two gametes), could be a call for the prospective non-gestating partner, especially if this be male, to take full and equal moral responsibility for the decision and to follow up with actions for full and equal care. To diminish in any way a male partner's moral position in this light within the decision process would seem to work against

¹⁵⁸ I should mention that Overall examines both deontological and consequential outlooks on the morality of procreation, analogous to Chapter 2's examination but with a very different analysis. Without digressing into her analysis here, I note that the concern she finds in these two moral systems is that deontology can be used as a device to pressure women, importantly, via a sense of duty to society or family line, into reproducing. Consequentialism can lead, as Parfit (1984) warned, into the idea that one has a moral obligation to produce as much human happiness as possible by reproducing. Although a comparison of her examination and those in §§1.3 and 1.4 and the different routes these two studies took to these moral systems would be interesting, I leave that for another time.

feminist goals of fair distribution of gendered powers. It could, that is, abet some tendency of male negligence in this area, if there is any hint that the male, because he does not carry the offspring to term, is in any way less morally responsible for the decision to conceive.¹⁵⁹

However, Overall does bring in one moral criterion that can indeed be shared and offered by the two gamete-providing agents:¹⁶⁰ the fact that that act does create not only a new human being but new, special relationships. Humans value these relationships, and thus the act of procreation also creates (something of) value. Through this value, procreation can have moral worth. She thus offers an argument much like the one provided and discussed in the context of care ethics in §2.6. Her proposal here, then, is a potential response to the thesis's central question:

To become the biological parent of a child whom one will raise is to *create a new relationship*: not just the genetic one, but a psychological, physical, intellectual, and moral one.... one of the most important goals will be to aid the child in developing a sense of her own value, regardless of her value to anyone else.... The relationship is valuable for its own sake. The best reason to have a child is simply the creation of a mutually enriching, mutually enhancing love that is the parent-child relationship. (216-217; emphasis in original)

One should have children because it brings into being something of true human value, viz. the long-term relationship that often develops between parent and child, as long-term relationships are a deep human value. However, this answer is subject to the same difficulties encountered in §2.6. It is simply not apparent that new relationships of this sort are necessary to have caring

¹⁵⁹ A dilemma is implicit, roiling just under the surface here. The gendered aspect to procreation does appear to need continuing illumination in this moral context of decisions to procreate. On the one hand, emphasizing the gendered quality can continue to perpetuate the longstanding assumption that reproduction (and child-rearing) is all a woman's concern and leave room for male negligence. On the other hand, ignoring the gendered quality can also let that assumption fester and negligence to continue. I see no easy way to close the dilemma. But in this context, insisting that the *moral* tango takes two, particularly at the point of deciding to conceive, should draw the agents into considering not only the immediate practical contingencies, such as who is to gestate, but also broader ramifications such as whether the community or even the entire world is morally fit to welcome a new member (see Chapter 4).

¹⁶⁰ Overall does discuss issues such as the morality of egg- or sperm-donors and other alternative reproduction methods such as "artificial wombs." I add here that even sperm- or egg-donors who have deposited their cells in banks for use are making a (morally assessable) procreative decision by making such deposits.

relationships tout court. However, having a child may well not lead to the long-term relationship idealized as that between parent child but could leave the child unnecessarily brought into the world and without such relationship and very well subjected to the miseries of P. Thus, the brunt remains upon Overall's argument to show that the gamble of risking many lives for the sake of some good outcomes is worth the gamble.

However, her proposal, based upon the valuing of love, comes very close, perhaps even closer than the care ethics examined in §2.6., to the focus on valuing discussed in the next chapter. I am in such deep sympathy with her proposal as to hesitate in criticizing it to even the small extent I have. Her proposal thus provides a fitting segue into the next chapter.

Chapter Four
The Valuing of Life in and of Itself

*Then fly: what! myself from myself?
Alack! I love myself. Wherefore? For any good
That I myself have done unto myself?
O no: alas! I rather hate myself
For hateful deeds committed by myself.
I am a villain. Yet I lie: I am not.
Fool, of thyself speak well: fool, do not flatter.
My conscience hath a thousand several tongues,
And every tongue brings in a several tale,
And every tale condemns me for a villain.
Perjury, perjury, in the high 'st degree:
Murtherer, murtherer, in the dir 'st degree;
All several sins, all us'd in each degree,
Throng all to the bar, crying all 'Guilty! guilty!'
I shall despair. There is no creature loves me;
And if I die, no soul shall pity me:
Nay, wherefore would they, since that I myself
Find in myself no pity to myself?*

—Richard III, V.iii, 186-204

In this chapter, I examine the valuing of life in and of itself (“volio”) occasioned in Chapter Three as an underlying valuing serving as source of other values and disvalues such as pleasure or pain.¹⁶¹ I now strive to provide some idea of this valuing and what it means to value life in and

¹⁶¹ There could be an objection that volio is still not broad enough a valuing to be the basis of all other values and, further, that something needs to stop an infinite regress of basic valuing. As for the first objection, I concur there may be a broader valuing that subsumes volio, such as the valuing of existence in and of itself. Thus, we value not only living things and life itself but also nonliving things such as mountains and galaxies in and of themselves, that is, for what they are and not for what we can get out of them. In fact, this valuing would be in keeping with many religious beliefs and practices of non-industrialized cultures, such as religions of the Australian aborigines (Lee and Daly 1999, Davis 2008) or Malaysia’s Semai (Dentan 1979). Many religions confer more continuity between human life, nonhuman life, and nonlife, all of which emanate spirit, and the practitioners’ view themselves and their own spirits and persons interweaving among all these through time (Lee and Daly 1999). This is a strong objection to which I cannot give an adequate response, although it is certainly worth further study. At the least, I believe that volio can stand as a self-sufficient subset of this possible larger-scope valuing; that is, it should be able to serve as the basis for all other human values. This assumption I am making may alarm some environmental ethicists, by permitting life to have dominance over nonliving nature (so perhaps justifying human destruction of a mountain or planet for its own purposes). I believe, as well, that such alarm is unnecessary. If we truly value life in and of itself and ensure its priority among all our other values and acknowledge the empirical fact that all life needs the nonliving universe for its sustenance, so full faithfulness to this valuing would include valuing of the nonlife that sustains it, then we at least substantially value this nonlife. Admittedly this approach is biocentric—valuing of nonlife is only through valuing life. However, I am not sure that biocentrism is in fact not reflective of many of the religions alluded to in which life is special despite the near-equal importance of nonlife. This matter is hard to resolve, in

of itself. The point of bringing in this basic valuing in the context of the thesis is its potential as a resource for answering the Central Question. The strategy here is to show that, if this valuing is indeed the most basic and other values stem from it; and if the values—that we, as both individual agents and members of relationships and cultures, operate upon in our deliberative acts—can be placed in varying priorities such that in some prioritizations volio ends up debased; then in some prioritizations, volio can be so debased as to yield slight if any normative justification for reproducing. Alternatively, other prioritizations would yield greater if not compelling normative force to reproducing, rendering it if not a perfect duty then at least an act with positive moral value. At this point, then, the morality of reproduction would be rendered as relative to prioritizations of values in terms of their placement of volio.

The next step, then, is to ask if there are any criteria by which we can assess value prioritizations. (The rationality discussion of Chapter 1 will come in here.) If volio is the most basic valuing, but it is such that the values it births within an agent or group can in turn diminish its value, then it may seem that a meta-moral criterion would be called for to answer whether some value prioritizations are somehow morally better than others. That is, if valuing and values constitute some criteria for proper conduct—the criteria by which one assesses proper conduct in

terms of whether humans have exhibited a biocentric (not to speak of anthropocentric and ethnocentric) tendency in relation to valuing nonlife or whether all existence is, at least in such religions, held to be on a par with life. I cannot hope to resolve this matter now but, for the purposes of this thesis, must take some stance—the valuing of nonlife through its importance in the valuing of life in and of itself. This stance is not inconsistent with traditional ethical systems, although it is inconsistent with contemporary information ethics (see §2.7.).

As for the second objection about infinite regress of value bases, I contend that the valuing of existence in and of itself is about as far as one can reasonably go as a basic valuing. There may seem to be “valuing of existence and nonexistence in and of itself,” and the infinite number of spinoffs from this valuing. But most readers would likely agree it makes little sense to speak of valuing nonexistence. Suicides may disvalue their own lives, and they may value the cessation of their lives, but ending their lives cannot end existence itself. A suicide may believe that the act of suicide is a symbolic homage to nonexistence as if that nonexistence is more valuable than existence. While that symbology may designate a devaluing of life and even of existence, it would still not render it possible to value nonexistence. I then take it as axiomatic that valuing requires an object; that is X values Y . Nonexistence is not $Y = 0$ but absence of Y .

Furthermore, even if this axiom were denied and one allowed that X could value both existence and nonexistence, one is involved in a contradiction: One values the exact negation of what one values.

terms of its faithfulness to those values—then it appears to beg the question to ask by what moral criteria we can assess the prioritizations of values themselves. I do not think this conclusion is wholly correct. If *volio* is indeed the basic valuing and the source of other values, then it can serve as the criterion for assessing whether the prioritizations of values that were derived from it are indeed faithful to it.¹⁶²

The next step then is to determine when value prioritizations are inconsistent with *volio*. This question has two specific issues that need attention: which concrete systems of values, of value-prioritizations, are meant here; and second, how does one determine how they compare quantitatively with valuing life in and of itself? That is, the second issue concerns what is the “life” valued here and how may one assess whether a given prioritization is indeed consistent with that valuing. For the first issue, it is critical to step back and review the scope of this thesis and the Central Question. The concern is human reproduction and thus human agents who potentially may reproduce. The focus is then not on all rational beings or on nonhuman animals and whether these should reproduce, but on human agents and their deliberative moral acts. Thus, the concern in this chapter is human values. Humans, as I discuss later (§4.5), are social, and their sociality is manifest in their cultures and subcultures (some persons identifying with a variety of these; see Gould 2004). Cultures, by common understanding of them (Hunter and Whitten 1977), somehow involve particular sets of values. These values are often understood as having certain priority. Agents then may have as their sources of value prioritization not only

¹⁶² This (introductory) section to the chapter does not yet go into examples as later sections do, but since the discussion may be overly abstract for some readers at this point, a simple example (which I will use again) may help: *Volio* leads us to value items that help sustain the life valued therein, such as water and food. In many cultures, money is the means for an agent to access these valued goods. Money initially then takes on some value as subservient to *volio*. However, an agent may come to value money in itself beyond money’s mere capacity to sustain life, and in the pursuit of money may begin to sacrifice the very sustenance that money can serve, thereby giving greater value to pursuit of money than in the sustenance of life. However, as I shall contend, *volio* itself would indicate that such prioritization is not faithful to *volio*, even if as in this case *volio* was debased by a value it helped birth in the agent.

their own idiosyncratic prioritizations but also those of their cultures. Insofar as cultural anthropology can illuminate cultural values, that is, aid investigation into which values cultures hold, it can help in this broader investigation into determining when value prioritizations are consistent with *volio* by at least providing some concrete prioritizations.

More important, anthropology, I further contend, can also help with the second issue, and here its use may prove more controversial. I go further into just what *volio* consists in and what life in and of itself refers to, and thence return again to anthropology (and biology). Since *volio* is a valuing by human agents, life valued by *volio* is primarily human life (even if only one's own)—*but* other life as well. The specific lives an agent values are one's own and one's loved ones, but also other living things such as pets, wild animals, and domestic and wild plants.¹⁶³ But many people also appear to manifest a valuing for life extending beyond specific persons or organisms (Wilson 1982, Kellert and Wilson 1993). They value their own living, not even as a process of living but as a living being, being alive: One may think of this valuing as that of the “thrill” of merely being alive, or just being “glad” to be alive, over and above whatever happens (the “process of living”)—if “thrill” and “glad” can be considered as signifying deeper than

¹⁶³ There is a legitimate question here as to whether all these valued items do—or should—receive equal valuing. In practice, these items may not all be valued instrumentally to the same degree. But even instrumentally, insofar as one values oneself and loved ones and recognizes that these are embodied in the larger, life-giving natural world that sustains them and so are *sine qua non* for the former, one then values that which embodies one's loved ones. However, if valuing life in and of itself involves valuing not only life as something worthy of value despite whatever we may get from it but also valuing specific living items, from ourselves and loved ones and all humans all the way to all kinds of organisms, then does that mean we value foxes and mushrooms as much as ourselves and our children? And—the Jainist dilemma—who then is to be sacrificed, the mycobacteria invading my lungs, or me? Is one person as valuable as one bacterium? These are more serious problems than may seem at first blush. I believe that the solution may lie in the disinterested aspect of *volio*, that is in valuing life in and of itself not for what you can get out of it but for what it is. While valuing life for what it is and not for what you can get out of it, you are also the sole chief conductor of your life. Life does have within it the drive to stay alive, and sometimes bacteria or bears endanger it. Similarly, one has to kill plants or animals to eat. (Our valuing of life in and of itself, by an alternative and possibly complementary, ontological account, could be that we require life, and to a lesser extent nonlife—for our sustenance and protection.) One can do these things within certain reasonable limits. *Volio* does not necessitate, say, Jainism or even vegetarianism. This solution, of course, raises numerable objections. The ramifications of *volio vis-à-vis* ethics are extensive and deserve a further work of its own. The most I can do in this chapter is set down enough characteristics to make an answer to thesis's main questions at least plausible.

passing values. Further, they appear to extend this valuing beyond their own living to the living of those in their families, those among their friends, those in the community in which they live, and by further extension to the living of all humans—all of which partly account for the common horror at the idea of these being eliminated by technological malfeasance (as by nuclear weaponry) and especially at the idea of somebody's committing such malfeasance. And even further, they extend this valuing to all living beings, despite the fact that some of these, such as pathogens, can be fearsome. Life, in this valuing, more than refers to the collection of actual beings and their processes of living but also is a phenomenon for which humans commonly appear to have a special, even reverent, feeling.

While “life in and of itself” captures what is valued as being valued for what it is despite whatever one may get out of it instrumentally, there is another way to consider the term, as per these two aspects of the sense of “life”: A. The “life in itself” in *volio* could be considered this veritably reverent feeling for the phenomenon of life—as exhibited by the “thrill” of being a living entity and the wonder of being one among the phenomenon of life; while B. the “life of itself” is the specific living beings valued—the beings which constitute this phenomenon—including oneself and fellow humans as well as animals and plants. The assumption, which could be challenged, is that humans in general have this two-aspect sense about life crucial to this valuing. What would be harder to falsify would be whether all (or by far most) people overtly manifest a valuing for life in both of these senses. Problematically, ~~since~~ other values, as I detail further in this chapter, could well have been given higher priority and so could obscure the extent to which some people or cultures do indeed value life in either or both of these senses.

Volio in some ways resembles Wilson's proposed biophilia (1982), which is vulnerable to attack for its postulated innateness. I hesitate to digress into innateness arguments and the

degree to which volio is innate. But I can note that whereas Wilson's hypothesis concerns a natural human affinity for living things and life itself, volio more broadly extends this human affinity into love for life (in the two senses A and B above) and thereby in turn values what is loved.¹⁶⁴ Certainly, not all persons may experience such valuing of life (in terms of living things in general and of a concept, as well as being alive oneself). However, just as the empirical evidence for the existence of socially pathological persons who lack the moral emotions does not mean that moral emotions or morality are not general to humanity; so does the existence of persons who do not have, have lost, or never developed a sense of life in and of itself or valuing for life in and of itself not mean these are not general to humanity.

4.1. Value Consistency with Volio

Given this rudimentary characterization of volio, the question remains how we can know which real, concrete value prioritizations are consistent with it.¹⁶⁵ It would appear that those

¹⁶⁴ See §4.8 for a discussion on the relation between value and love.

¹⁶⁵ It may be asked fairly at this point how one may even assume that the value of life is isolable from other values, such as power, wealth, liberty, social prestige, or equality. In §4.9., I go into detail about how such values are based ontologically upon volio, even though in many cultures they have effectively—in common social practices—been given priority over volio. My present interest is seeing just how it is possible that a value, such as for life in and of itself, that gives rise to another value can in time be given lower value than the one to which it gave rise. However, because of possible concerns about how volio could be so isolable from other values such as liberty, it is worth indicating here, as an example, how valuing life may not only precede freedom but can serve as the basis for valuing liberty. As I argue in 4.9.2.1., I see life as ontologically and genealogically prior to liberty. Anthropological evidence, I point out, strongly indicates that humans and the genus *Homo* in general through most of their past lived in conditions of social equality. Practices such as taking captives and slaves were apparently much more recent inventions, beginning among settled foragers such as the Tlingit (Flannery and Marcus 2012). The concept of liberty as freedom of action was not only not necessary among such cultures but also unlikely to have been invented. It would be more reasonable instead that the call for liberty would have appeared only upon the gradual development of inequality in settled societies: Certain persons were now socially restricted—and now that there was the concept and practice of restriction, there was the concomitant concept and urge for non-restriction, or liberty. The introduction of slavery and captivity, as well as the restriction placed upon the lower classes, which arose with settled horticultural, agricultural, or mixed civil societies, then invoked the increasing need for liberty. Liberty was in this way an outgrowth of inequality. One may contend that before the development of inequality, liberty or freedom of action was just the state in which people lived: liberty to. But I find that the concept of liberty requires both the sense and conditions of positive and negative liberty: One has freedom from something in order to do something freely: “Free,” that is, is an intrinsically contrastive (relational) agent-oriented concept. Gasses sucked into a black hole are not losing their freedom not only because they are not agents but also because they are not

prioritizations that best sustain this valuing would be more consistent with it than others. That is, if this valuing is retained in highest priority, and its subservient values are ordered in such a way as to reflect that priority and to sustain it, and each value in the order is reasonably justified¹⁶⁶ to be above the one below it, then this prioritization remains and should thus remain consistent with *volio* over time.

The problem, though—to step back from this too-neat package a moment—is that values and their prioritizations are enmeshed in cultures. If all prioritizations are consistent with *volio*, and if values are generally enmeshed in cultures (although not exclusively so, as some are idiosyncratic, or particular to individuals), then it is possible that some cultural values are not consistent with *volio*. In other words, some cultures might not be primarily valuing life in and of itself but giving other values priority. However, this analysis would seem to run afoul of the very anthropological practice, even though, from the start, the *volio* proposal asserted that this practice would serve as a useful guide for illuminating *volio*. Specifically, anthropological practice has for over a century largely encouraged cultural relativity (contrasted with moral relativity; see below), enjoining professionals and the laity alike to examine all cultures through a clear, value-uncluttered lens (Hunter and Whitten 1977, Edgerton 1992, Keeley 1996, Davis 2008; both Edgerton and Keeley contest this practice). Now this *volio* proposal implies that some

losing their freedom to do anything, to a force that is preventing them from doing anything is particular. Persons living before there were social conditions obstructing their actions were certainly agents, but insofar as their actions did not have social forces obstructing their actions, there were not the contrastive conditions essential to the concept of “free” in the value sense discussed here. Furthermore, ontologically, I argue in 4.9.2.1, liberty needs life as the very basis for actions themselves, and particularly free actions, for without life, there are only non-agential actions such as the movements of gasses into black holes. Insofar, then, as life can serve as the basis for a value such as liberty, life is an isolable value. I believe similar arguments can show it is isolable from other values. See §4.9.

¹⁶⁶ By “reasonably justified,” I mean only that no gross inconsistencies or contradictions are introduced in the ordering. For a simplified example, if a value ordering holds that (v_m) good health must be maintained at all costs to agent preferences, and (v_n) tasty food must always be had at any time, to agent’s taste, and $v_m > v_n$, then the value ordering may well be reasonably (though not absolutely) justified (assuming that the agent’s not getting a tasty food that is bad for health does not itself create bad health). However, if the agent also holds (v_l) deep-fried doughnuts must be eaten at all times and $v_l > v_m$, there is likely some inconsistency in value-ordering

cultural value prioritizations just may turn out to be incorrect in some way (whether or not that way is, in the end, a universally moral way).

I reply that the volio proposal is not going that far and in fact remains respectful of this anthropological practice. For one matter, anthropologists' professional practice does not encourage their research and analysis to be completely value-free. Both standard texts (Hunter and Whitten 1977) and popular texts (Davis 2008) aver that anthropologists cannot always leave their moral shoes at the door before entering another culture's home for study. Instead, they should strive to be conscious of their own values and thus of how these may influence their objectivity. Furthermore, they are encouraged to keep their own values in mind because they are humans studying humans, and humans have values. There may even be cases where—though moral intuitions can be faulty—a cultural practice does appear to violate some universal human sanction. After all, among the profession's major aims is one to find out what kind of beings humans are (Hunter and Whitten 1977, Davis 2008, Flannery and Marcus 2012), and this project may well mean that what humans are includes some traits found among all humans. Indeed, certain ethnographies, e.g., Turnbull 1972 on the Ik, have left even the dedicated ethnographer with the impression that the culture studied had undergone some kind of trauma, manifested in apparently horrific cultural practices. Follow-up studies on the Ik indicated the culture had indeed undergone trauma due to outside policies, and that it later showed signs of recovery (Heine 1985). Thus, it appears that anthropology's original value-free standard, while moderated with the caveat that the ethnographer retain some degree of moral intuition as a human investigator, has in the end benefited its own objectivity by showing how cultures can swing through "down" stages which are somehow morally abysmal, like bruised creatures who need healing (and often, like the body, they heal on their own).

Second, then, the profession is showing signs of moderating from the strict value-free ideal. Edgerton's influential *Sick Societies* (1992) looks to cases like Turnbull's to uncover many in which cultures have suffered. Although cultural structure and human physiology are very different kinds of things ontologically, it does start to appear that cultures can at times indeed be affected in such a way that its members are harmed. The suggestion naturally raises alarms in a scientific practice that has achieved tremendous understanding of human existence after shedding 18th-Century and earlier Western ethnocentric assumptions that the species was progressing through stages leading up to civilization and that "lower" cultures were either "unprogressed" or pathological. American Indians and Australian Aborigines were nearly exterminated, and many other cultures wholly killed off upon the ethnocidal fervor fanned by such concepts of linear human progress and destiny (Sheehan 1973; Davis 2002, 2008). However, coming to view some cultures as ailing does not mean that one must eliminate them. Perhaps, as happened with the Ik (again as happens with many an ailing human body), in time they may heal themselves. For anthropologists, it is a sensitive issue as to whether anyone, such as themselves, should step in as culture doctors and attempt a cure.¹⁶⁷ The point here is that the objection that anthropology's cultural relativity persists does not mean that the practice also shies from assessing cultures' states of health.

Third, anthropological works such as Flannery and Marcus (2012), while not saying that values such as equality and disvalues such as inequality are normatively given by anthropology, do help explain how these values came about and illuminate how, if we do (normatively) want to respect such values, here is what would need to be done. Flannery and Marcus are looking primarily to the specific cultural conditions sustaining equality and inequality. Evidence is strong

¹⁶⁷Perhaps only if the group asks? But then, human culture may be vastly more complex than even human physiology for the current state of knowledge to allow reliable regimens for cures!

that certain kinds of cultures, namely nomadic foragers, have tended toward social equality, whereas settled and storing cultures, notably agricultural urban societies such as the U.S., have tended almost exclusively and overwhelmingly to hierarchy, ranking, and marked social inequality. Numerous studies back up this finding (Endicott 1999, Ingold 1999, Kelly 2007, Wells 2010), and even studies highly critical of the former type of society (Keeley 1996) acknowledge, if grudgingly, such cultures' internal social equality. However, anthropologists hesitate from taking the position of prescribing equality. The point rather is that many people in irremediably hierarchical inegalitarian societies such as the United States may value equality; and if one normatively favors equality, the authors say, then here are the cultural conditions that appear to allow it to arise. So, against the objection, this point is that one can still draw a value-laden judgment from the findings of anthropology and, consistently with the science's objectivity, look to what social conditions appear better to manifest that value than others.

Fourth, in looking to anthropology for what (social) conditions—and perhaps which social and physical environments—are most conducive to giving priority to *volio*, I am not trying to do anthropology. Flannery and Marcus, while both archaeologists, attempt something more specific, in looking primarily to one pair of values, equality and inequality, and how the priority of these manifests in certain cultural types. While not an anthropologist, I seek a broader scope of values by looking to the science's findings but never attempt to step inside its household and tell its members what to do.

Where to start on this investigation into value prioritization among cultures and individuals? I propose to start as basically as possible, looking to some human traits that do appear to be general across the species, even if these appear to be so elementary as to be self-evident. I pursue this inquiry in §4.5. Beforehand, though, it is useful to look to another field,

also partly philosophical and partly scientific—animal welfare— involving both ethics and ethology. The achievements in this field provide some inspiration, if not some methodology, for how to proceed with my present investigation. Subsequently, I make a brief comparative study among the various schools of ethics, as covered in Chapter Two, concerning their theoretical assumptions about the morally essential traits of humans as (moral) agents. It becomes evident that all these schools make some anthropological assumptions about certain human traits that are fundamental to the school’s moral system. That is, all these moral systems rely to some degree upon “anthropology,” if with varying faithfulness to the field’s current practice. Thus there cannot be a *prima facie* case against the present investigation for looking to anthropological evidence for how social conditions optimize certain values in order to increase understanding of optimal value prioritizations *vis-à-vis* *volio*, merely because the investigation does turn to anthropology proper for concrete basic human traits. The way will then be cleared for looking to these basic traits in §4.5 and, eventually, in §§4.9-4.12, to conditions and environments correspondent to *volio*’s being in highest priority.

4.2. A Second Lesson from Animal Welfare

In Chapter 1, I turned to one arm of the current animal welfare movement for its example of appealing to social consensus to persuade agents to treat animals well. This theory of social consensus provided an initial possible route toward an argument for the moral assessability of human reproduction. In that case, then, the model used by animal welfare was external to the actual practice of animal welfare, which concerns how to arrange environments and living conditions to optimize animals’ wellbeing. That is, the model was a moral theory to persuade agents to participate in the moral practice of optimal animal upkeep.

In contrast, now I look to the internal practice of animal welfare itself, concerning what agents can do in arranging the conditions and environments of animals over whom these agents have some degree of custody. In the first case, then, the theory is used to entice agents to enter the moral arena. In the present situation, now, the interest is the particular moral debate in that arena. Animal welfarists research and implement methods to improve the living conditions of animals, most commonly those in domestic confines. Laboratory animals, pets, livestock, and zoo and entertainment animals form the major populations of animals in direct human care. The 20th Century saw a population explosion of animals in human care—along with an explosion of interest to ensure that that care is bona fide care. As Rollin (1989, 1995, 1999, 2010) tells the history of animal welfare, humans who had used animals over the millennia, particularly as livestock, commonly cultivated husbandry, a symbiotic relationship in which the keeper provided the animal optimal care and the animal in turn provided optimal plow power, eggs, meat, transport, clothing. But beginning around mid-20th Century, with the massive human migrations from rural to urban the world over, farm animals lost this reciprocal relationship as they were moved into factory farms to produce food for urbanites. Also, animal research sharply increased, as did the presence of the household pet.

By the 1960s, rising in about the same tide that brought the population-ethics movement—one theme of this thesis—came the awareness that humans were mistreating not only the general global environment but also, if you will, the faunosphere. Not only were animal species in the wild seeing their fragile homes trampled, but domesticated animals, particularly in farm and laboratory, were experiencing de facto abuse, in some cases veritable cruelty. Corroborating Nussbaum's thesis of moral progress via philosophy, historians can point to at least three works of philosophy—Singer's *Animal Liberation* (1975), Regan's *The Case for*

Animal Rights (1983), and Rollin's *The Unheeded Cry* (1989)—as being influential in the social movement that heightened awareness and called for policy changes. (Organizations of varying character of social orderliness, from People for the Ethical Treatment of Animals (PETA) to American Association of Laboratory Animal Science (AALAS), often cite such works in their literature.) Facing radical calls for banning all domestic uses of animals (sometimes including pets!), groups such as AALAS, American Meat Institute, and American Veterinary Medical Association (AVMA), who contended that humans have a need and a right to use domestic animals, were challenged to justify their uses as *moral*. The execrable conditions and environments in which many, if not most, domestic animals were kept in laboratories and farms was hard to rationalize as ethical. These interests then had an obvious choice: Find ways to make the conditions and environments in which animals lived such that no one could cogently argue that these were unethical. Thus a new field for animal welfare was eventually born: research into optimizing conditions and environments for domestic animal habitation and use so that these were ethical. Animal behaviorists (ethologists), veterinarians, animal welfare activists, industry associations, and animal-care technicians began to work together investigating and implementing these optimum conditions and environments.

But what exactly counts as optimal? Are not all organisms, as Buchanan (2011) emphasizes, in steady transition evolving from one species to the next, never a finished product, having thus no essence, so they must be flexible and ready to adapt to all kinds of conditions? That is, it seems that if animals, as Darwinian theory may lead one to suspect, have no real “essence,” being eternally in transition states, then there are no particular conditions and environments in which any “essence” is fulfilled. Not so, Rollin (1989, 2010) contends: Although species in general are always in transition, for very long periods—millions, even tens

or hundreds of millions of years—a species and its members remain much the same in their response to conditions and environments and how these can maximize or minimize fulfillment of the creature’s life needs. For the time being, for the millennia and millennia within which we have been working with dogs, a dog is a dog and has dog needs, *as if* the dog had an essence. If these needs are not met, the dog, being sentient, suffers.

Rollin borrows Aristotle’s terminology here: the idea of an animal’s *telos*, or essence. (Later, I critically re-examine the applicability of this term for humans vis-à-vis our species’ optimal conditions and environments.) While an animal may not have an essence as a member of a species, that is, a species may have no eternally fixed set of traits, ethologists can attest that members of a given species do stay within a certain range of behaviors. This range corresponds with what Rollin calls the “dogginess” of the dog, representing the range of behaviors and traits of these species as we are encountering them for this our current slice of time. Different conditions better bring out or suppress these characteristics. Researchers then test animals under various conditions and environments to see which optimize the animals’ wellbeing. One other step must then be taken, he states, to bring us from observations of animals in different conditions and to reasonable hypotheses as to which conditions are optimal: We have to acknowledge that animals can suffer and that they exhibit signs of suffering that we can correctly interpret.¹⁶⁸ For centuries, Rollin points out (1989, 1995, 2010), and until very recently (and still to this day), scientists denied or ignored the fact that animals—and even human infants—suffered like adult humans do, if they suffered at all. The assumption was that cries of pain or withdrawals of damaged limbs were simply reflexes. This assumption, Rollin cogently argues, is wildly unscientific, as animal scientists are coming more and more to affirm, insofar as it denies

¹⁶⁸ Even if we were to fall back on more “objective” tests for animal suffering, say certain hormone levels or neural activations, at some point, these tests as well had to rely upon investigators’ subjective determination that certain symptomatic signs were indeed signs of suffering or suboptimal internal state.

reality. Thus, in testing habitat conditions and environments for domestic animals such as a dog, if the animal responds to a given set of these by staying endlessly droopy-eyed and listless in a corner, and to another set by leaping and eating well and licking other dogs, the first environment is likely suboptimal and the second more closely approaches optimal. This second, then, is more appropriate for the animal's *telos*.

We may never come to understand precisely every conditional and environmental parameter needed to optimize a species member's *telos*, but research on the topic may help us better and better approach that ideal (although some mistakes are possible, as in any applied science). Ongoing research has increasingly revealed what can be done in constructing a domestic animal's habitat and routine to increase the individual's wellbeing. Much of these efforts have been promulgated through the popular media. Chickens, having "pecking orders," when confined together in tight cages peck each other literally to death. Tight confinement for chickens, pigs, calves and many other species leads not only to increased infection and morbidity but also to psychological suffering, as these animals must move about. Dogs need runs and direct social interaction with other dogs, but also they need some area of voluntary confinement, as they are "den animals" as well. Mice and rats need to run along narrow pathways, and they (like most mammals) are stressed when separated from pups too early. Many species, including rodents as well as chimpanzees, are positively stimulated when they are given some challenge to retrieve their food rather than just having it left to them in a bowl. Conditions such as diurnal or nocturnal timing of feeding can affect the animal's state of being. Chimpanzee research has revealed numerous basic needs for types of social interaction and environmental cognitive stimulus that, if absent, decreases animal wellbeing. Indeed, zoos worldwide have been heavily influenced by this movement for optimizing conditions and environments. Long stereotyped as

veritably unethical abusers of lowly creatures—the image persists of peanuts tossed at apes and laughs at caged pacing cats—zoos have revolutionized over the past decades. “Natural habitats” in which lions range over miniature savannas, gorillas knuckle up densely forested slopes, and pink flamingoes fly have not only improved the animals’ lives and better ensured their species’ continuance but have bettered zoo-goers’ experience, educated them on animal life, and possibly morally edified them.

Granted that Rollin (as only one of the influential philosophers here) may well fall not only into Nussbaum’s category of philosopher/social-progressor, but also into Moody-Adam’s broader category of moral leader: That is, having not only published twenty books and over five hundred articles, Rollin has also worked with animal industry and caretakers and politicians to help pass dozens of laws, both state and federal: Within all this activity, the workable concept of *telos* has played significant part, because given the history of some of these laws’ difficult passage, the concept has intuitive appeal. Nonetheless, that concept and its appeal do not transfer well to the discussion of optimizing human conditions and habitats. Such optimization is complicated by the wide variations in human cultures and their sets of values.

4.3. The Force of the Analogy (to Animals) Meets Morality

4.3.1. Problems in Optimizing Human Environments and Conditions

First, I reiterate the direction of the argument. I have proposed that the source of human values (besides itself) is that of valuing life in and of itself, which involves valuing living things and life as a phenomenon and not for what one can get out of it and those living things instrumentally. But some of the values that *volio* gives rise to can, in the scheme of human values, be debased by these other values. I propose that, in the course of this chapter, it should be possible to see how

some orderings of values debase volio but others do not. However, the difficulty is that making such (value) assessment of values seems to call for some further meta-criteria. Human values, though, seem to be largely enmeshed in culture; that is, one facet of culture is values, even though there may be idiosyncratic values. But if volio, as primary source-value, can be assumed itself to form a measure, then it should be useful as a measure. The problem remains of how to assess whether a cultural value is indeed “living up” to volio. Here I brought in the analogy to animal welfare: To the extent that the conditions and environments that humans live in are parallel to those that domestic animals live in, then some of the former are more suitable than others for the type of being humans are in general. If it is possible to determine plausibly a minimal set of what kind of beings that humans are, perhaps one can plausibly assess whether some cultures—including their values—are well-suited for the kind of beings that humans are and, most important for the thesis, whether cultural values allow culture members’ optimal valuing of life in and of itself. The connection, then, is that optimally valuing life in and of itself correlates with most suitable conditions and environments for the kind of being that humans are. The aim is not so ambitious as to say which, if any, cultural conditions and environments are indeed “best” for humans, but which are at least reflective of optimal value ordering vis-à-vis volio.

That summary brings the argument up to the present point. It seems *prima facie* that humans, being animals not distantly related to mice, dogs, and chimpanzees, could as well be placed in certain conditions and environments that optimize their wellbeing. Such a Skinnerian scenario may strike many people as specious, if not dangerous, for threatening human freedom. I, personally, would resist being placed into any sets of conditions and environments that have been “scientifically deemed” optimal for me. What alterations in the proposal could render it

more appealing? Assuming there is some kind of being a human is and that inquiry can help uncover this and point to the conditions and environments suiting it best, then given 1) certain scientifically determined conditions and environments which are likely best to approximate those for which human life is most fit, and 2) the (bona fide voluntary) option to adopt those at one's own choosing, the proposal may become more appealing. I do not aim to prove why this stipulation of volunteerism makes a difference in the prospect, although it likely has to do with liberty and autonomy. My interest for the thesis here is indicating that there can at least be a (morally?) acceptable way by which scientific, rational investigation into what kind of being we are and which conditions and environments best fit it can lead to acceptable options for individuals (and voluntarily formed groups, say) in shaping optimal conditions and environments.

I put the issue of the option's moral acceptability as a parenthetical question because the concern of this section so far is "pre-moral"—that is, trying to build up to a point at which value can be properly ushered into the discussion. The parenthetical question arises from the possibility that some philosophical views may find this approach to value foundation-building relies too heavily upon a notion of—call it what you may—what appears to be human nature, or human *telos* or essence. The analogy between animal welfare and human conduct is broken not merely because humans are cultural, but also because they are moral, animals: The fact of culture means that humans may be too varied *by* their cultures for one to assemble a manageable set of universal human traits. Moral philosophy from Kant to care ethics has placed severe limitations on what humans are as moral creatures and how far preconceived notions of humans as agents can form the basis for morality.

Before getting into the discussion about human nature and related concepts such as human *telos*, I then examine this issue of what moral systems assume that their agents are. This brief examination will feed significantly into analyses to come in this chapter. I should reiterate here the distinction between moral agent and moral patient, because some systems focus primarily upon the agent, others (such as information ethics) upon the patient, thus accounting for a difference in how they derive assumptions about the identity of the moral agent.

4.3.2. What Agents Are in Various Moral Philosophies¹⁶⁹

Of the schools examined in Chapter 2, the deontological may have the simplest assumption about what the human being is: a rational being. Kant says that in practical reasoning one cannot build upon anthropological assumptions for formulating basic principles, but anthropology can come into play only afterwards,¹⁷⁰ in aiding one in applications of the principle to decisions for action. However, deeming the human a rational being is indeed an anthropological assumption: It says what humans are and places them into a genus, even if (as Kant would affirm) it is not a scientifically sound assumption, as it could include angels. The school with the next simplest assumptions about humans may be utilitarianism: Humans are rational beings, and happiness or pleasure is the chief goal of their deliberative actions, along with the avoidance of unhappiness

¹⁶⁹ This section's topic forms part of Gould's (1988) inquiry into social ontology, which includes characterizing individuals as agents, by which "social relations presuppose this agency" and "social relations are fundamental to the concrete expression of this agency" (112). The aim of this section is to show that moral philosophies at least so far make some assumption about what agents are and so it is not far afield from philosophical practice to offer, if overtly, as this thesis does, a characterization of what kind of thing is a moral agent.

¹⁷⁰ In fact, Kant asserts, in so many words, that one should turn to anthropology to aid an agent in applying the principles. However, he is unclear concerning upon which basis one should do so: Is it the Categorical Imperative, once it has been derived, which guides one to turn to anthropology? However, the CI is a principle for all rational beings, so what aspect of the CI requires that human rational beings should look to what is particular about them such that they should, by the CI, turn to anthropology? If the "should" in question does not derive from the CI, then whence comes it?

or pain.¹⁷¹ Aretaic ethics, at least in its current versions, appears to assume that humans are rational, but importantly that they seek the good, that they are social animals, and that in seeking the good they are capable of virtue.

As the schools become more recent and thus less well delineated and so more diffuse in their assumptions, the amount of assumptions about what humans are seems to increase as well. Care ethics assumes that humans are not merely social but are socially embedded—they would not be defined as individuals without existing within social contexts—necessarily defined within relationships with particular others. In this way they are interdependent. Their values arise in an ordered manner within these relationships, thus those agents closest to them have higher value than others, although all can have value by means of empathizing with others. Thus, emotions play a significant part in their social and moral lives. Humans are also often characterized as embodied,¹⁷² yet the importance of their rationality as a basic moral characteristic does not appear to be universally sanctioned among care ethicists. Emotion- or passion-based systems of course make assume that emotional capacities are central human functioning. Generally these systems allow that humans can reason about their beliefs, but human action is driven by emotions rather than reason. Importantly, humans are social animals, specifically they are largely formed by their cultures, and it is within these cultures that they have their values, rather than individually forming their values by cross-cultural universal values or by having values innately. Some of these assumptions may vary according to different sentimental theories, and some may

¹⁷¹ Other consequentialist schools may make different or further assumptions about what the human being is, so that wisdom or friendship numbers among humans' chief goals.

¹⁷² Among the care ethics literature I have read, I have not clearly identified a universally shared meaning of "embodied," if there is one. Something like "embedded in culture and relationship" seems to be one prominent gloss, although something like what use "embodied," in a later section, 4.5., seems another common gloss. In that section, I overtly take a specific understanding of "embodied" as "existing as a human body"—an organismal, carbon-based entity—and furthermore, not merely existing "within" a body, but fully defined as a body (which of course includes a brain). This use of the term in this moral context will receive more support at that point, as it is pivotal for this thesis.

have other assumptions about what humans as moral agents are. My point is not to derive a schema that fits all of each of these schools but only to indicate how they all build upon some foundational anthropological assumptions about what kind of beings are their agents.

If these schools are “agent-based” in terms of deriving assumptions about agents, another small set of schools is “patient-based.” That is, the former set focus primarily upon agents and how they should conduct themselves, the latter set look to patients and how they should be treated.¹⁷³ Information ethics (§2.7.2.) focuses primarily upon the moral patient, information: The driving moral concern is that information be maximized and preserved, whatever the agents are. Agents, one can gather, are also information, but as agents they are subservient to the patient. If they so happen to be human, that is well; but whatever humans are, beyond information and potentiality as agents, is not important, just so they treat information duly. For this system, whatever agents are, if they are also human, then these humans’ definition need go no further than the fact that they are information. That amount of anthropology indeed is simple, perhaps simpler than Kant’s basic anthropology of humans as rational beings. Nonetheless, it is an anthropological assumption. Extropic ethics (Jones 1995) similarly asserts that negative entropy, or extropy, is the moral patient deserving moral treatment. There is no necessity that extropic agents must be human. Nonetheless, there is still a basic anthropological assumption: that humans are bundles of extropy.

All of these schools of moral philosophy, whether primarily agent- or patient-oriented, build their systems upon some empirical assumptions about what kind of entity the agent is. I am not in a position to tackle the issue of whether it is necessary for a moral system to be based upon

¹⁷³ This distinction does not mean that the former systems do not look as well to how patients should be treated or to what kind of things these patients are. Thus, some consequentialist systems, such as Bentham’s utilitarianism, describe sentient beings as having moral status and thus deserving a certain kind of treatment (Bentham 1948), and non-sentient beings do not deserve such treatment. Some environmental ethics, though, from whatever school they may ultimately derive, recognize a larger group as having moral status, such as mountains or historical buildings.

some finite number of empirical facts specifying what kind of thing an agent is. Perhaps, for example, a moral philosophy can speak solely to the moral patient and its needs and say nothing about moral agents. Here it suffices to point out that insofar as these traditional and current schools assume empirical facts about what agents are, if any of these schools' moral systems are allowed validity, which validity includes assumptions of empirical facts about agents, then any normative argument based upon overt empirical facts about what agents are cannot be faulted for such basis.

4.4. Valuing as a Human Characteristic

4.4.1. Perhaps Not Exclusively Human

Now with the aim of optimizing values vis-à-vis volio, I turn to what sort of characteristics can be reasonably assumed about humans qua agents. Volio as discussed so far has been a valuing that humans make. As such a valuing, it can serve as the basis for moral judgment in decisions to act. I do not deny that some other kinds of creatures, whether terrestrial or not, may have their own valuing. The focus of this thesis is on human reproduction, which *at least* involves human valuing, and that is enough for the present purposes. To this extent, the inquiry appears to side with the “human-based” systems discussed rather than with the “other-based” systems. However, by the end, even the latter will be seen to have some valuable input.

To continue tracking the argument so far: The issue now is: if human values stem from volio; but volio can be debased by particular cultural values; so some value orderings may then better reflect volio; and if animals can be given conditions and environments that better suit them; then are there not human conditions and environments—including cultural ones—that better suit them for the kinds of things they are? Herein then is the need for the list of

characteristics constituting what kinds of things they are to help discover what those conditions and environments may be. That list comes in §4.5., but a preliminary quandary needs attention.

4.4.2. Human Nature, Telos without Teleology, and Quandary

The making of a list of characteristics that all humans share, before it can even list one item, will face charges of delimiting a “human nature.” That term is at once so loaded and vague, I am shunning it as the list’s reference or referent. Although I look to anthropology and biology for this list, I am not intending it as a “science of human nature” nor borrowing from any such “science.” Although anthropologists in practice often attempt to delineate what human beings are as a species, they also often hesitate to apply the term “human nature” to what they are studying (Kelly 2007), if partly because this term is so loaded and vague that it carries heavy connotative baggage from earlier conceptions of humans (Gould 1988, 2004; Buchanan 2011): (1) it takes a broad swath across the field of human possibilities and casts these as fixed and determinate; and this swath seems too wide; (2) the swath it takes also appears to resemble too much a (nonetheless culturally formed) particular kind of being from the time the concept was heavily pushed—that is, the 18th-Century white European, upper-echelon adult male. If “human nature” only meant what kind of things humans are, whatever their culture, creed, gender, epoch, class, abilities, size, and shape, the term may be more applicable to my purposes. Perhaps some of its users intend such a meaning (Pinker 2002). But since it does not mean just that, and since connotations do form meat on denotative bones, I avoid it.

Another candidate term would be the one Rollin uses for animals, as this concept served as the pivot for this direction of the discussion: *telos*. After all, in Rollin’s modification of Aristotle’s usage, *telos* refers to something like “what kind of thing an animal of species *X* is”—

maybe not a “fixed essence,” as Aristotle apparently meant, but a flexible essence subject to change, one that can evolve as the species does. In the meantime, during the current time-slice we share with this species *X* and during which we make use of this species, its current members do have such characteristics that conditions and environments *CE* are most appropriate for them. It would appear that this much is what I am seeking in terms of humans: those characteristics of *telos* such that there are certain *CEs* in which their prioritization of values best reflects *volio*. As the parallel is the same in both animal and human cases, it seems I should use the same term. The problem again, though, is connotation. “*Telos*” in Aristotle’s usage and its long history since his day carries the baggage of teleology. Aristotle’s notion of a being’s *telos*, or essence, involved that being’s purpose within a larger frame of the universe. Teleology in this sense has come under heavy criticism recently, particularly from many evolutionary perspectives (Gould and Lewontin 1979, Buchanan 2011) and, without digressing into this discussion, I believe for good reason. But also, as the thesis has avoided assuming teleological explanations of human existence and behavior, I should not allow teleological concepts to come in the back door by adopting certain terminology. Just as, if one could have “human nature” without its historical and ideological baggage, it may be a good candidate term herein; so if one could have *telos* without teleology and without the latter’s historical and ideological baggage, I might adopt it. But I cannot risk connotation’s burdens.

I thus face a terminological quandary before even setting forth the promised list of human characteristics. On the one hand, “basic human nature” is too vague and loaded, and Rollin’s *telos* that helped instigate this whole discussion is too risky. On the other hand, providing a new term risks puzzlement if not ugliness. I believe these risks are lesser than those of the vermin creeping out of over-traveled connotative baggage. As a stop-gap, I suggest the Latin *quod sunt*

homines, literally “what humans are.” I would prefer “the kind of being humans are,” but that gets bulky. I aim to use this awkward Latin term minimally, but when I do, it is to be understood to convey that more lengthy reading of it.¹⁷⁴

4.5. What Kind of Being Humans Are: *Quod Sunt Homines*

Going back at least to Socrates and Plato, there have been attempts to find which traits are common to the species. Edgerton (1993) describes how, more recently, anthropologists of a variety of schools, on different sides of the debate over “human nature,” have tried their hand at a list of basic traits. M. Harris (1979) tries to narrow down a minimal list to the need to eat, something like a laziness or energy-saving factor, enjoying sex, and seeking love and acceptance. Fox (1971) explained human nature in terms of genetic predispositions to behavior so strong that, if children were to be reared in complete isolation from adults, they would nonetheless develop the basic set of rules seen across cultures, governing family structure, incest, arts, and myths and accounts for the supernatural. Konner (1982) argues for what sounds like a revision of the “seven deadly” sins, with some former sins actually good, although he terms them “human frailty” and says they are biological: rage, fear, joy, lust, love, grief, and gluttony. A maximal list-maker, Brown (1991) offers hundreds of “universal” traits, a perspective I touch on in §4.5.4.

Thus, making such lists is hardly an original enterprise, nor one that means the list-maker is aiming on nailing down “human nature.” I draw an admittedly far-from-complete list of human characteristics not to rival these efforts of anthropologists but primarily for the particular purposes of the thesis, in trying to characterize *quod sunt homines* and thus having a way to

¹⁷⁴ I also intend to avoid any possible parallel to the prospect of a “science of human nature.” That is, I want to preempt a “science of *quod sunt homines*.” The very awkwardness of the term “science of what kind of beings humans are” hints how wrong such a direction would be. To the contrary, rather than such a science, discovering what kind of being humans are could look to sciences for help and information without itself constituting a science.

illuminate, reflect upon, and possibly assess cultural values and value-prioritizations in relation to valuing life in and of itself. This purpose is, I find, best served by a list with a particular structure which I do not find in other lists. That structure emerges as I draw up the list.¹⁷⁵

Overall, the approach is much in the spirit of realism (Greenwood 1989), in that it is assumed that human beings are real entities in the world and that as observers we can form representations of these real entities.

A list of characteristics intended to apply to all humans could hardly be made without acknowledging considerable controversy behind each item, no matter how earnest and ecumenical that one tries to be. Some of these, particularly the first few, may for biologists and anthropologists seem trivial.¹⁷⁶ But philosophers, who are primed to controvert, would require that I go into some argument for even these elementary items. For each one (See Table 4.1), I note the controversy that arises no matter how seemingly basic the item and indicate how some objections to the item's appearance on the list could be met. Each of these characteristics comes into play in the subsequent discussion of how cultural value prioritizations can be optimized vis-à-vis volio. Unfortunately, space does not allow complete justification and argumentation for all eight primary and secondary characteristics.¹⁷⁷

¹⁷⁵ The structure consists in primary, secondary, tertiary, quaternary and possibly higher-level orders of characteristics, according to parameters I provide. I find it less bulky and fussy to reveal the parameters as I establish each level and then provide a summary chart.

¹⁷⁶ By my basing the list of traits primarily on biology and organismal evolutionary theory, some of the items I enumerate may seem similar to the "Animalism" theory of Blatti (2012) which holds that humans are the *Homo sapiens* organism. This theory sounds similar especially to my primary items 1 and 2 below, which maintain that humans are carbon-based beings and are embodied. However, Blatti's argument is of a particular philosophical type—saying that if we deny we are organisms, then we must deny our ancestors were... we must deny evolutionary theory—which differs from my approach below, which is to take certain sets of scientific propositions as givens. Gillett (2013) offers a strong refutation of Blatti's argument, but it does not affect my argument that humans are carbon-based, embodied beings.

¹⁷⁷ Interested readers may request from lmiller@gc.cuny.edu my unpublished paper, "Primary and Secondary Characteristics of *Quod Sunt Homines*," for greater detail of reasons for why I singled out these characteristics and responses to potential objections to their inclusion on the list.

I divide the list into loose groups, the first more “primary,” or so it strikes me, in timeline (evolutionary) appearance and ontology; the second more secondary, in that the characteristics appear to have emerged later in human evolutionary history or involve conceptualization that likely developed later; and similarly for tertiary and higher. Thus, the secondary group includes more conceptual characteristics, but I do not believe these any more controversial than those of the primary group, if not less so. This slight and hazy difference among these two groups, I hope, may still help the reader organize the list.

4.5.1. Primary and Secondary Characteristics

Table 4.1. Characteristics and Summaries of Objections and Responses to Them (The listed responses are only indications of an argument, not the argument.)

<u>Characteristic</u> (First four are primary, second four are secondary)	<u>Philosophical Objections</u>	<u>Objection References</u>	<u>Responses to Objection</u>
1. <i>Humans are carbon-based like all terrestrial life</i>	<p>a. Humanity is not its biology but its structure. E.g. the neuron-replacement/fading qualia thought experiment</p> <p>b. Biologists provide only contingent definitions of life (that is on Earth) as carbon-based.</p> <p>c. Some new biological research indicates that human consciousness may not be particularly carbon-based.</p>	<p>a. Chalmers 1995a,b; also see Lanier 2006</p> <p>b. (Potential counter-objection)</p> <p>c. Pocket 2012, McFadden 2006</p>	<p>a. argument assumes the antecedent (assumes cells are defined by their input/output function).</p> <p>b. Biologists work with sets of definitions (life is cellular, etc.), carbon basis only one in a set.</p> <p>c. Research incomplete: the proposed consciousness frequencies may be carbon-restricted.</p> <p>d. Humanity may not be only its consciousness.</p>
2. <i>Humans are embodied (organic, fleshly beings)</i>	<p>a. Humans are not mere flesh but have a soul.</p> <p>b. Bioethics: Many a living body supported on machines may no longer be human.</p> <p>c. Individual identity only contingently tied to body; we are our</p>	<p>a. Traditional religions; also see Nozick 1982 and Hinman 2013. on mystical experience, Josephson 2000 on telepathy.</p> <p>b. (none specific)</p> <p>c. Memories: Locke 1952, Parfit 1984;</p>	<p>a. and d. are human-as-immaterial (or immortal): burden of proof lies on the credo to demonstrate that the individual human has existence qua individual human, <i>chronologically</i>, beyond the time-span</p>

	<p>memories, or our closest continuer.</p> <p>d. Being primarily our mind/brain, that structure is us and may be constituted by any structure, which structure itself is immaterial.</p> <p>e. We are our brains and our bodies are only contingent.</p>	<p>closest continuer: Nozick 1982.</p> <p>d. Chalmers 1996; see also Clark 2008, Bostrom 2005</p> <p>e. Nagel 1971.</p>	<p>from zygote to final equilibrium (death)</p> <p>b. The postulate includes the brain with body, does not say the non-brain part of body is all.</p> <p>c. Answered as to e. below, as if memories are all or part of brain.</p> <p>e. Not consistent with biology, as in cell entrainment (Clandinin and Zipursky 2002, Williams et al. 2010), cell development (Cull et al. 2003; also Quigley et al. 1999 on effectiveness) neuron growth (Blakemore and Cooper 1970, Durston et al. 1989), and extreme difference in individual brains (Basso et al. 1985)</p>
<p>3. <i>Humans are reproductive</i> (as embodied, as surviving mortal amalgams of long-chain carbon molecules).</p>	<p>a. Humans are not necessarily mortal.</p> <p>b. Some organisms fission and so are essentially immortal.</p> <p>c. Calling this trait a defining trait of humans can lead to reproductive essentialism</p>	<p>(Potential objections)</p>	<p>a. See responses to 2's objections above.</p> <p>b. Fissioning organisms are still reproductive.</p> <p>c. The possibility for abuse as reproductive essentialism is not a fault of the characteristic</p>
<p>4. <i>Humans are social/cultural.</i></p>	<p>a. What about <i>enfants sauvages</i>?</p> <p>b. Certain political Libertarianism: Ontologically the individual is primary and reigns supreme.</p>	<p>a. Newton 2002, Ward 2004</p> <p>b. (Selfish-gene theory of Dawkins 1976 can be made into support for this view.)</p>	<p>a. Not clear that these children are merely socially deprived; besides their deficits do seem to deduct from their full humanity.</p> <p>b. Any possible governmental abuse in awarding itself primacy over the individual does not call for the absurdity of asserting the individual can be defined without any other human beings. See also Axelrod 1984, Dennett 1995, Wilson 1998, Conniff 2006, and Wells 2010 on different levels at which selection works.</p>

<p>Secondary Traits: 1. <i>Human sociality tends to be based on the nuclear and extended family</i> (See esp. McFee 1977, Wenke 1990, Endicott 1999, Lee and Daly 1999, Pinker 2002, Kelly 2007, Davis 2008, Flannery and Marcus 2012.)</p>	<p>While the characteristic is hard to dispute anthropologically, it may be objected that giving it a place on a list of <i>quod sunt homines</i> could lead to rules about family-based social structure.</p>		<p>Again, potential abuse of a characteristic by rule essentialism does not alone call for dismissing the characteristic as an historical fact.</p>
<p>2. <i>Humans are linguistic</i> (de Saussure 1959, Chomsky 1965, Hunter 1977b)</p>	<p>Many <i>enfants sauvages</i> are not linguistic</p>	<p>Newton 2002, Ward 2004</p>	<p>Again, not clear that these children are merely linguistically deprived; besides their deficits do seem to deduct from their full humanity.</p>
<p>3. <i>Humans for much of their existence have been egalitarian.</i> (See Dentan 1972, Wenke 1990, Biesele and Royal-/O/OO 1999, Endicott 1999, Ingold 1999, Kaare and Woodburn 1999, Lee and Daly 1999, Pandya 1999, Kelly 2007, Flannery and Marcus 2012</p>	<p>When many humans began gradually shifting to sedentarism about 10,000 years ago, they lost their egalitarianism. This social change could as well reflect that humans are intrinsically inegalitarian and only need the right trigger. After all, this trigger happened many times.</p>		<p>See text in §4.5. and on values in 4.9.- 4.12. for full discussion. Basically, the support for the characteristic as one of <i>quod sunt homines</i> depends upon the context of a culture's entire set of values. The theme of reinstating equality has been such a long-lasting one in many post-sedentary cultures that these societies highly value equality despite other values that encumber them with inequality.</p>
<p>4. <i>Human individuals are autonomous.</i> (Kelly 2007,</p>	<p>Similarly to above: If humans have slowly shed their autonomy in agrarian, urban complex societies, their diminished state of autonomy may as likely be intrinsic to humans as not.</p>		<p>Again, see text (§§4.5. and 4.9.- 4.12): I look to the valuing of autonomy in the context of values as one that appears to be widely upheld even in cultures in which autonomy is compromised by other values they uphold.</p>

Because the final two postulates are so crucial to §§4.9-4.12 on values, I detail them further.

4.5.1.1. *Humans for Much of Their Existence Have Been Egalitarian.* This postulate, if not unanimously accepted among the scientific community, appears to be nearly so. One problem is the vagueness of the term “egalitarian” or “social equality.” Most of the 53 ethnographies, from all six habitable continents, of contemporary hunter-gatherer cultures in Lee and Daly (1999) describe these societies as egalitarian. Ingold (1999) analyses why such cultures’ social organizations tend toward the egalitarian: “the essence of band society is said to lie in the intimacy, conviviality, and familiarity inherent in what anthropological literature has conveniently called ‘face-to-face relationships.’” (400) Nevertheless, there is so much variation in these social organizations, it is difficult, if not specious, to say that all such bands are “equally equal.” Since the renowned 1976 “Man the Hunter” conference, which launched the new era of research into such cultures past and present, scientists have shown interest in how, in these societies, there is almost parity in social position between the genders (Endicott 1999, Kelly 2007).¹⁷⁸ In many of these cultures, such as the !Kung-speaking bands of the Kalahari desert (Biesele and Royal-/O/OO 1999) or the Andaman Islanders (Pandya 1999), while women and men have somewhat different social roles, both social roles are equally esteemed. While the “headman” is usually male, this person is almost always merely one to whom people turn for an opinion, although the position can easily be revoked if the opinion is repeatedly not respected. Thus, in many or most of these cultures, women’s opinions in communal decisions are heeded. However, in other hunter-gatherer cultures, particularly many in Australia and New Guinea, even while the social organization is otherwise not hierarchical and the “headman” has little if any

¹⁷⁸ Perhaps the conference would more aptly have been named “Man and Woman the Hunter and Gatherer”—the blurring of the genders here reflecting the fact that in many such cultures, women hunt as well as gather and men gather as well as hunt. However, in a few such cultures, especially those in the Arctic where there is little gathering and almost all food is meat, women usually do little hunting and are relegated primarily to domestic chores, and such skewing of duties seems (and this assessment is very controversial) to render women with lesser social status. (See Lee and Daly 1999.)

power, women may have lesser social status (Kelly 2007, Flannery and Marcus 2012). Thence, part of the problem with the term “egalitarian”: While in almost all hunter-gatherer cultures there is veritably no social hierarchy beyond age (the very young have little say-so) and, in most, there is gender parity, in some there is not gender parity. Kelly (2007) emphasizes the wide variation among hunter-gatherer cultures across the globe and how it is nigh impossible to draw up one set of social parameters, such as “equality,” for their political organization. This variation nonetheless points to how early, nomadic human societies and modern hunter-gatherers *tend* toward egalitarian social structure. It is the very recent onset of sedentarism, food storage, and permanent land ownership that took human cultures distinctly away from earlier egalitarian social structures (Diamond 1987, Wenke 1990, Flannery and Marcus 2012).¹⁷⁹

This egalitarianism is not always, and probably rarely, a conscious ideal of these cultures but arises through dynamic, vigilant social mechanisms, by which individuals are constantly prevented from attaining more status than the others have. These “leveling mechanisms” (Kaare and Woodburn 1999) are often hand-in-hand with scrupulous customs for sharing resources. Not only most hunter-gatherers, but also some egalitarian horticulturists such as the Semai of mainland Malaysia (Dentan 1972), have extensive customs for sharing resources, including foods harvested from the wild, with potent social censure for those who are stingy. The one who harvests the food or, more commonly, whose tool is responsible, may be the “owner” of the food; but the pressure is high on the individual to distribute the food among the village or band, usually portioning no more for oneself than for another. To retain much more food for oneself or store it clandestinely is effectively to alienate oneself.

¹⁷⁹ Nomadism as opposed to sedentarism appears to be a major distinction between egalitarian vs. inegalitarian cultures, a factor making a difference in related attitudes and values of the culture. As Woodburn (1988) observes, egalitarian societies “are nomadic and positively value movement. They do not accumulate property but consume it.... They tend to use portable, utilitarian, easily acquired, replaceable artifacts... The system is one in which people travel light, unencumbered, as they see it, by possessions and by commitment.” (99; quoted in Kelly 2007, 296)

Kelly (2007) offers theories attempting to explain why such societies exercise sharing. Notably, the custom has arisen in hunter-gatherer societies throughout the world and does not appear to be one passed on like an invention from group-to-group but to have developed fairly independently throughout prehistory. The custom of sharing and reciprocity may be explained as a form of “variance reduction” (172) in the availability of resources over seasons and years and among individual foragers. But, as with Brazil’s Ache, despite a great variety among individual foragers, people still share within their community, possibly due to “kin selection, tolerated theft, reciprocity, [or] cooperative acquisition.” (173) Whatever the precise reasons, such resource sharing appears to be the quotidian basis for—more broadly throughout the society—basic equality, at least among adults in these communities. Egalitarianism here “does not mean that all members have the same amount of goods, food prestige, or authority.... [Instead,] everyone has equal access to food, to the technology needed to acquire resources, and to the paths leading to prestige.” (296) Maintaining such social conditions does not simply require the absence of hierarchy, but hierarchy must be vigilantly plucked from the bud: “Hunter-gatherers are sometimes described as fiercely egalitarian... because the maintenance of an egalitarian society requires effort,” (296), even if that effort is not done for some “ideal” of equality. Social customs of shaming and belittling violators prevents “some individuals from lording it over others.” (296)

While this general egalitarianism even between the genders may indeed be the social organization among which our species—and perhaps some ancestor Hominid species—lived for vast majority of our prehistory, the challenge for this postulate is what it can cogently offer for *quod sunt homines*. Frequently in human prehistory and history, cultures gradually gave up their nomadic ways and began settling down and changing into hierarchical, inequalitarian societies (Wenke 1990, Lee and Daly 1999, Kelly 2007, Flannery and Marcus 2012). If this tendency has

been shown to occur repeatedly across the world, even if only very recently in Hominid's existence, then could not inequality be as much *quod sunt homines* as egalitarianism is—if not more so, considering inequality, hierarchical society, since that in industrial democracies (where one percent may own much of the society's wealth) is indeed the organization of the vast majority of contemporary humans?

The question leads into perhaps the greatest problem of “is” vs. “ought” in all the postulates offered here. Note, first, that some cultures have resisted (Lee and Daly 1999, Kelly 2007) and continue to resist (Miller 2013) the shift into hierarchical societies or succumbing to such societies' assimilating them. Consider then two basic possibilities here for what comprises “is,” or *quod sunt homines*: 1) Human beings, having lived in egalitarian societies for most of their existence, experience the optimization of certain values when living in such social organizations; 2) Human beings, having recently and increasingly come into inequality, hierarchical societies such as that in Augustan Rome or contemporary United States, experience the optimization of certain values when living in such social organizations. Whatever values are “optimized” in each of these two cases, they are likely not the same. The problem, then, is what are those different sets of values, can we assess them according to some “meta-cultural” or cross-cultural standard (if such a standard is possible), and are some of these values more consistent with *quod sunt homines* than others?

This problem, then, represents the one at the heart of this chapter and of this thesis: Simply, are there certain values or orderings of values, compared from one culture to another, that are more consistent with *quod sunt homines* than others? I cannot hope to answer that question to full satisfaction in the thesis but only to point to an answer, leaving plenty of room for subsequent work. I note the curiosity that, even within the marked inequality of

contemporary industrial as well as historical states, the concern for some kind of basic equality among humans has been ongoing, from Hobbes through Locke and Rousseau and the U.S. Constitution and up through Marx, Sen, Rawls, G.A. Cohen, Gould, and Nussbaum, among innumerable advocates and critics. One great problem has been defining “equality”—whether of welfare, resources, starting position. Another problem, less patently acknowledged, is that of fitting whatever “equality” has been decided upon into a type of social/cultural organization—whether agrarian, urban, industrial, or hierarchical—that came about only through the provenance of inegalitarianism. From its very basis and incipience, this type of social organization is directly inimical to equality (Flannery and Marcus 2012; this definitive, detailed work emphasizes this fact over and over in different instances of social evolutions). Why many cultures have repeatedly shifted from egalitarian structure to hierarchical, inegalitarian, and usually oppressive ones involves a complex of subtle sub-developments (such as differential responses to resource distributions and variances) (Kelly 2007, Flannery and Marcus 2012).

At the risk of over-generalization, I note that the literature points to one major, but highly controversial, factor behind this shift: When human bands reach certain (still indeterminate) population densities, they tend toward settlement, cultivation, and food storage. Sedentarism and storage breaks the need for the sharing that is nurtured in nomadic, foraging cultures. Without such social “leveling” customs, individuals in inegalitarian societies cease to be hampered by shame over accumulation and differential ownership. The way is blazed to hierarchy, through the alleged divine-blessedness of those who have more. Thus, the problem for philosophers from Hobbes to the present has been one of fitting a concept, equality, into a system of social organization that to the finest grains of its structure is inegalitarian. Nonetheless, their concern

for (re)establishing equality in such societies is arguably evidence for the possibility that this hierarchical structure is not optimizing certain cherished values.

The philosophical question here is: Does this shift to hierarchy, just because it has happened, mean that it better represents *quod sunt homines* than does equality? Conversely, does the state of equality that humans experienced for most of their specific existence better represent *quod sunt homines* than the very recent (8000 BCE or sooner) inequality and its overwhelming surge in human existence, just because the former was more lengthily experienced?

To support why inequality is the value-optimizing option by resorting to the historical trend toward inequality and to current population figures for lives in such condition only begs the question of why the trend represents such optimization. Conversely, pointing merely to the fact that humans lived so long in equality would only beg the question of why length of such experience represents value-optimization. I do not believe that looking at equality or inequality alone can answer the question about value-optimization, but instead the larger context of other values (as I discuss later) can eventually lead to a way of deciding between these two.

4.5.1.2 *Human Individuals Are Autonomous*, or at least they lived as autonomous for most of the species' existence.¹⁸⁰ Anthropologists who investigate egalitarian cultures often observe that

¹⁸⁰ In discussing autonomy in this chapter, I lean toward the understanding of the concept common among anthropologists who have investigated foraging societies, as when Kelly (see below) speaks of “self-governance” and being “headman over yourself.” I take this understanding to be consistent with the idea that autonomy is the individual’s capacity within the social context to become and to be fully realized as a human being, especially as an individual may develop talents that contribute significantly to the society so that the individual is fully a part of that society. Autonomy is thus not somehow independent of society, nor cripplingly dependent upon society, but is wholly complementary to society: The group and the individual both need each other for full definition. Most important, if some individuals are not autonomous, the group suffers—including the autonomy of individual members. This understanding is also consistent with the word “autonomy” itself, roughly “self-ruled”: the agent is able to rule or decide what he or she is to become and be. This self-governance thus also entails equality because if some members are not self-governed and others are governing them (outside those with burdensome incapacities), then some members have power over others’ lives, which means a state of inequality. There may be conflicts here with some philosophical notions of personal autonomy, but I believe that the one I offer here is at least not inconsistent with Kant’s.

equality is the complement of autonomy (or vice versa)—although, between the two, among forager cultures autonomy is more often seen as both reality *and* explicit ideal. Many hunter-gatherer peoples emphasize autonomy in their everyday lives (Kelly 2007). “The need for autonomy is asserted explicitly, and self-descriptions of many hunter-gatherer societies consist of strong appeals to self-governance.... Egalitarian societies are those in which each person is ‘headman over himself’... where each person can achieve prestige, but where prestige should not be used to gain power over another band member.” (296)

As with egalitarianism, autonomy as a characteristic of *quod sunt homines* faces a number of problems. One is that, like equality, the degree of autonomy varies even among hunter-gatherer cultures; the ones tending toward sedentarism tend more toward less autonomy for all and specifically for less autonomy for women. (“[S]ocial equality is embedded in and inseparable from gender equality” [Kelly 2007, 297].) Second, as with equality, just because humans experienced autonomy for much of their prehistory, would this characteristic necessarily qualify as one of *quod sunt homines*? Could it not just be a variable, if once commonly occurring, cultural trait (and thus a tertiary characteristic as discussed below)? Further, also like equality, the fact that it is an ideal of certain ongoing political philosophies or movements may point more toward its being normative rather than a descriptive trait. (This point, as with equality, could also be used to support the contention that autonomy is in fact a trait of *quod sunt*

One interesting facet of this anthropologically based understanding of autonomy is that, in foraging societies, which are relatively small amounts of types of tasks compared with industrialized cultures, most adult members have some acquaintance with doing all the major tasks that the band undertakes (with some reasonable exceptions, such as men’s incapacity to gestate or lactate). This fact thus exhibits high autonomy in three ways: 1) There are few enough tasks that, in being acquainted with all, an agent is highly likely to find a task at which he or she is expert; so one’s talents among the group are likely to find expression; 2) if one person who is markedly good at a task is debilitated, others can at least fill in; 3) If one is stranded, one commonly has the range of skills to do what is necessary to stay alive. Industrialized societies exhibit diminished autonomy on all three counts: With millions of types of tasks, one has lower probability of finding the task that fulfills one’s talents and thus fulfills one’s sense of autonomy; with high specialization, few could fill in for another; and if left stranded, one’s specialty is unlikely to leave one with skills necessary to stay alive. (One may ask whether such generally diminished autonomy helps account for the common sense of anomie, apathy, and loss of control of one’s life among industrialized societies.)

homines but that it has been oppressed by sociopolitical regimes, hence its becoming a major theme of normative sociopolitical philosophies and movements.) Finally, autonomy is a vague and difficult concept to capture, much less to quantify; it appears to be largely based upon agents' subjective experience. Contrast equality, which lends itself to a degree of quantifiability. If one could at least establish that when there is equality, there is autonomy, this vagueness should be no problem; but this establishment could entail extensive philosophical exegesis. In the meantime, this vagueness can create problems in evidencing autonomy in cultures.

As with egalitarianism, the issue of autonomy evokes a comparable challenge as to whether, in an intrinsically hierarchical culture, any sociopolitical philosophy or movement can realize the same degree of autonomy experienced in egalitarian cultures. One may also question whether the values optimized in conditions in which autonomy is lowered take precedence over those values optimized when autonomy is maximized. For now, I can only lay out the questions that need to be explored fully, if not in this work, then in another. In the meantime, I propose it is at least plausible to maintain that, considering how humans so long experienced a high level of autonomy, the characteristic is cross-cultural, is culturally transcendent, and is a candidate for *quod sunt homines*, even if, like equality (and like language, for that matter,¹⁸¹ but unlike carbon-basis or embodiment), it can be undermined by sufficiently powerful forces. At the least, humans' ongoing effort within almost all cultures to assert their autonomy attests to a strong affinity for it, and that affinity attests an indelible characteristic of the species.

4.5.3. Tertiary and Higher Level Characteristics.

For completeness, I mention the possibility of higher-level characteristics commonly seen in human cultures without going into detail about them or arguments for their place in *quod sunt*

¹⁸¹ I am thinking of how powerful political forces can force out a specific language, not obliterate all languages.

homines. I attempt no more than an informal relegation of characteristics into higher-than-secondary without attempting a rigorous delineation.

Human social characteristics such as gender, arts, bellicosity (which may include the lack of war), property and ownership, morality, degree of labor specialization, and technologies may be seen across all cultures. Each of these may be used, in varying contexts, to characterize the species: Humans are warlike, or labor-specialists, or technological, or artistic, or gendered, or property-owning. I suggest, though, that such characteristics run along more of a spectrum than do the primary and secondary characteristics discussed. Some cultures are very warlike, others have virtually no history of war; some are highly technological, others much less so; some have two clear genders corresponding to the two sexes, others possibly dozens (Mayilvaganan 2012). Because of such spectra, I hesitate to include any concrete characteristic, such as “warlike,” in *quod sunt homines*, even if the abstract category in which a trait falls, such as “degree of bellicosity,” may pertain.

An obvious objection to this division of secondary from higher-order characteristics is that equality and autonomy appear to vary as well from culture to culture, so they should be relegated to “higher-order.” It appears that equality or autonomy vary in degree, as if along a spectrum, as much as, say, bellicosity does. At this stage, I can only state the reasons for the division, without the extensive argument that would be required for full support, as for present purposes the precise ordering into varying orders is somewhat arbitrary, not as important as the contents of the characteristics. I include equality and autonomy as lower-order because, from present anthropological perspective, they appear to be phylogenically more basic: If Hominids did indeed exist in bands for most of their prehistory and these bands’ organizations were indeed much like those of hunter-gatherers, equality and autonomy were likely characteristics of those

cultures, and it may well be that over that time-span human psychology was largely shaped to expect such social organization, thus partly explaining why concerns for reviving equality and autonomy in current (usually industrialized) cultures continue today. One may then say that these features come to be intrinsic qualities of our “humanness,” so it seems, by many lights, to be inhuman to oppress individual autonomy and the drive for equality. The arts, property-ownership, and labor-specialization (which is partly defined by sex) appear, in the record so far, to be more recent developments, probably since the emergence of *Homo sapiens sapiens*, within the last few ten thousands of years or, for specialization property-ownership, much less (Flannery and Marcus 2012). One may say, if these are so recent and particular to *Homo sapiens sapiens*, this fact may mean they are very particularly intrinsic to us and must be accounted for in any *quod sunt homines*. I will not deny whether, or argue the degree to which, these characteristics should be included in *quod sunt homines*, but only offer how they do indeed seem to be relatively recent and less deeply ingrained in the human organism than, say, our carbon basis or even language.

Another way to see the division is through a thought experiment: Take away property-ownership, labor specialization, war, or possibly even gender (as distinct from sex). Would we as a species be any less human, or would certain cultures just be a little less like such cultures? Take away our autonomy, drive for equality, or language, and not only would cultures be much less themselves, but humans would be less human. There is, I admit, a great deal of intuition involved in this division between secondary and tertiary characteristics, part of which is due to the fact I cannot digress into full argument on this issue but only aspire to appeal to others’ intuitions. If I do not so appeal, as I have said the important characteristics still remain in *quod sunt homines*; only their ordering would differ.

There remain the characteristics of the arts and technologies. Even million-years-old Hominids appear to have technology in the form of axes (Hunter 1977c), and stone axes eventually proved to be the predecessors of what we now call “the arts.” (Mithen 2006) In the thought-experiment, take away the arts, and we would certainly seem to be less human, if not non-human. Take away technologies (say all food is picked or plucked and the climate is equable), while we still may be fully human in being sociable, sharing, moral, linguistic, and autonomous, say, we would still be left explaining why Hominids always seemed to have had technologies. I can only revert to the other criterion for tertiary: and that is while the category appears to exist for all cultures, the variance is so wide along a spectrum as to render the characteristic too diffuse for primary or secondary.

If tertiary characteristics are those whose general category appears to exist in all cultures but the manifestation thereof and the degree to which they manifest vary widely culture-to-culture, quaternary characteristics would be those in which the category itself is culturally peculiar. State government or market economy would be such characteristics, as well as rationality as discussed in §1.3. and Appendix A. Quaternary cultural characteristics may be those particular to individuals or small subcultures; rationality may be quaternary as well as quaternary. But I proceed no further with such ordering.

4.5.4. Another Approach to “Universal” Human Characteristics

While as long ago as the ancient Greeks, writers have inquired into which traits are common to the species, more recently anthropologists have striven to develop somewhat more rigorous lists of such traits, as described at the start of §4.5. For contrast with the effort in this section, I mention only one recent, anthropological approach. This is Brown’s (1991) vast inventory of

alleged human universals, or more precisely, a list of traits, practices, beliefs, social structures, and situations that all peoples are supposed to have. This list exacts much greater dependence upon readers' intuitions and demands upon interpretation than the above list does (at least of primary and secondary characteristics), as many items listed are notably vague, and the list offers no ordering of these traits. Thus, it includes such as "conflict," "hope," "imagery," "intention," "divination," and "music seen as art," among hundreds more. I refer the interested reader to Brown's list for more. I mention it because, without ordering, extent of applicability, or necessity (if one does not have "body ornament," is one not really human?), I find such a list is less practical than the ordered approach to *quod sunt homines* taken above, even if the latter approach is still sketchy, inexact, and subject to controversy.

4.5.5. Further Empirical Support for Quod Sunt Homines in General

I have striven to back up each of the proposed characteristics for *quod sunt homines* with empirical support from biology, archaeology, and anthropology. I want to offer now one line of evidence for the general idea that there is indeed something that we are qua human. Archaeology describes how there have been waves of radiation of Hominids since their origins in Africa over two million years ago (Wenke 1990, Mithen 2006, Wells 2010, Flannery and Marcus 2012). These waves leave signs of culture and of cultural radiation as well. That is, certain cultural practices may be passed along from group to migrating group. From that cultural radiation, it is hard to tease apart what is merely cultural, in say the quaternary sense given above, and what is something that humans anywhere, whether or not they had borrowed the idea from another group, would develop. Archaeological findings of much more recent human societies, though, offer evidence of traits likely developed among cultures independently of one another but which

is strikingly similar among each instance. Such evidence is not merely of technologies but of cultural practices that, because of their timing and far-apart locations, could not have been transmitted but must have been independently devised.

One general category of cultural-practice change is a shift from nomadism to sedentarism. I am not proposing that this shift means that undergoing such a transition is an intrinsic and necessary characteristic of humans. Instead, I mention it because of what happens subsequent to such transitions. One common step for such cultural transition is that from nomadism to temporary sedentarism and seasonal horticulture, and further steps into increasing amounts of land-cultivation and decreasing foraging. An interesting aspect to this process is the patterns in settlement layout and construction insofar as they reflect cultural practices. One pattern is that domiciles in less sedentary groups tend to be circular and laid out in circular or oval patterns in the village, around an open public space, where ritual events are held (see figures in Flannery and Marcus 2012, 110). Evidence indicates it is very unlikely that cultures radiated the practice but instead each developed it independently. As the groups become more settled, domiciles become rectangular and ordered more rectilinearly in space. With increased settlement throughout the year, signs of clan division start to show: Some houses become larger than average, and non-residential small buildings start to appear, used for certain rituals. These latter may have arisen out of so-called “bachelors’ huts” in, for example, early Andaman Island societies that were only partly sedentary, in which unmarried youths lived and performed ceremonies (42-45). With more sedentary, clan-oriented, horticultural societies, separate ritual houses became permanent features and were frequently known as “men’s houses.” There were thus early signs of general hierarchy, through clan organization, along with a concomitant sexual hierarchy: Men’s houses and their rituals came to have a social predominance as clans,

hereditarianism, hierarchy, sedentarism, and property-ownership increased. (Some early societies also had women's ritual houses with their own role in ceremony and community practices, although apparently men's rituals and their ritual houses began attaining predominance; see 113-116.) These ritual houses include sleeping areas for youths, with larger rooms for the elder leaders, who also sometimes had slaves. Leaders had ascendancy in knowledge and connection with the supernatural. In time, ritual houses transformed increasingly into early temples, whose leaders took on a social position that would in time evolve into priesthood.

What is interesting about these developments is how they occurred in areas as far apart in time, space, and cultural connection as New Guinea, Mesoamerica, the Middle East and Fertile Crescent, Australia, Africa, North America, and the Pacific Islands, sometimes 10,000 years ago, sometimes 1000. In each case there was the transition to permanent settlements, the appearance of ritual men's houses, the accumulation of relics connected with these houses and their rituals along with the appearance of objects that signified prestige and the differential distribution of these objects among families. This pattern of the settlement's development of a specially dedicated building for ritual and for its male members to sleep in and learn the rituals—with no evidence that this pattern was passed along by radiation, and the tendency for such buildings to develop into temples—is remarkable. I would not contend that such patterns themselves are signs of *quod sunt homines*; rather, the fact that the pattern keeps appearing, given the conditions that lead to permanent settlement, signifies counterfactually that were there not something that humans are qua humans, it would be difficult to explain why these patterns keep developing. It does not indicate that such cultural patterns given the causative conditions are particularly “natural” for humans or are somehow the cultural patterns in which they should be living or

which is optimal for them. Rather, given the conditions exerted upon a certain kind of being, that kind of being repeatedly responds in a similar way, regardless of the individuals' differences.¹⁸²

Similarly, a rat confined in a cage, given certain stressor conditions and rewards of sugar water, may develop a habit to drink only sugar water under duress, despite the fact such diet is deficient (Pecoraro et al. 2004). The response does not mean the situation and behavior pattern is “natural” or optimal for the organism. Rather, being a certain kind of being qua rat, it responds to these conditions in a patterned way such that, if it were not a certain kind of being, such patterns would not be predicted or exhibited.

The archaeological evidence corroborates the proposal that there is a kind of entity that humans are qua human, or *quod sunt homines*, whatever exactly that thing is.

4.5.6. Relating Cultural Values to the Valuing of Life in and of Itself

Just as certain conditions and environments are suboptimal for an individual animal given the kind of organism it is, I propose that certain conditions and environments can be suboptimal for a human being given *quod sunt homines*. A problem in both cases is just what is meant by “suboptimal” and who is to determine which and why certain conditions and environments are suboptimal. If this determination can be made, then since human conditions and environments are highly regulated and influenced by cultures and their values, it should be possible to assess one's cultural values according to how they measure up to such optimality. This optimality, as I propose in the course of this chapter, corresponds with how well a culture's prioritizations of

¹⁸² Also, very importantly, the fact of such patterns does not imply that whatever kind of being humans are, they are somehow genetically “programmed” to produce such patterns as hierarchism and inequality. For one matter, it appears that there is a certain environmental factor—such as population densities among neighboring hunter-gatherer groups—that prompt many peoples to start following these patterns. For another matter, the fact that there have been and continue to be peoples who do not fall into these patterns of hierarchy and inequality signifies that shifting to these patterns is not genetically “hard-wired” (to use the common cliché employed in such discussions) into humans.

values accord with valuing life in and of itself. Furthermore, valuing life in and of itself and prioritizing values in faithful accord with it (and acting on this priority) leads to optimal (cultural) conditions and environments for a human being given *quod sunt homines*.

4.6. Cultural-Value Evaluation in Anthropology and Social Sciences

The proposal to assess cultural values for the optimality or suboptimality for humans given *quod sunt homines* is not entirely original, at least in spirit, granting somewhat different terminology. Almost since anthropology's incipience in the early 19th Century, and especially since its more recent incarnation, the discipline has long been convulsed by debate over which stance to take on morally evaluating cultures. While 16th, 17th, and 18th Century Western explorers kept remarkably thorough and useful diaries describing the peoples encountered, their general outlook by which they held themselves as more culturally and morally progressed than these peoples affected their accounts (Edgerton 1992). Colonists, such as those in Australia in the 19th Century, so disdained the native peoples as to deem and treat them as animals (Davis 2008).

Anthropologists throughout that century tended to maintain the same perspective of their own advancement even concerning the peoples they studied, but now abetted by the Darwinist outlook that held it was a scientific fact that humans were progressing in a certain direction and some humans were far behind. Late in the century, though, Franz Boas, who trained in physics and mathematics, founded what is now considered "modern anthropology" by introducing what he characterized as scientific objectivity, exhorting moral neutrality when studying any society or culture (Davis 2008). At Columbia University, he taught a host of the preeminent anthropologists in the 20th Century, including Benedict and Mead, and influenced Malinowski. This outlook held that anthropologists, Westerners by a vast majority until recently, could too

easily superimpose their own cultural values and so should make a conscious effort not to judge their subjects morally but record and analyze their activities as a naturalist might a meadow.

However, by mid-20th Century, this outlook of “cultural relativism” was coming under attack by anthropologists partly reverting to the early 19th-Century outlook. They held it was not only potentially inhumane for ethnographers to stand back and watch people cannibalize, witch-hunt, genitally mutilate, and undergo severe initiation rites; it could also be scientifically inaccurate to do so. By focusing on what was unique to cultures, ethnographers were missing what was common. If there were such a thing as cultural-evolutionary progress, as from one stage of technology-development to another, they were forsaking their tasks. “In 1950 Ralph Linton... wrote that there could be universal ethical standards” (Edgerton 1992, 35). Several practitioners at that time concurred, including Kroeber, Murdock, and Kluckhohn. Redfield wrote, “... on the whole the human race has come to develop a more decent and humane measure of goodness... there has been a transformation in ethical judgment which makes us look at non-civilized people, not as equals...” (quoted in Edgerton 1992, 35) Murdock said that “All people... prefer Western technology” (Edgerton 1992, 35). Later, “Echoing Murdock, Hippler asserted that Western culture was superior and that most ‘primitives’ find it irresistible.”¹⁸³ In the meantime, further schools have branched off, include extreme versions of relativism such as interpretativism and post-modernism, some saying not only were other cultures worlds in their

¹⁸³ This proposition that peoples worldwide prefer the Western way when given the chance to embrace it is falsified by ethnographic data, which shows that many cultures, when given the opportunity, resist embracing Western practices and technology and prefer their practices. See Dentan 1979; Davis, Mackenzie and Kennedy 1995, Davis 2008. Miller (2013) discusses a phenomenon of many dozens of peoples worldwide who have resisted even the mere presence of Westerners in their areas. Proponents of the Linton-Murdock school may dismiss the significance of these peoples by saying they are merely succumbing to a human, often deleterious, tendency to cling to traditional cultural ways, no matter how non-adaptive and harmful to themselves, such as the Duddie’s Branch group of Kentucky (Gazzaway 1969). This debate, I am afraid, is extremely tangled, perhaps irresolvable at the scientific level if a group’s attitude is dismissed as a mere and incorrect “human tendency.” Parties in the debate would then more appropriately admit that it is indeed an ethical and legal debate and involves concerns of collective rights, which are increasingly recognized by international organizations such as the United Nations. See Miller (2013) for further discussion.

own right, but they were almost incomprehensible to outsiders. Although there are hardly just two sides to the debate, the distinguishing issue is the degree to which one can “objectively” evaluate a culture morally. To do so cogently, it seems one must indeed have a fairly indisputable universal set of moral principles, if one indeed aspired to being ethical in socially interfering in a culture for its moral improvement. Or, one would have to resort to “We may have only our own principles and not know they’re universal, but we will make these peoples conform to them anyway,” not a currently conscionable position.

Finding a fairly indisputably universal set of moral principles via anthropology would be an immense task, facing not just the classical “is/ought” conundrum but establishing just what moral principles are and then what those specifically should be. More modestly, Davis (2008) concedes that anthropologists, while aspiring to scientific objectivity as much as humanly possible, should also not forget that as humans they do have a moral outlook, and so at least at a personal level, during their ethnographic field work, they should remain attune to moral nuances among the peoples they study. That is, it is a matter of finessing their objectivity with some degree of their all-too-human, albeit trained, personal moral view of the situation. As many say of medicine, one needs to train oneself in an art in the application of the science. This approach still allows great latitude for cultural relativism.

Edgerton (1992), while acknowledging that relativism has worked some benefits, as in countering ethnocentrism and racism, stresses it has gone too far in moral leniency and seeks a universal evaluative method. His book *Sick Societies* strongly rebukes a large number of societies of all kinds, from hunter-gatherer to industrialized, for moral shortcomings, with finely researched and powerful, often emotionally evocative anecdotes. However, in the process, he does not derive a rigorous system of evaluation or make it obvious exactly what are and whence

come the principles he does use to evaluate, even while insisting such principles are necessary. The reader must resort to deducing what the principles may be, indirectly by how he criticizes cultures. Thus, repeatedly he criticizes cultures for not using rational means to establish and employ their beliefs and practices. “Rational, calculated decisions intended to resolve a people’s problems seldom occur in small societies.” (200) More potential criteria creep up in his assessment that “populations have not always gotten things right. Inefficiency, folly, venality, cruelty, and misery were and are a part of human history. Human suffering is one result.” (202) At one point, he also offers hints of positive criteria he is using for evaluation, in noting how the controlling elites in large complex societies such as ours serve their own interests while the rest of the population is of marginal concern: “By criteria such as well-being, life satisfaction, good health, and longevity, elites are better ‘adapted’ than the rest of the population.” (102) Thus, individuals’ well-being, health and life satisfaction are criteria for morally evaluating societies, even if primarily elites enjoy these.

Thus it seems that Edgerton is using some kind of consequentialism, vaguely utilitarianism, as well as general rationality, to assess cultures morally. Human beings have certain needs, such as well-being, life satisfaction, and health, and the better a society meets these—which they may be most likely to do if they set their beliefs and practices rationally—the better the culture is fulfills its moral purpose. The problem that he, much like the science-based ethicists discussed in §2.7, faces is formulating just how one derives these principles from the massive amount of ethnographic data. Edgerton offers some examples of individuals’ disgust or surfeit or boredom with their cultures, some of them leaving, others committing suicide. But the burden remains of extracting from the data just what these individuals, and those in every culture

everywhere, need to get from their culture.¹⁸⁴ In other words, there remains the perennial consequentialist problem of just what is well-being and life satisfaction. Saying what “bad health” is, is not difficult; but establishing what good health is, beyond “not bad health,” is harder. If per capita longevity is a criterion of successful societies, why do many areas with high longevity, such as Sweden and Finland, have high levels of depression and suicide while others, such as Colombia, with lower longevity, rate higher on “happiness” scales? Perhaps extensive research in such details may one day yield an answer and reveal what are well-being and life-satisfaction and what fulfills them and thus what are the beliefs and practices that best generate them. For now, Edgerton, like Harris (2010) discussed in §2.7, can offer the word “well-being” as a criterion against which to assess cultures’ success; but as to what in concrete terms exactly constitutes “well-being,” this approach suffers the strong potential of reverting to one’s own society’s acculturated outlooks on what makes the good life.¹⁸⁵

¹⁸⁴ As an aside, I should mention that the book, while fabulously researched and backed by an Aztec temple’s worth of brilliant anecdotes from the ethnographic literature, also suffers from this same surfeit. It is virtually a compendium of bad and evil incidents of societies, from the earliest archaeologically decipherable history up to present times, from hunter-gatherer to the most complex industrial society. Despite its subtitle, *Challenging the Myth of Primitive Harmony*, the book faults modern Western cultures, as well as primitive ones, for not fulfilling human needs. The setback for such a compendium approach is that the 220 pages of text do not suffice for sufficient analysis, which it would seem should comprise an *Encyclopedia Britannica*-length expansion of the details and analysis of the ethnographic anecdotes. Too often, the author resorts to blanket judgments that beg justification. For example, speaking of the Tasmanians, the first truly ethnographically studied indigenous culture (in the early 19th Century), he speaks of their vast simplification of technology compared to their ancestors’, as if that fact alone should evidence a cultural degeneration. Perhaps—but why did they lose so many previous technologies, and was the simplification itself a harm to them? Were there any compensations? In other more tropical cultures, where people went with few clothes even on chilly days, were they suffering, or did their bodies’ set-points adjust? These sorts of issues could be extended for almost every ethnographic anecdote provided. This fact, despite the impressive breadth of research, leaves a widespread veneer of neglect to the book—a judgment I hesitate to make, considering the book’s venerable and inspiring effort.

¹⁸⁵ For example, writing a shelf-full of symphonies, or creating a computer virus that evades every anti-virus program, or rearing kids who all make it to Oxford, or establishing an information market that kills all competition so one is the only information source on the planet may all sound like life fulfillment in one culture; but to members in another sound perfectly horrific or dull. Conversely, spending all of one day digging roots and searching out fruits, then spending the next day chatting with one’s family and friends about yesterday’s root-digging ventures and what The Trickster did to confound the search, may sound horrifically dull to members of another culture. Edgerton may allow that those pursuing the activities of the first culture are life-satisfied, and those successfully pursuing the activities of the second are life-satisfied. The question remains, what is life-satisfied? Do either or both of these sets of activities lead to well-being, or does one do so better than the other?

A useful lesson from Edgerton's attempt at culture evaluation is not its moral pronouncements upon cultures but, as his title suggests, it is "medical" or diagnostic: If human biology can suffer pathologies, it may be that human culture can as well. Such an approach would still mean that, if there is a norm of wellness for human bodies, there would be one for human cultures as well. Unfortunately, Edgerton does not go far enough into what that wellness norm for cultures may be, beyond the hints of utilitarian moral concerns just described. If there were some broad, non-moral criteria for cultural wellness norms, then from these one may infer when a culture is starting to stray into pathology, but without making a particular moral judgment upon that society. Given these criteria for norms, though, individuals and cultural subgroups may be able to determine what, if anything, can be done to induce the culture's beliefs and practices to a state of better wellness.

I offer the approach in the next section as a way to pursue such inducement. It is a comparative method: For biological health, comparing individuals' health is a way to determine wellness norms. Perhaps comparison can be useful for determining cultural health and pathology as well.

R. Wilson (1997) has also inquired into how to evaluate cultures morally, in this case in terms of human rights. Somewhat like Edgerton, who concedes that relativity has been a useful tool to encourage objectivity in ethnography, Wilson seeks to go beyond the simplistic relativity/universality dichotomy. But Wilson hesitates in applying strictly universal principles to adjudicate, for all societies, all the cultural practices that they should exhibit to count as moral. An alternate way to assess cultures is through comparing their prioritizations of values, particularly in their relation to valuing life in and of itself, to which I turn next.

4.7. Value Prioritization as a Comparative Method

In Chapter 3, I proposed that volio forms the basis of all other human values. In this way, volio has a physiological analogy in embryonic stem cells, which can give rise to all other kinds of cells for different tissue types. However, while stem cells eventually disappear in later development, I suggest that volio does not disappear, even if it can be strongly overshadowed by some of the very values to which it gave rise. It can also, if it has lost its primary place, potentially be returned to its original priority. Different cultures may have different value ordering, that is, adhere to any of various values from the value universe and order these in any of many different ways. Some of these are more consistent with the “spirit” of volio than others.

A culture that so values internecine war, to the point that most of its male members die through warfare (Keeley 1996), would be a good candidate for one that values war more than it does life in and of itself. Perhaps it began by developing war defensively, having earlier valued life in and of itself more greatly, and having succumbed to war to help sustain its valuing of life in and of itself; but over time (for any of many possible reasons, such as the Aztec Empire’s expanding its territories and thereby winning more sacrificial victims), war became so valuable that its value in the culture overtook volio. Through some force of effort, such as efforts at moral progress described in §1.2.2.1., a culture may come to reorder its values. Edgerton (1992) has noted instances of what in essence is a culture’s value reordering as well. Individuals, too, may work to reorder their own idiosyncratic ordering of values.

There are two main problems with this approach to assessment by ordering of values: 1) the empirical problem of determining what is a culture’s value ordering, especially in complex, large, industrial societies such as Brazil, Canada, or Russia, which are composed of innumerable subcultures; and 2) the practical problem of how reordering of values is to be effected, when

cultures, which comprise values, can be inert and resistant to change. As for the second problem, I can do little more than Moody-Adams, Nussbaum, and other philosophers have done in their exhorting moral “progress,” whatever its exact mechanism of achievement (about which mechanism, of course, these philosophers disagree)—but with the emendation that the alteration is occurring within a culture, in terms of reordering values. I will come back to this matter toward the end of the chapter. As for the first problem, one has many options: *a*) One may undertake empirical fieldwork, involving surveys and perhaps observational inference from behaviors, voting patterns, studies of spending patterns, and other methods to derive a hypothesis of what values the culture members operate upon. This approach partly suffers from the possibility that values do not always imply actions (and actions do not imply discrete values); but with enough maneuvering, one may eventually be able to cancel out instances when values do not reflect actions and vice versa, until one has a reasonably good picture of the culture’s current value prioritization. *b*) Researchers living within a culture may offer hypotheses about what they perceive are the value orderings of their culture. They amass their findings, then examine, analyze, assess, and criticize the amassed hypotheses and, proceeding much like abduction, infer which ordering is the best representation of the culture’s orderings. This method is similar to that proposed in §1.3. and Appendix A for determining the precepts of rationality. The advantage of this method is that it works directly with culture members’ knowledge of cultural values and should, if the participants are sincere in the task, minimize the actions/values disjuncture. The disadvantage is that people can simply be mistaken about their perceptions of their own culture’s values, including their personal values. But if the group of participants is statistically large enough, these effects may be canceled out. *c*) A single investigator can attempt something like *b*) but with that one participant, the investigator. This approach may work fairly well for a

Chomskyan grammar inquiry which needs but a single informant (Lyons 1970). I suspect that cultural values may be less explicit than a language. This approach can be risky and likely yield mistakes, the only advantage being immediacy and expediency, perhaps not worth the cost. *d*) One may use a mix of the other methods; perhaps the more the better.

I do not attempt any of these to determine a particular cultural value-ordering. Instead, I use hypothetical examples of how a culture in general may order values, and how some specific cultures may order their values. I believe such general understanding of how values can be assessed would be necessary before venturing into empirical investigations of actual cultures' orderings.

4.8. Valuing and Value-Ordering in Terms of Volio

To succeed at all in assessing a value-ordering in terms of how consistent it is with volio, one needs at least a minimally coherent understanding of volio. As stated in the first section of this chapter, valuing of life in and of itself comprises both valuing specific lives—oneself, and extending from there to include one's family and friends, eventually the human race, and other life forms—and valuing the process or concept of life as a whole (similarly to what was once called “the life force”). Two reasonable questions arise from this volio, which I attempt to answer: 1) how does one know one is indeed valuing life in and of itself, and 2) why should this valuing be placed above all others, and how is it so placed?

I partly answered the first question in the example of the weary Alice in Chapter 3. Generally a concomitant to valuing *X* is loving *X*, such that the more one loves *X*, the more one values it. Conversely, it is often the case the more one values *X*, the more one loves it—however, it may seem one can also more highly hate *X*. Yet, this negative response to something highly

valued can be explained as due to an immoral impulse (say that, although one highly values *X* but hates it, the cause may be covetousness); or one may be said to disvalue the object (say that one, in hating a dictator, cannot help but ascribe a high value to that person because of that person's position; but this value may be properly classed as a disvalue). In any case, it is not consistent with the concept of love to say that one could love something but not value it. Love, then, provides some assurance of value. Thus, for an agent, if one love's oneself, one can be assured to value oneself. This much should provide a basic grounding for valuing life in and of itself. If one at least loves oneself and thus values oneself, one is on track to a way of ensuring that one indeed loves others, including family, the human race, and specific life forms. (That is, counterfactually, if one does not love oneself—the self being the most direct experience with life in and of itself—it is implausible that one can love others and life in and of itself. Hence the Christian commandment to love one's neighbor as oneself.)

However, this basis is still not secure because how can one be assured that one's attitude toward oneself is indeed love of self? Rousseau (1979) notes a distinction between *amour de soi* and *amour-propre*. I cannot wholly embrace his ontology of these two attitudes,¹⁸⁶ but they provide useful standards by which to determine for oneself if one does indeed love and value oneself. "*Amour de soi*" may be designated as "love of self" and, somewhat arbitrarily, "*amour-propre*" as "self-love." The former is best considered to be love of what one is in and of oneself, similarly to what Alice feels when she considers that she loves herself despite all the bad things that have happened in her life. Self-love or *amour-propre* would be how one loves or esteems oneself in light of what one has experienced or what one has become in the process of life in

¹⁸⁶ Rousseau holds that *amour de soi* is a more "natural" attitude toward oneself, something like that with which one is born before being sullied by cultural practices that install false notions of oneself, such as what others' attitudes are toward oneself, which then come to constitute *amour-propre*. (His concept of these two attitudes is also more complex than the simplified version I am offering here, as *amour-propre* is the more encompassing term: "The sole passion natural to man is *amour de soi* or *amour-propre* taken in an extended sense." (Rousseau 1979, 92)

one's society. Thus, some observers may say that Alice is weak on *amour-propre* in that she finds a sense of failure and lack of accomplishment in her own pursuits and, by extension, in the lives of those close to her. One may not only have strong love of self but low self-love, as in Alice's case, but conversely, strong self-love but weak love of self. The biographies of accomplished persons sometimes reveal subjects who, although acknowledging achievements and social successes, retain contempt for life itself and a disdain of self. Such persons can carry themselves well in society and exhibit strong *amour-propre* but retain little love of self and, by extension, of life itself.¹⁸⁷ The golden—but perhaps rare—mean, as Aristotle would see it if he had discussed these concepts, would be a balance of both love of self and self-love.

Then in what does love of self consist, and how does one know if one has it or has not lost it? First, consider what one or oneself is. One is a human, and as such, referring to §4.5, one is a carbon-based, embodied being: A human being is a body. Loving oneself, which is a body, means at least loving one's body. Loving one's body does not mean there is no room for improvement,¹⁸⁸ nor does it mean loving one's body per se is sufficient (though see below); it is, though, necessary for love of oneself. An objection may be that it is hard to ask someone who is born without arms and legs, for example, to love one's body. (To the contrary, loving one's body for what it is, as an essential key to loving oneself and life, is arguably key to the disabled persons' socio-political movement.) Here, I start to bring back care ethics, because in its postulate that all humans must be cared for as infants and young children is implanted at least the

¹⁸⁷ I hesitate to offer examples of such biographies because so much interpretation is involved, any whom I name would be subject to rancorous dispute, especially among artistic biographies. It is safer to name the biographies of famous dictators who appear to follow this pattern—though there would still be dispute as to whether they really achieved.

¹⁸⁸ I should defuse as soon as possible concerns that a strict call for loving one's body as any kind of moral foundation could be interpreted as disallowing transsexuality or at least declaring that, insofar as pre-procedural transsexuals could be deemed as not fully loving their bodies, such insufficiency of self-love could be assessed as not in line with proper moral foundations, that is, as somehow immoral. To stave off an involved and interesting topic, I can only say that love of body does not mean there is no room for improvement, and so transsexuals-to-be can still fully love their own bodies and consider the procedure as a means for improvement.

potential, the model or standard, by which one can care in turn. I suggest that sufficient childhood caring would be not merely the sustaining of the child's life—merely keeping it alive—but caring to the extent that the child, once older, could in turn care for another. (This sufficient caring would not mean that a person not sufficiently cared for could not, by other means, still learn to care for others.) The vehicle of this transmission would be communication of one's love that motivates the caring to the patient—the person cared for—so the patient's love of self is strengthened. If the patient has sufficient love of self, then, the person would be in a good position to care for another and in turn nurture that patient's love of self. If the patient was born with a debility, there would be further motivation, perhaps further acts of caring, to ensure the child's love of self which could sustain greater onslaughts from the society at large in case (as still happens) such debilities are socially devalued.

An agent who treats the body poorly, by contrast, would exhibit a sign of poor love of self. Treating an object poorly in full knowledge indicates devaluing (except possibly in pathological cases). Because loving an object entails one's valuing it, then devaluing an object means one must not love it. Thus, conversely, if one loves one's body, one treats it well. That is, one treats oneself well, because by this view, one is one's body.

What, then, is the extra consideration just mentioned, that is required to ensure love of oneself, up against those cases in which one may treat one's body well, as though one indeed does love it (picture a diehard body sculptor or hedonistic gym-exerciser), while there may be a lingering suspicion the agent does not truly love oneself? First, one may note that some cases of body sculptors or fanatic gym-exercisers are not always exemplars of good body-treatment. Such training, including that of many athletes, can be abusive of the body, straining to fit the body into processes for which it is not appropriately made, analogous to the confining foot-binding of

traditional Chinese practice. The human physiology, in an analogy to the human being in general, is a certain kind of being, or *quod sunt corpus*, and—without digressing into details—certain practices are conducive to its optimal maintenance and others detrimental or abusive. Good treatment makes at least a sincere attempt at respecting this *quod sunt corpus*. Abusive and detrimental treatment, as exemplified by such pathologies as anorexia and bulimia, but also some body sculpture and professional athletics, may arise from contingent social-cultural concepts of what a body should or could be: a pencil-thin figure or a quilt of muscles. These socially contingent idealizations may depart widely from physiological sound characterization of *quod sunt corpus* and correspond more to attempts at self-love or amour-propre, that is, borrowing further from Rousseau, concepts of the self that arise from social conceptions of what the self should be. If one is truly aiming on treating one's body well, consistently with a physiological *quod sunt corpus*, then, as one's self is one's body, one is treating one's self well; thus, by the earlier logic that treatment reflects value and value reflects love, one is loving one's self.

Second, then, following from this first consideration, since the individual is one's body, and the body then is the self, the body and self can be understood as two sides of the same thing, such as the classic two sides of a coin. If one loves one's body, one loves oneself, and vice versa. This fact may serve as an heuristic for the agent: If the agent can affirm true love and care of the body, the agent should also, at the same time, be assured of loving oneself. Sometimes, the “self,” being another side or another way of considering the individual, is often understood to comprise primarily psychological and other emotional characteristics. Thus, an agent may, as with the body, find that some areas of the psychology or emotions need improvement; perhaps discipline at the violin, or more hours per week spent in good interaction with one's friends—while at the same time find that no particular improvements in the “body” itself are needed now.

I note, again, that a need for improvement does not mean disvalue or devaluing, that is, lack of love. Furthermore, the example appears to bring out the standard mind/body distinction issue. I cannot go into that murky debate but only state the position here: consistent with the outlook of the thesis, the individual is a body, and the “mind” is a way of considering operations of the brain, which is part of the body. When one speaks of mental improvements such as practicing the violin, it is a way to improve the brain and certain muscles, not by taking drugs or undergoing electroshock, but more methodically through undergoing certain daily physical exercises (playing the violin) which alter neuronal structures to form new ones, which process in turn leaves one in better position for further strengthening. The body and the mind are not seen in opposition but in complementarity (again like the two coin sides). The reason it is useful for the agent to ask the question “Do I love my self?” and not merely the first question “Do I love my body?” is that in daily operations, one often must undergo very different kinds of operations to affect the “mind” compared with those needed to alter the body. The mind may improve merely by sitting long hours at a desk working through math problems, while improving the body may require eating differently or running several miles per week. (Not to deny that these actions may also improve the mind as well, especially in conjunction with the math problems.) The need for the two questions only follows from the distinction in daily operations in terms of these aspects of the whole self—body and mind—and helps make the agent more aware of whether oneself is indeed being loved from all angles.

The integrative quality of love of self then starts to become more evident. Furthermore, the lack of necessity for consistency between *amour de soi* and *amour-propre* is clearer: One can truly have full love of oneself but still, like Chapter 3’s Alice, have low self-esteem in terms of how well one has fared in society. Conversely, one may highly esteem one’s accomplishments

but treat oneself, body and mind, poorly and thus not love it. (Certainly, chronic low self-esteem can lead to self-hatred, and vice versa; and high self-esteem does not preclude one's love of self.) This point constitutes the first budding of the quality of integration which recurs at further levels of valuing, as I discuss later.

The third consideration that the agent can make in ensuring love of self is by answering "Do I value or love being alive?" or "Do I love living?" Alice could answer this question positively, even though she felt low much of the time because of particular events that occurred to her and her friends. Moving beyond hypothetical examples, some people who experienced the Shoah reported that, despite the constant horror, they clung to a love of life itself (Levi 1996). For many, this valuing or love may not hold in such trying circumstances, or even in lesser ones like those experienced in current comfortable higher classes of the "developed" nations. There may also be a temperamental factor common to those who can retain such an outlook in trying circumstances (whatever exactly constitutes this "temperament"). For the agent assessing the fortitude of one's love of self, the question when positively answered with the other two can provide extra, if not final, assurance of *amour de soi*. Since insofar as the self is concerned, being alive is manifested solely in the body that is one's life, then if one truly loves being alive, one love's oneself. This love of living or being alive invokes an opportunity for continuity over time and against adversity, to help ensure the whole integrated self over time. Of course, an agent could so happen to answer the question at an "up" moment, as could happen with either of the other two questions. But the sense of "living" or "being" contains a continuity over time that may at least prompt reflection of one's value for these states over time. A concentration camp victim may say, "While things are very bad now, I know I value living in itself, and that value is

why I so much feel that this current situation is wrong and why I should defy it by living and valuing that living.”

If I have not fully characterized love of self, which definitive characterization may be elusive, I have tried to answer how an agent may be assured of love of self, which entails integration of self. (Integration of self, similarly to that among members in society, is a recurrent essential quality in valuing life in and of itself, as I discuss later.)

This love of self forms the basis for answering how one can know if one values life in and of itself. If one values living itself, despite what one has gotten out of it or can get out of it, one is valuing life “in” itself, as earlier described. But *volio* involves more than love of self, because as a human, one is necessarily embedded in a society, in relationships. One is also embedded in a global ecosystem consisting of millions of species. “Life of itself,” as earlier described, can be considered, heuristically if a bit awkwardly, as those real entities and individuals of which “life” is composed. The agent seeking confirmation of indeed valuing life in and of itself must value as well these real entities. Just as *amour de soi* forms the basis for ensuring the valuing of living itself, so it is the starting place for ensuring the valuing of living entities. One must grant that one is not only a part of relationships and a community but is partly defined by these. As described in section §4.5., without the language and social practices defining one as one grows from infancy, one would be only marginally human. Close relationships, especially with one’s guardians (usually parents) and kin, provide a large amount of social definition (Gilligan 1982, Held 2006, Gould 2004). But more apparently impersonal social structures and institutions define one as well. If one is a professional trumpeter, one is partly defined by the institution of music and professional musicianship, without which one would not be a trumpeter. Love of self involves

some degree of valuing these relationships and social institutions. It is hard to conceive of trumpeters' loving themselves and loving trumpeting while at the same time devaluing or hating the practice of trumpeting (without doing some acrobatic gerrymandering of the realms of value and love!).

The ethics of care provides a strong model for an agent's valuing: Care extends from the self to others who depend directly upon one (and who then depend upon one caring for oneself, because if too debilitated, one cannot care), and thence to the wider immediate community, and eventually to the world community. Valuing extends similarly, building upon valuing oneself and extending to the widest human community. The difference between care (in the ethics of care) and *volio* is 1) care is a set of practices, whereas valuing gives rise to actions that should be consistent with the valuing; 2) care being practices can, practically, be most extensively applied to one's more immediate relationships and then diminish the further removed people are from the agent; whereas valuing, being an initially internal activity, as in the setting of attitudes, can extend throughout humanity to equal degrees, even if the actions generated by that valuing may be practically limited by proximity (at least in theory, the actions should be translatable to equal force to all human patients); 3) Valuing life in and of itself extends to all species, not just to humanity.¹⁸⁹ Humanity is but one among all species. However, because of social obligations and trust established among one's fellows, as the agent is a being defined within such a social

¹⁸⁹This third point of difference between *volio* and care ethics involves a pivotal issue. *Volio* as I have been describing it cannot be solely instrumental, and cultures and individuals can prioritize their values in such a way as to bury the source valuing that is *volio*. In Ch. 3, I offered the notion of *volio* as empirical, a valuing that most humans have to some degree and that is the source value of all other values. What I intend to signify by this third point of difference is that when a culture or individual has prioritized values such that *volio* is prior to all others, they would then value (and perhaps be aware they value) other species as well as humanity. Again, because of instrumental issues, such as the problem of pathogens, some species understandably become devalued. But I believe that generally there would be a marked valuing and caring treatment of other species as a whole. The fact that many people undervalue other species, if they value them at all (beyond such instrumental reasons such as food sources) seems to be an empirical fact but would only point up the deeper fact that, empirically, these cultures or individuals have prioritized their values such that other species are of little account for them. But it is also a fact they are not obstructed from revising their priorities.

context, the agent tends to have greater amounts of responsibilities to conspecifics. Due attention to conspecifics and their needs, though, entails proper custodianship of the rest of the ecosystem. This fact does not mean that the agent responds to the ecosystem merely as a means to sustain the lives of humans as an ultimate end. The agent is valuing all life forms as life of itself; and if human lives are fully and properly valued, they are valued as contextual within the entire ecosystem, so an agent would not act so as to promote some alleged human interest so far as to compromise the whole. Interests must be considered within the context of all of life within the ecosystem. (An alleged human interest in high energy-use may lead to devastation of habitats that compromise other species, atmospheric carbon levels, and global temperatures. Because it is thus deleterious, the alleged interest is questionably a true interest.)

This brief account leaves open many questions, such as whether a human agent can indeed at once value all of life while also answering to social obligations and alleged peculiarly human interests. The two sides (all life vs. peculiarly human interests) seem to have potential conflicts of interest, and it is hard to see exactly how they can be meshed into a univocal, integral whole. There are also problems of how to allocate resources—meaning the translation of one’s valuing into actions for others, that is caring—among different groups in light of the practical problem of proximity and the closer ties (and apparently greater obligations) to those to whom one is closer. Further, if this whole complex of valuing springs from due love of self, it needs to be clear how to prevent the whole complex from collapsing into egoism. These and many more potential problems would have to be worked out in subsequent inquiries.

With this basis for valuing, one can now look to other common social values, how they mesh with *volio*, and finally what kind of ordering is consistent or inconsistent with it.

4.9. Other Values

I examine only a few common values, many endemic in, but not limited to, industrialized, urban-agrarian cultures: social prestige, money and material wealth, power, competition and competitiveness, metalife or immortality, ease and convenience, specialization, and desire expansion or insatiability. All except one (ease and convenience), possibly two (a slight valuing of specialization), of these appear to be very recently developed values in human history/prehistory. Other values that merit mention include autonomy, community, equality, liberty, mobility, and variety. This list is intended not to be exhaustive of human values or of “important” ones but to provide sufficient value context for the discussion in the final sections of this chapter on how giving volio its due value-priority also provides a normative value-context for human reproduction. The first set of values discussed below tends to detract from this priority; the second set tends, if not always to support it, at least not to detract from it.

Thus, I briefly examine each of these values separately, for not only the way they are often prioritized, but the way that, combined, they may add up to a culture’s value environment. Cultural conditions and environments affect the assessment of which sorts of values are appropriate for morally valued reproduction. Here then is the problem, which I return to in §4.10.: *If social circumstances are such that life in and of itself is overwhelmingly devalued by other, predominant values, such as that for metalife or insatiability, and volio is so diminished that no individual agent can restore its due position, reproduction may be an act inconsistent with prevailing values.*

I thus ask the reader’s patience to consider each of these values carefully, as values and value prioritization are at the core of the thesis and of its response to the Central Question.

4.9.1. The First Set¹⁹⁰ of Values

4.9.1.1. Social Prestige

Flannery and Marcus (2012) trace this value as arising in non-hereditary rank achievement-based village societies, some of which retained some hunting and gathering practices, such as those of the Pacific Northwest Tlingit, coastal Peru, central highlands Mexico, and the Near East such as Göbekli Tepe, Turkey (Chs. 8-9). These societies had either ceased immediate-return foraging or had transitioned into horticulture; in any case, they had ceased nomadism and were storing foods, which meant settling for indefinite periods in villages that commonly included ritual houses. With the storage came the gradual end of intragroup sharing and the resultant inequality and unbalance of individual power; and along with the permanentization of rituals and ritual houses came symbolization of wealth and power in tokened possessions. Headmen, formerly mere advisors among the immediate-return foragers, often came to assume more power accorded with their wealth. They could not, as in earlier, foraging groups, simply be stripped of their office if their advice seemed poor; instead, their power largely remained insofar as their wealth did (if they continually made poor decisions in trading, say, they could lose their wealth). In these early prestige and achievement-based societies, rank was largely not hereditary.

Prestige, of course, in chiefdoms and early state societies went on to become not only of enormous social significance but also hereditary and, along with concomitant power, to be associated with divinity, as happened in ancient Egypt. As state societies grew more complex in urban-agricultural cultures such as ancient Rome and into modern industrialized states, prestige separated from wealth and political power per se so that individuals could gain social prestige by more ways than pure material wealth, spiritual power, or warrior accomplishments. Currently,

¹⁹⁰ The designation of “First” and “Second” sets of values in the discussion to follow refer solely to the order in which they were presented in this discussion and have nothing to do with primacy, priority, or phylogenetic precedence.

one may gain prestige through athletics, including abstract games such as Go or chess; poetic or artistic achievement; ingenuity in invention; or even through community associations (such as by organizing a local group of volunteer firefighters). Wealth is not always associated with such prestige; and aside from any wealth gained thereby, the prestige itself is not strongly hereditary.

Valuing social prestige may seem to confer advantages to society members, even among those who do not gain prestige, in a kind of “trickle-down” effect as the incentive of prestige seems to prompt members to achievements, such as epic poems or symphonies, which can benefit many people. Immediate-return foraging societies may have acknowledged skillful hunters and able warriors; but generally, the leveling-down effects of intragroup sharing diminish the amount of prestige an individual can accrue. Individual foragers thus generally sought excellence, as in hunting, for the sake of excellence. In achievement-based and later state societies, the dangling reward of prestige may serve as an inducement for individuals to add to the stockpile of entertainments, distractions, and sometimes more sublime works appropriate to sustain society members’ spirits. If an individual gains prestige, it may either directly aid those in that person’s life through wealth gained or indirectly aid by conferring whatever advantage that prestige carries. In this way, its valuing could be said to enhance life in and of itself and in turn bolster *volio*.

However, there are problems with valuing prestige. One is that it can lead to the individual’s pursuing a field of achievement not for the sake of bettering the field—that is, of excellence—but for the prestige. This problem could lead to a second, in a field’s becoming mannered, or stultified, when its pursuers enter it primarily for the prestige, whereby its rules are set for the sake of honoring the prestige of achievement. This stultification can be seen, for example, in the arts of past state societies once they quickly passed their “golden era” and

entered a mannered, epigonal or imitative phase, as one may contend happened in mid-18th-Century English literature, arts of post-Augustan Rome, some dark-ages sacred art, much of contemporary American film and television, and many current forms of popular music, as artists strove or strive to follow as closely as possible a narrow standard that promises high prestige if achieved well. If this second problem appears to some to be largely a matter of tastes, the third is more structural. Social prestige falls within *amour-propre*, not *amour-de-soi* per se. Directing one's energies to attain social prestige can help build high self-esteem, that is *amour-propre* or self-love, as discussed in §4.8, but such direction may not only contribute nothing to *amour-de-soi* but could also distract from giving due attention to sustaining *amour-de-soi*. To the extent *amour-de-soi* is neglected, to its detriment, so is volio.

Later I compare the valuing of social prestige relative to other valuing.

4.9.1.2. Money and Material Wealth

Valuing material wealth qualifies for one of the most controversial valuing in history. While Midas, Gates, and Buffet are envied and reviled and adored; while rich princesses and heiresses make the covers of tabloids and email services; and while lottos and “the dream” drain countless paychecks; throughout history the pursuit of money has been scorned as the root of all evil and greed the bane of the species. But even while miserliness is seen as a scourge, it is often assured to be one that does not rot the heart but can be sloughed off, as when Dickens's loveably greedy Scrooge molts his miserly skin or Eliot's Silas Marner re-humanizes after the loss of his gold.

If not a scourge, this syndrome, then, reaches only a few millennia back into humanity's chronological existence. As Flannery and Marcus (2012) relate prehistory, the earliest signs of real wealth accumulation appear with the symbolized tokens of wealth accumulation in early

achievement-based societies. These tokens included such various items as the giant *chisi* stone of the Angami Naga of Assam (127), the pearl shells and the *omak* bamboo-sticks which in turn symbolized these among New Guinea's Melpet (102), and even the sacred bundles of the American North Plains's Hidatsa (173). This last-mentioned item, a connection between symbolic wealth and sacredness, exemplified a gradual tendency toward a connection between wealth or power and divinity, as early state societies increasingly revealed. What had been ritual houses in early rank-society villages became temples in the larger towns of chiefdoms and full-scale cities of states. Rulers were not only the wealthiest and most powerful citizens but were divinely favored, immortal, and eventually divine themselves. The wealthy and most powerful in many states such as the Mexico's Zapotec, Peru's Moche, and the Mayan Calakmul kingdoms depended upon vast subjugations of peoples who underwent widespread human sacrifices, their "body parts... scattered on royal tombs like croutons sprinkled on a Caesar salad." (Flannery and Marcus 2012, 384) Caesars, of course, from Julius onward, were deified and often prone to exacting comparable sacrifices, as was the divine Scorpion King of Egypt. Understandably, wealth became something not only envied and desired, but feared, by all citizens.

For agents anywhere, valuing life in and of itself entails placing some value on the means of subsistence. For agents in money economies, the means of subsistence means money. Further, within these societies, particularly capitalist, there is also a belief that the pursuit of wealth leads, for those who succeed, to "trickle-down" goods for other society members (much like the "trickle-down" from the pursuit of prestige) (Carnegie 2008, Spencer 1978). Such a theory, viewed solely in the context of capitalist moneyed cultures, may seem to imply that placing a high value on wealth accumulation entails a high value placed on others' lives, which itself is an entailment of *volio*. However, it may not follow that prioritizing wealth accumulation means

either that one concurs with *volio* or sufficiently upholds it by allowing wealth-accumulation to precede it on the value scale, because: 1) Just because two propositions entail the same conclusion does not mean one or the other entails the other. If for V_w = the valuing of wealth, V_v = *volio*, and V_o = valuing of others' lives, $V_w \rightarrow V_o$ and $V_v \rightarrow V_o$ does not mean either that $V_w \rightarrow V_v$ or $V_v \rightarrow V_w$. 2) In any case, one may give highest value to pursuit of wealth without valuing the lives of others', whose lives may or may not be positively affected by the results of successful wealth accumulation.

Greed and miserliness, as moral conditions in which the agent puts wealth above all other human values, have some renown in moneyed cultures as detrimental both to individual moral character and to the social fabric (even if Dickens and Eliot portrayed reversals of such detriment). This outlook persists alongside contrary philosophies that say not only does greed harm no one but it is a good for the person and society (well represented by Carnegie 2008, besides Smith 2008). However, because prioritizing V_w entails neither V_v nor V_o , and because of an agent's potential to give the accumulation of wealth, and the money itself, exclusively higher value than the valuing of life in and of itself—than the very life and process of living for which money is a means—justification is still lacking for why V_w should be given priority over the valuing of the very life for which it is, supposedly, to further.

4.9.1.3. *Power*

Power for its own sake is an elusive concept, but this quality does not halt what sometimes appears to be the pursuit of it per se. Power seems to be a relative concept, insofar as an agent commonly seeks power *to*—power to do some task T —so power abstracted without this context is hard to grasp. This fact, though, does not halt some agents' seeking it as if it were isolable.

“Power” as an isolated social concept is commonly relegated to political power. Thus, tyrants and the politically ambitious such as Richard III, Alexander, Genghis Khan, Idi Anim, or Saddam Hussein, appear to crave power just to have power, instead of attaining it to accomplish a coherent good (even if there may be some concomitant, if lesser, motivation, such as uniting Iraq or spreading Hellenic or Mongol culture). Desire for power can be less ambitious and monomaniacal, even morally laudable, as when agents work to gain enough power to wrest political power from a tyrant. Such cases are clearly “power to,” in which the goal is other than power, and ideally is a goal consistent with volio, say passing a policy to sustain cultural or biological diversity. Of course, “power to” can also be tyrannical, as when a tyrant-aspirant musters forces to push out a democracy in order to be installed as tyrant. But what the tyrant then attains in the end is “power over,” which lacks the direct connotation of “power to.” When one speaks of “absolute power” in the political sense, it is then absolute “power over,” possibly with no direct goals of “power to.” The tyrant then asserts not only absolute authority, in terms of setting rules and the facts of state, but also absolute will, which can arbitrarily ignore the rules and facts.

Power may also be considered in the personal context in contrast with the social/political. By “personal power,” I refer to the individual’s exercise of control and will over oneself. Thus a person may develop personal powers to modify habits when they appear to merit change, to exercise personal discipline, or in turn to muster discipline in order to develop a skill. This power would be only confusingly designated as “power over” oneself, as that would imply multiple selves and run into theoretical complications. (It is hard to imagine a true “tyrant over oneself,” outside of metaphorical usages or pathological cases. If one exerts extreme discipline over oneself, one also submits to accomplish the goal thereof.)

Valuing social/political power for its own sake, along with valuing wealth or prestige, seems to have arisen very late in humanity's existence (Flannery and Marcus 2012).¹⁹¹ Immediate-return foraging groups, largely egalitarian, exhibit too little political structure to allow an individual's power increase. Headmen, as mere advisors, are unseated if their advice is poor. Customs that ensure sharing also undermine personal accumulation of material goods and prestige that may indirectly lead to social power. Social/political power developed with increasing sedentarism, permanent food storage, imbalance of goods and wealth accumulation, and social prestige of individuals. Headmen, no longer merely advisors, were those who held greater prestige or wealth and who thus were increasingly revered and bestowed with wisdom and authority. An individual's social power then became severed from veto and quality control. Given this type of autonomy, social/political power was set on the road to potential absoluteness. In time, the absolute tyrants of civilizations around the world arose, from the Andes and central Mexico, to the Nile valley and Rome, to Central Asia and China (Wenke 1990, Flannery and Marcus 2012).

I have no room to provide the full argument here, but it should at least be plausible that valuing power over all other values such as *volio* has, coupled with other social developments, led to some of the world's greatest atrocities, from the Pharaonic massacres up to the Aztec, Napoleonic, Assante, Nazi, Stalinist, and Pol Pot slaughters of more recent times. Similarly to the arguments concerning the valuing of prestige and of wealth amassment, an argument can be made that prioritizing power over *volio* in fact endangers life in and of itself and the valuing of it. Valuing power to the expense of *volio* has not ceased even within modern democracies. Given

¹⁹¹ I have had to piece together this result from a number of sources, which only indirectly speak to how and when "power over" arose, often in the context of discussions of how social equality and autonomy were diminished in hierarchical, inegalitarian societies. These sources include Ingold 1999, Kelly 2007 and Flannery and Marcus 2012; Ingold (1999) speaks directly about the lack of *power over* in foraging groups.

the balances of power and the strictures on powers in the hands of a single individual under the U.S. Constitution, power amassment has shifted toward industry, where the strategic deployment of wealth and prestige can lead to significant effective power (Robertson 1977). The potential influence of only partly restrained power in this sector is notable, as agents can use these powers to restructure society in their own vision and endanger lives, valuing lives only insofar as they are the means to these agents' ends. The remarkable power that can be exerted over society through control of the media has been widely noted (McChesney 1993). Looking ahead, proposals by the wealthy to evolve or at least experiment upon the species itself (Kurtzweil 2005; Thiel 2009; for Thiel's activities see Weisberg 2010 and Baker 2009 on "seasteading"),¹⁹² even to sway the populace into allowing technological alterations of the species as if desirable, with the possibility of proceeding in any case, exhibit how valuing "power over" in the democratic context remains in force, along with the danger of "power-over" thus prioritized over *volio*.

4.9.1.4. Competition and Competitiveness

When a society, such as that of early rank and prestige cultures, veers from the nebulous egalitarian structure—or lack of structure—to a strictly ordered, pyramidal hierarchic structure, competition among individuals intensifies (Flannery and Marcus 2012). In the typical social pyramid, though varying some among types of societies, slaves are at the bottom, then the first level of commoners involved in trade or farming, then the next level that may include middlemen and higher merchants, then the levels of nobles, and the chief or tyrant on top (Wenke 1990, Flannery and Marcus 2012). Life as a slave is not only onerous but lacking in freedom; a free

¹⁹² In such seasteading, Baker notes, proposed activities include those "that skirt existing laws and regulations," such as "Cryonics intakes. Gene therapy, cloning, augmentation, and organ sales." (4)

commoner was less oppressed but still lacked the amenities that an average person in an immediate-return society had (Diamond 1987, Wenke 1990, Flannery and Marcus 2012). Even in some of the most tyrannical societies, there was some room for social mobility—but fewer spaces available the higher one went up the pyramid. Lacking even their ancestors' amenities, humans now had strong incentive to compete with one another. There no longer were the customs that ensured and encouraged sharing; conditions instead abetted vying against others.

At first blush, it may appear that highly valuing competitiveness would, for peoples in ranked hierarchical societies, be entirely consistent with *volio*, if not necessary. Without competitiveness, an individual would likely fall to the bottom level and suffer and perhaps cause those in one's life to suffer and strongly diminish their experience of life in and of itself. However, the question then is, if competitiveness is contingent upon a society that highly values prestige, wealth, and power, but there is no clear justification for blanket valuing of prestige, wealth, and power in themselves—that is, outside the context of cultures that already value those—then it is unclear that valuing competitiveness in and of itself (independently) is justified. These values are all contingent upon the types of societies that value them, whereas *volio* has no such contingency, being contingent only upon the species.

An obvious objection is that even before cultures began cultivating the valuing of prestige, wealth, and power several thousand years ago, if intra-group competitiveness was de-emphasized, inter-group competitiveness was still necessary to sustain community life. Groups had to defend territories and resources through either threats or war against intruders or be able to pick up and migrate to new areas. In reply, I note that warfare did apparently become increasingly prevalent as human groups grew more densely populated and settled (Diamond 1987, Keeley 1996, Wells 2010), calling for a type of inter-group competition. However, steady

nomadism, apparently an ongoing practice for a vast majority of Hominid existence, is not truly competition, and even may be avoidance of it. Further, if many more recent warlike foraging groups are any indication, development of war calling for competition between groups still seemed to have come about while retaining intra-group equality and without spurring intra-group competition (Lee and Daly 1999). In other words, the valuing of competition per se is distinct from the “competitive” processes that all life forms maintain in relation to one another in digging their niches for scarce resources. All biological evolution is “competitive” in the latter sense. But for humans, who have the capacity for moral valuing, being subject to and shaped by a moral process differs from abstracting a trait from that process and establishing it as a value by which to guide conduct and as a value to be prioritized in relation to other values.

As with the other values discussed here, there is also the threat that competitiveness can become the most, or exceedingly, prioritized value. Other values are then sacrificed for competition. When certain social developments are potentially dangerous, the attitude that “If we don’t develop it first, the others will” can lead to out-of-control one-upmanship, as seen in the war-of-attrition game (Dawkins 1976). Competition for its own sake could readily displace *volio*. If *volio* instead is assuredly prioritized, an agent would be prone to question if a proposed development is indeed good for life in and of itself.

4.9.1.5. Specialization

The onset of ranked hierarchical and urban cultures is also associated with increased specialization of labor—a process that appears to keep branching further as such cultures grow more complex. Foraging societies had simple labor specializations, generally distinct between men and women; but even within these gendered specialties, culture members could often fill in

for one another (Lee and Daly 1999, Kelly 2007). Thus, while men commonly did most of the hunting and women most of the gathering, often men could do and did much gathering, and the women could do and did much hunting.¹⁹³ By examining hundreds of cultures worldwide, Kelly (2007) has emphasized and documented thoroughly how much variety there was in the division of labors from one society to the next. In some cultures, women did the greater part of onerous, taxing, even dangerous labors; in other cultures, men did so. But in many of these groups, the communities were small, tight, and simple enough that when needed men could fill in for women and vice versa. There may have been an extremely skilled hunter or basket-weaver who even had pride in that skill; but there was largely no need to guard one's skills protectively as though, were someone to steal them, the victim would languish economically.

Specialization has its psychological, emotional, and economic effects. As cultures grow more complex and work more specialized, there is increasing challenge for individuals to understand how their labors and skills fit into one into the other, and thus they lose, as Thoreau observed in *Walden* (1970), a sense of connectedness. Although Plato lauded specialization in the *Republic*, his student Aristotle's life was a testimony against it. Marx (1963) bemoaned specialization as essentially a tool of capital to keep workers distanced from the products of their labors, in a process of alienation. However, in complex capitalist societies, there is little choice but for agents to specialize, to have any work and pay at all. To this extent, it would seem consistent with volio to value specialization and to nurture one's allotted skill accordingly.

¹⁹³ Even among rare cases such as the Agta of the Philippines, among whom 85% of the women hunt, women hunt less frequently than the men. However, the Agta women take large game as well as small; whereas in most foraging societies in which women hunt, the women commonly take smaller game and do so opportunistically rather than systematically. Similarly, men tend to gather opportunistically rather than systematically. Among a few societies, such as many Inuit, the women do no hunting and almost no gathering as well. The great range of these economic activities among human groups exemplifies the flexibility, rather than any rigidity, of the genders in their labor potentials. (Kelly 2007)

There may be little tendency to prioritize the valuing of specialization over *volio*, except in cases where this valuing is concomitant with the valuing of wealth or power, when dedicated specialization may lead to wealth or power for its own sake. The more likely tendency would be for an agent simply to value specialization so far as to allow it to shape one's entire life to the expense of other values. An agent—and here Dewey has chimed in on this problem (2002)—may be so fixed on being, for example, a mathematician or philosopher that all other life processes become subservient to it. The agent may eat only fast food, treating the body as if it were a mere machine to transport the thinking engine, which is fueled like so much gasoline. The processes involved in being a carbon-based, embodied being are forsaken, as if the mind were indeed somehow partitioned from the body that “transports” it. In the *Star Trek* series, one simply presses a button and a meal appears; or worse, perhaps an agent could move about with a steadily flowing IV: The fact of being not only carbon-based but also embodied, shaped and defined—via bones and musculature—as an entity that spends a good part of its life seeking food by using its limbs and lungs vigorously, is shunned as if such a process were a nuisance, even shameful. As described in §4.8, *volio*, through the respectful treatment of self called for by *amour de soi* (love of self), entails the individual's maximally integrating body and mind/brain as a whole. Specializing one's self so narrowly as to push aside, or even revile, those processes of embodied being such as seeking, preparing, and savoring nourishment, instead of upholding, respecting and cherishing these, can only disvalue *volio* by mistreating the integrative self.

4.9.1.6. *Ease and Convenience*

The archaeological and ethnographic record reveals that humans have widely striven to make their tasks easier (Hunter 1977d, M. Harris 1979, Gowdy 1999, Kelly 2007), especially as

exemplified by the development of tools (Hunter 1977c). The reason for this human tendency is not so obvious to formulate cogently as may initially seem. Tasks that are more difficult are not necessarily painful; and if one makes a task easier, it does not necessarily make one more fit (in the Darwinian sense). Perhaps easier tasks leave a person with more leisure time, but why is leisure time good? Why, to have more naptime and develop the arts and more tools to make even more tools to make tasks even easier. (See Russell 1970 on the worth of leisure time.) “Naptime” makes humans sound lazy (so what?), time to make more tools begs the question, and it is implausible that Hominids and early *Homo sapiens* opted to make tasks easier in order to develop more music, dance, poetry, and oral storytelling. In fact, the arts arguably turn out to become less easy (as least to craft) as they become more developed. For that matter, the mechanical techniques devised to make some peoples’ lives easier also become more complex and, as a whole, make peoples’ lives increasingly difficult, as has often been observed and bemoaned by critics of industrialization (Weizenbaum 1976, Gowdy 1999). With just the slightest digging, then, the question of why humans seek ease and convenience, and just what they are seeking after all in the search, becomes very complicated.

However, there appears to be less opportunity for a paradox about valuing ease and convenience (EC) in a simpler, foraging society. It is commonly observed in modern foraging societies that individuals exhibit significantly higher levels of economic efficiency and have greater amounts of leisure time (Hunter and Whitten 1977, Lee and Daly 1999, Gowdy 1999, Kelly 2007), which they spend in enjoying one another’s company and in the arts such as music, sculpture, and painting. The more complex the society, the more economically inefficient and the less the leisure time (Hunter 1977d)—and yet not only is a high value placed on ease and convenience, but technologies are improvised largely in order to increase the ease and

convenience. The paradox, then, is that in increasingly valuing EC by introducing ever more technologies with the aim of increasing EC, the less de facto EC experienced per capita.

One option to explain this paradox is in terms of the valuing of competitiveness (which in turn follows from or is concomitant with valuing wealth and power): There is no cultural equilibrium state of EC because a competitor, who is offering a technique for that minutely circumscribed area of task, may or does offer a slightly easier, more convenient package. Ever-mounting competition heightens the paradox.

If humans do value leisure time, experiencing the arts (as spectator or participant), and company with loved ones, then valuing EC to the extent that it overrides these values may overvalue EC. I cannot here undertake a fair inquiry into whether *volio* demands the valuing of leisure time to spend with one's family and the arts. However, if *volio* does entail valuing, loving, and caring for others in one's life, then to fulfill that value credibly would require spending some time per time-period with those others. Beyond a certain point, then, the more one strives to increase EC, the less time one has for those others and thus one undervalues *volio*. In general, competitive societies that increasingly value EC could, because of that competition, lose sight of the life for which EC is valued and make EC a higher value than that for life in and of itself. *Star Trek* insta-meals or the permanent IV—or a computer-uploaded mind—may be a convenient way to avoid the burden of being an embodied, carbon-based food-seeking creature, but such degree of EC does subtract from the value of life itself and possibly of reproduction.

4.9.1.7. Desire Expansion or Insatiability

This value has been noted by some contemporary observers (Brown 2001; also see Gagnier 2000) and even extolled. However, I have yet to find evidence for its prevalence in

ethnographies of foraging cultures. It seems, rather, that among such cultures desires are contained; the members value a limited set of desires that can commonly be fulfilled by their customs (Hunter 1977d, Gowdy 1999). However, again, tracing the new kinds of values that arose as cultures changed from foraging into more complex economic and social structures, such as agricultural and ranked-hierarchical societies, can begin to account for the onset of this altogether new kind of value for ever-new desires and insatiability. Indeed, eventually—recently—the rise of the currently common kind of capital-driven economies that call for ever-expanding markets for ambitious wealth-accumulation led to the implicit valuing of insatiability for its demanding ever-new avenues of market growth.

To provide a brief genealogy of the valuing of desire expansion and insatiability, I suggest that it arises in the context of strongly valuing ease and convenience in cultures that value wealth and competition. Among the archaeological/anthropological literature, I have found less direct evidence for incipience of this valuing than for other valuing. One may infer it, though, from the increase in the rapid growth in the types of implements found in archaeological sites of hierarchical and later cultures. Gold is one notable new type of object not (or rarely) found in sites of foraging societies (Flannery and Marcus 2012). From the presence of gold, one may safely infer the desire for it. The increase in types of implements over the millennia is well-documented to the point of being common knowledge (Hunter 1977d, Wenke 1990, Mithen 2006).

While one can infer a desire for such objects, one problem, which I discuss in examples to follow, is in distinguishing types of desire, particularly those for material goods. There are also desires for non-objects—which are less traceable—such as desire to study the night skies or to learn all the creatures in the forest. However, without establishing categories of desire, one

runs into unwieldy classificatory problems (such as a *reductio*, in which a desire for a slightest variant on another object is a new kind of desire). I cannot digress into a classificatory scheme for desires, but the discussion to follow makes it apparent that determining whether humans have limited or infinite desires is crucial in characterizing and rating the valuing of desire expansion and insatiability.

First, I look at two preliminary objections. To some readers, it may seem peculiar to value insatiability, which would appear to entail dissatisfaction. The scenario of an agent's no sooner obtaining a product, then finding that it does not fulfill the pre-acquisition supposition of fulfillment, then turning to a new product with a new supposition, and continuing thus ad infinitum, may strike many as unappealing. Certainly, there may be individuals in a highly productive society who attempt to constrain the tendency to insatiability for moral or prudential reasons. However, as it is possible for an agent to hold and act upon a value without consciously designating it as a value, insatiability may not even be a goal of many agents who nonetheless deploy it in their daily practices. Those theorists who do extol and encourage this value may then be spokespersons for a value tacit in the population but that, at least in their lights, is insufficiently admitted and extolled.

Another concern would be that desire expansion need not imply insatiability. By this view, the human (or whatever kind of "rational") agent would have a capacity for indefinite expansion of desires. This expansion could even be fancied as an enrichment of the agent, as though that agent as a human animal were incomplete and thus, in that mere animal state, somehow lacking, needing assistance, perhaps by industrialists' and financiers' guidance, to become ever-enriched desirers. Such an approach would rely upon a great deal of psychologizing that warrants investigation which I am not equipped to pursue, viz., verifying that fulfilling basic

species wants, or the sorts of desires that foraging cultures seek to fulfill in their practices, is not doing justice to some human potential. If that potential turns out to be limited, then settling the dispute with those advocating unlimited potential requires knowing where exactly the limitations fall and how these limits are known and whether they actually are good for species members in general. If the potential is unlimited, it evokes a paradox: What is the human being if it can be so ill-defined? The approach also faces the possibility that humans, as social beings ready to adapt to their peers, exhibit some amount of docility and malleability, so that their desires can be molded to some degree; and this manipulability may leave the impression that human desires can be directed into almost any (infinite amount of) directions. However, as with diet, which allows some leeway in what can be ingested and what can keep the organism minimally alive, desires also have some leeway: They may be induced in directions such that, although the agent accedes to the direction, in the final calculation are not even remotely fulfillable for that type of organism, just as certain diets can never fulfill an organism's physiological needs.

Even if desires could be expanded to new ceilings for humans, the techniques for conjuring new desires in agents could operate by effectively nurturing insatiability.¹⁹⁴ Once

¹⁹⁴ Even if desires are limited but greater than the current set of desires, or than merely the “forager’s” set of desires, there can be desires that involve an infinite or recursive loop. In language, for example, recursion allows the potential for infinitely long sentences, as in embedded *that*-clauses (Lyons 1970). Some video games are designed in such a way as to draw users into comparable infinite recursions, through inducements of bettering plays (LeClaire 2007, Science Daily 2007, Brandt 2008). These designs have been so seductive for players that in some societies, players’ addiction to the games has been reviewed by the American Psychiatric Association for inclusion within the *Diagnostic and Statistical Manual* as a mental debility (Science Daily 2007), although the association has not yet decided to include the addiction as a separate debility. Such possibilities for desire are more accurately considered as single, recursive desires rather than examples of how human desire can be basically “infinite.” These types of desires tend to (“infinite”) recursion because of certain inducements for recursion embedded in the design. To offer such as an example of “infinite desire” would involve a type-token mistake, in which a token of a type of desire would be characterized as a new type of desire. Services such as Facebook offer comparable possibilities for infinite recursion and are much like recursive video games, as users can keep posting to fish for “likes” and digging further and further into comment loops. (Similarly for certain other internet services.)

Certainly, these two types of products and services appeal to basic human desires such as sociability or urge to improve mental/physical skill. However, it is possible to appeal to a basic desire and even partly to fulfill the desire but not fulfill it sufficiently that the organism is receiving all that it needs in having that desire. Consider again the rat experimentally stressed and given the option to take the sugar water instead of better nutriment (Pecoraro et al. 2004). The sugar water appeals to the desire for sweetness, but evidence indicates that the urge for

techniques for insatiability are introduced into competitiveness-valuing cultures, competition accentuates the drive of product designers to increase the unfulfilling nature of their products and services so as to draw customers. Thus, while desire expansion does not necessarily require insatiability, within cultures that highly value wealth and competition, desire expansion effectively promotes insatiability.

For agents in contemporary societies that highly value wealth, competition, and EC, valuing desire expansion and insatiability (DEI) may be considered as essential, at least to some degree (Brown 2002). Because this value has supporters in political and economic theory, arguing against it satisfactorily would demand a separate discussion (which I plan to do in another context). The pro-DEI outlook tends to go with a political-economic ideology promoting a human right and destiny to use as many resources as possible and, in fact, such valuing of DEI, by spurring ever-new products and services and exploiting more resources, will somehow better the human lot. I find it is hard, though, to reconcile increasing insatiability and dissatisfaction with improved being. Beyond this problem, there is the deep one of whether humans do best for themselves and the world by expanding, without precaution, into any path of resource exploitation that arises.

Insofar as ever-increasing insatiability can lead to ever-increasing dissatisfaction and resource exploitation, placing a high value on DEI can threaten volio. Addicts of insatiability-

sweetness is to draw the rat to types of food that bring it much more nutrients than sucrose. Sucrose alone, abstracted from the more involved or “meaningful” physiological process, can in turn eventually harm those processes. Similarly, opiates such as heroin activate cell receptors that serve as the body’s own opiates such as endorphins, generated to relieve of the pain of, say, heavy exertion. However, heroin does not provide the post-exertion of rebuilding and strengthening of musculature, thus is not fulfilling the physiological process of opiate release and activation; and in fact, in being abstracted from the physiological process, can harm that physiology. Facebook certainly draws on a human urge to see people’s faces and learn what they are doing and getting (hopefully favorable) responses to their quips. It also readily lends itself to being abstracted from the more complex quotidian social processes of the sort Hominids experienced for millions of years so that users may receive some partial awards of social interaction but, if turning to it heavily in comparison to such interaction, may lead to only partial fulfillment. If video game, heroin, and sugar addictions are fair indication, this service may also lend itself to pathological dependence.

inciting products and services, whether heroin, sugar, or Facebook, have, I believe, in effect if not by deliberate choice, prioritized valuing DEI over volio. Over-valuing DEI is a serious problem and warrants further philosophical examination. This value, along with other of this first set of values, plays importantly into the discussion on volio and reproduction.

4.9.1.8. *Metallife or Immortality*

The archaeological record of burial sites hints that humans have likely conjectured some kind of afterlife for tens of thousands of years, before any hierarchical society arose (Wenke 1990).¹⁹⁵ Animistic beliefs among current foraging and horticultural groups also assume an afterlife (Dentan 1979, Davis et al. 1995, Lee and Daly 1999, Davis 2008). Some commentators (Bostrom 2005) have maintained that such evidence confirms that humans have desired immortality for ages, perhaps since the rise of *Homo sapiens*, if not earlier, so it is “natural” for humans to pursue immortality. Such a conclusion is hasty, for a number of reasons: 1) In many pre-agrarian and later beliefs and myths of afterlife, having an afterlife does not entail immortality: The afterlife was apparently almost as limited as regular human life, and the dead finally faded away, too (Dentan 1979, Lee and Daly 1999); 2) Believing there is an afterlife is not desiring it: In many such myths, the afterlife was lonely and miserable, such that the dead often caused mischief on even their beloved living kindred; 3) Being a being with an afterlife is different from fashioning oneself into a being with an “afterlife”: It was simply in the alleged

¹⁹⁵ In this thesis’s usage, “immortality” is precisely defined as “not-mortal,” where mortal means having a finite lifespan. Thus, “immortal” means having a not-finite, thus an infinite, lifespan. Some less precise current usages of “immortal” treat the term rather as something like “having a much longer than currently typical lifespan,” in other words, more like the idea of “life-extension.” (de Grey 2007). In many traditional mythologies, though, the “immortal gods” actually did not appear to have truly infinite lifespans—or at least, they grew old and very slowly withered away (although it is hard to determine if they withered infinitely, like a log function approaching its limit but never reaching it, or finally expired). Wagner’s *Ring* operas, particularly in the character of the goddess Erda, depict this withering away of immortals. Nonetheless, I find it much more precise to stay with “immortal” as meaning an infinite lifespan.

nature of living beings, particular humans, that they had to go through with this stage of afterlife; it was certainly not one that people sought or strove for by finding special potions or devices that would ensure they had an afterlife—which would have been an bizarre pursuit; 4) Rather than being an old tradition in human culture, the concept of immortality instead is very recent, developing well after humans began abandoning foraging for large permanent settlements and agriculture, possibly not until true temples began replacing ritual buildings and rulers attained the stature of gods (Flannery and Marcus 2012). A plausible conjecture is that the concept of true immortality developed as a form of one-upmanship, whereby rulers, in investing themselves with greater and greater power over subjects, nobles, and enemy rivals, needed to keep establishing their greater power and divinity by continually upping their alleged longevity.

The path to the concept of endemic immortality amongst the species—for the ruled as well as rulers—was long and rocky. *Gilgamesh*, one of the earliest extant epics, reveals an inchoate concept of immortality (Sandars 1960). The Sumerian hero is a ruler warrior, and in this case is seeking a life-extending potion. The poem offers an intriguing *mélange* of the connection between establishing “immortality” of such sort and ensuring earthly power. A ruler is not always simply endowed with immortality, but often may have to attain it by deliberate means.¹⁹⁶ One of the notable innovations of Christianity was its introduction of a way by which not merely Caesar, but everyone, could attain infinite *desirable* life. Traditional Judaism before it, by many interpretations (Cohen 1988), had little concern about any afterlife and focused upon this one-and-only (mortal, Earth-based, embodied) life. It may be no coincidence that the new sect of Judaism founded by Christ and Paul arose not only soon after Caesar became immortalized but also when Rome was occupying Israel and the Israelites were powerless against this greater

¹⁹⁶ A more detailed analysis than I can afford here could trace how this deliberate seeking of immortality may eventually lead into its widespread accessibility among commoners, as later religions such as Christianity and Islam allowed.

force. Other Roman subjects were also feeling the effects of a heavily secularized, impotent, and personally empty polytheism of this post-deification period (Starr 1971). Christianity offered a palatable package of both personal empowerment and immortality—again, reflecting the connection between Earthly power and eternal life—that appealed not only to the poor whom Christ focused on, but also to the upper classes, likely in their disenfranchisement within the empire. This neo-Judaistic spiritual revival spread breathlessly throughout the spiritually parched empire. Immortality became a powerful new value for everyone in the Western (including Byzantine) world, and eventually across the planet as missionaries spread.

Another side to immortality in Western tradition grew out of Plato and Platonism. The Platonic teaching of the realm of the Forms being the “most real” reality had its underside of simultaneously disdaining this shadow world in the cave in which humans live their existence. Although the *Republic* took managing Earthly affairs seriously, its hierarchism and paternalism heavily regimented Earthly life, as though in its fleshly inadequacy Earthly life had to be confined in order best to reflect the Forms (Plato 1952). In some views, early Church doctrines via Augustine were influenced by Platonism (Armstrong 1970, Cross 2006, Endsjo 2009). This Platonist tradition was at least one source of Christian doctrine of excoriating the flesh and despising the Earth for being, in fact, Satan’s realm (while the heavens were God’s) (Leiss, 1974). The only life that was good was a type of meta-life of which this world was not even a dim reflection but was somehow revealed and promised to come about eventually.

Despite some traditions of Christian stewardship for both Earth and body, the basis of the scorning—even hatred—of the body and of this world and of the life upon it continued in Baconian doctrines, whereby humans had a mission to bring about the perfecting of the (what was formerly seen as Satan’s) debased, faulty Earth, through the knowledge gained by rational,

scientific inquiry (Leiss 1974). After this point, immortality and the meta-life (IAM) become not merely a given within our “immortal souls” or something we can achieve by stumbling upon the right elixir, but a state we can fashion through our own ingenuity and artifice as humans. Before evolutionary theory developed in the 19th Century, this fashioning and perfecting the (Satanic) failure called “nature” was a God-given destiny; with the advent of evolutionary theory, this destiny became one that the forces of the universe handed humanity in giving it consciousness, intelligence, and technological ingenuity (Bostrom 2005).

Valuing the meta-life—some kind of realm beyond our existence on Earth—and immortality is thus very recent for humans. This valuing has two, not entirely bipartite facets: 1) an inherent immortality of the soul (which, by Christian or Islamic doctrine, must be saved from damnation), which continues in a meta-life after death; and 2) a metalife and immortality that humans can fashion themselves. Both of these facets have been intertwined historically. Both tend to lead to devaluing life in and of itself, in that life in and of itself is faulty, despised, and in need of being overcome and dominated. The former facet has little problem accounting for where the perfect Form for this meta-life comes from: It is, or comes from, God. The latter facet has more difficulty, particularly for its secular and atheist adherents: Whence those ideal Forms which serve as our models in which we fashion this faulty clay, if not from the very “force of the universe” which evolved us, but which force would then be as tainted and faulty as that which we are trying to refashion? There is also a further quandary: If life in and of itself is so despicable, it is not apparent that an infinite amount of time would improve one’s lot.

One objection here may be that IAM does not pose such a quandary: Instead, it allows that mortal life on Earth can be sufficiently all right for many—but immortal meta-life in heaven or the realm of Forms will only be so much better. I find this objection specious, yet it warrants

more response than I can offer here, as it—or a belief much like it—appears to be widespread among both religious and secular thought and influences a good amount of conduct, as people vie to refashion the planet into their idealized forms or use it without care because it is there to be used before the better world arrives. In brief, I find this objection disingenuous: Both facets of IAM build upon deep faultiness with life in and of itself, upon a lack of acceptance of life despite its faults and what one can get out of it.

I suggest that the valuing of IAM is one of the potentially more pernicious values in terms of devaluing volio and, by extension, reproduction. It embodies and builds upon the previously discussed values which themselves strongly tend to disvalue life in and of itself, it is deceptive because of its pretension of carrying out a “higher cause,” and it too easily abets a lack of care for life as it is and for the world in which life arose and continues.¹⁹⁷ In pretending to value life by offering infinite lifespan, this valuing is founded upon anti-life valuing that it cannot shed and is confounded in paradox and quandary; is prone to encourage individuals to despise their carbon-based embodied selves and to use their bodies merely as means in the trajectory to the Greater Realm; and thereby, as love of the embodied self is essential for volio, valuing IAM thusly in an attempt to realize these IAM projects is likely to disvalue volio and to value actions that debilitate life itself and the world upon which it depends.

¹⁹⁷ Bostrom (2003) asserts that immortalizing technologies such as mind-uploading would be environmental friendly, but this interesting assertion is backed by little argument. When one considers the rare-earth metals, found mostly in China, so important to electronics hardware, are already cause for concern both about geopolitics and economics as well as strategic concerns, and that these metals’ extraction cause notable environmental problems, the assertion starts to lose luster. When the likely prospect of continued one-upmanship due to competitiveness is added (Dawkins 1976, Pinker 2011), along with the plan to allow hardware to self-replicate beyond policy control (Chalmers 2009), the scenario of vastly increased acceleration of resource-extracting, if not only on Earth then in another planets and beyond, the assertion of the environmental advantage of immortalizing technologies appears more untenable.

4.9.2. The Second Set of Values

Before discussing prioritizations generally and how the valuing of reproduction fits into the value scheme, I should mention a few values that are more readily consistent with *volio* than those in the previous section: autonomy, equality, community, health, liberty, mobility, and variety. Although at first blush these seem promising for abuse vis-à-vis *volio* (i.e., *volio* may be abused by way of any of them), they all share a common trait that makes them distinct from the previous set of values: They are generally valued by both foraging societies as well as by post-foraging, sedentary, hierarchical societies, whereas most of the first set of values seemed to be rare among the former societies. This fact may not mean that the second set of values are more “natural” for humans, whatever that term means; but their longer-lived presence in human cultures and valuing schemes may well have allowed humans occasion better to accommodate such values within those schemes. If humans have indeed embraced these values for a good part of Hominid existence,¹⁹⁸ then these values may have a vital role for the species’ survival needs and peculiar social structures.

The first three on this list (autonomy, equality, community) relate to some of the traits of *quod sunt homines* discussed in §4.5 above: The first two relate to the secondary traits *Human individuals are autonomous*, and *Humans for much of their existence have been egalitarian*. The third relates to a listed primary trait and a secondary: *Humans are social/cultural*, and *Human sociality tends to be based on the nuclear and extended family*. If these characteristics are in fact human characteristics, it does not follow that agents must value them. One can have a certain quality but not value that quality; thus, one may be an embodied (carbon-based) being but disvalue the flesh. But at least it is not inconsistent that, if one has a quality, one would value it.

¹⁹⁸ The archaeological record is of course too spotty to provide direct evidence here, so one can only infer from apparent social structures what values humans and their ancestors may have held.

The great volume of literature extolling, defending, or at the least positioning these three values within larger schemes of values provides some attestation of these values' importance to many within modern industrialized cultures.¹⁹⁹ Furthermore—an important point to emerge from this chapter—if these characteristics are indeed basic to human life and its sustenance throughout the species' or genus's long existence, then valuing them is valuing human life and thus a component of *volio*. I will return to this result.

Such valuing of these characteristics would not, as I have hinted, mean that they cannot be overvalued to the detriment of other values or *volio* itself. Valuing community to the point that, say, equality or autonomy are disvalued has occurred time and again in human history, as in Mussolini's Italy, Stalin's Soviet Union, Hitler's Germany, Pol Pot's Cambodia, and Mao's China, and probably Montezuma's empire and other, earlier totalitarian regimes. (Some observers may add that the communistic regimes also overvalued equality to the expense of autonomy and other values such as liberty and even mobility.) In fact, these three values may be best protected by each keeping a check on the other, as happens in the French *devise de la Republique Française* with its explicit rendition of the triangulate *liberté, égalité, fraternité*. One may picture these three as sides of an equilateral triangle, in which each side supports the other, cannot exist without the other without collapsing the entire structure, and serves as a check on one or the other's increasing disproportionately. This institution of *la devise de la Republique Française* is a way of not only reinforcing the values' persistence in the culture but also of ensuring that one value does not become overvalued to the expense of the other. At least, then, there are practical steps that a society can take to maintain values in due proportion, especially those that have some importance for *volio*.

¹⁹⁹ Just to mention a few: Kant, Locke, and Rawls on autonomy; Plato, Marx, and Kymlicka on community; and Hobbes (in his own strange way), Rousseau, and Sen on equality.

I postpone discussion of the problematic value of liberty. Health, of course, is a long-recognized value among many cultures. The concept speaks so strongly of harmony with oneself and others that it is hard to imagine how this value could be abused. Even if, say, Alice were to attempt pursuing health by exercising so much as to ignore her family, she would probably indeed be exercising too much, more than the body can sustain; and the imbalance of attention to others is itself a detriment to harmony and health. Mobility and variety can relate to other values—such as to desire expansion or liberty—but I bring them up because many immediate-return foraging societies appear to uphold these (Thomas 1958, Davis et al. 1995, Lee and Daly 1999, Kelly 2007), and so may be longstanding human values. Stretching back far into human history, peoples were highly nomadic, primarily in their search of fresh resources, but also to escape aggressors or intragroup conflicts (Lee and Daly 1999, Kelly 2007). Valuing mobility and the urge to “pick up and move” and find other horizons and possibilities has come to be recognized as a right, as embodied in the Universal Declaration of Human Rights (United Nations 1948) Articles 13 and 14. One may even construe mobility as an aspect of freedom, as a prisoner’s loss of freedom is partly constituted in the lack of mobility. In the ethnographic literature, even foraging cultures place some value on variety, whether in having a change of place, different combinations of spices and ingredients in dishes, or steady alterations in the daily routine. Some peoples, such as the Penan of Borneo, seem to value their nomadic mobility not only for richer resources in a new area, but also simply for enjoying a change in scenery (Davis et al. 1995).²⁰⁰ Many foraging societies, such as those of the Kalahari San, experience a steady change of band members, as individuals migrate from one band to another, which migration some anthropologists describe as serving to defuse conflict (Thomas 1958, Lee 1977, Kelly

²⁰⁰ In this light, human tendencies for mobility and variety can be construed as two sides of the same tendency. They may also be candidates for characteristics of *quod sunt homines*—indicating there is some area of interface between what humans are and what they value, bringing up the fact/value dichotomy, into which I cannot now delve.

2007). Valuing variety may partly explain the migrations as well; although the set of bands amongst which such migrations may occur are interrelated, the mixing is also a way for band members to visit and enjoy others' company. Many foraging groups also commonly seek changes in their daily foods (Hudson 1972, Dentan 1979, Davis et al. 1995).

For the thesis, what is interesting about these two values is how they may be coopted by other valuings, such as that of ease and convenience or desire expansion, or abstracted from their context so that they no longer have their original function. To illustrate, certain contemporary forms of mobility, such as widely accessible automobile use, may be construed as a type of autonomy, as well as valued for ease and convenience, although the autonomy in this case may not be true autonomy (Miller 2012a) and any derived ease and convenience beg the question of the social infrastructures that are already geared to accommodate this form of transport. Valuing of variety may be construed as valuing desire expansion; however, although desire expansion and insatiability may derive from the valuing of variety, the latter need not entail the former and the derivation does not somehow make the former more "natural" or justified when over-valued.

These values of variety and mobility may also be seen as components of liberty. Forcibly restraining persons, or even imposing monotony upon them, violates their liberty. However, I find that liberty is a distinct value, which I explain in the next subsection.

*4.9.2.1. A Special Case: Liberty.*²⁰¹

Although I said at the beginning of §4.9.2. that the "second set" of values were distinguished from the first by the seeming fact that the first set arose very recently in the human evolutionary timeline and were not evident in immediate-return foraging societies, I must add a caveat: It is

²⁰¹ With a slight risk, I conflate the terms "liberty" and "freedom," in that I use "liberty" in all cases except in quotations that may use the term "freedom." I cannot here afford to diverge into niceties between these terms.

hard to tell, from archaeological and ethnographic literature, whether liberty was a distinct value among early, foraging societies. They evidently valued individual autonomy and the individual privilege to be the type of person one wants to be and to live the way one wants. (Lee and Daly 1999, Ingold 1999) But the concept of liberty per se, in its negative or positive sense, is hard to pin down in these societies. Surely, these bands had customs about respecting other people's activities and the items they commonly used. But generally, two concepts key to our modern notion of liberty—authority and property—were largely missing (Thomas 1958, Martin 1977, Davis et al. 1995, Ingold 1999, Wells 2010, Flannery and Marcus 2012). Thus, the practices of sharing and equality: When a forager brought in a load of food, the social pressure was to distribute it among the group. Headmen had almost no authority; the gods had their whimsical, appeasable, and far from absolute authority. But, most important, without the state, there was neither an overwhelming local power that could threaten and deny one's autonomy nor such an authority that could protect one from such infringements, as well as no property that such an authority could violate or protect. The key question here is, why should the concept of liberty have ever arisen?

It seems that the presence of a state manifests the cultural condition in which notions of at least negative liberty coalesce. Types of cultural structures lying between foraging and the state, such as non-hereditary rank societies or chiefdoms, may also supply the cultural conditions in which the notion of liberty arises, even if the concept of "rights" was not nurtured in such structures (if not forcibly discouraged). If among the earlier foraging bands were many in which equality was encouraged but little emphasis on liberty was evident, and states are largely inegalitarian but liberty is increasingly evident as a concept and is valued, then one may plausibly infer that liberty as a concept may be an outgrowth of inegalitarian societies, as, say, an

antidote to the inequality. Indeed, even among very early inegalitarian societies, as in such non-hereditary rank foraging societies as the more recent Tlingit (Flannery and Marcus 2012), which had slaves, there was usually the possibility of manumission and thus, one may infer, some notion of liberty, even in the positive sense. (Many early inegalitarian societies also had room for climbing up the social ladder to higher ranks.) This issue certainly deserves more study, as at this point one can only fit together the scattered bits of evidence and infer the story of liberty's rise. But it appears that, to take a lead from Marx (1971), liberty as a concept developed in response to the oppression of inequality—and possibly would not have developed without that condition. As Marx wrote, “This kind of liberty is at the same time the most complete suppression of all individual liberty” (131) (However, unlike Marx, one need not postulate that liberty, or the concept of the right to liberty, was limited to bolstering bourgeois interests in the maintenance of capital but could acknowledge it as an antidote for even the most disenfranchised against absolute power.)

Thus, it is plausible to say, albeit based upon tenuous construal of the ethnographic and historical evidence so far, that liberty was, much as Rousseau (1997) characterized it, the condition in which humans lived before the onset of inegalitarian cultural structures (or, in his words, which make little scientific sense now, in “the state of nature”). Similarly, Foucault (1979) descried the philosophical tradition in which liberty was perceived as the natural condition of the species. I believe it is more perspicuous and empirically more accurate to say not that liberty was the natural condition in which humans lived (say before cultural structures began shifting toward the inegalitarian), but that liberty was a concept that developed slowly in conditions of inequality in an effort to recapture the lost autonomy. Thus, if liberty by this account is not a “natural” value—not a value based upon primary or secondary characteristics of

quod sunt homines—it is at least a value in compensation for cultural conditions that in effect decreased valuing for certain primary or secondary characteristics.

One characteristic, though, does share much with *positive* liberty: autonomy. Kant (1981) also observed the close connection between autonomy and liberty when he described liberty as necessary for that “supreme principle of morality,” autonomy of the will (440). In conditions of social inequality, liberty—positive and negative—is certainly needed for agents to experience full autonomy. But in conditions more closely approaching equality? It seems liberty per se is then not an issue, but autonomy is nonetheless recognized, respected, and experienced to a fairly full extent. Although negative and positive liberty are almost always defined contrastively, in terms of one another (as in Gould 1988), there is an important way in which the autonomy in the conditions of equality is much like positive liberty. Positive liberty is commonly given as “freedom to” and negative is “freedom from.” Gould goes further by noting that “objective conditions... are necessary if choices are to be effected. Such conditions may be characterized as *enabling* conditions or positive conditions for action as distinct from *constraining* conditions, the absence of which defines negative freedom.” (37-38; emphasis in the original) In the political context she is examining, ensuring positive liberty requires some kind of institutional structure that in turn ensures citizens of sufficient enabling conditions so that they can experience positive liberty. Positive liberty is more precisely understood as the conditions for “self-development,” whereby individuals “create or develop their natures through their activity” and can achieve their “projects or long-term goals.” (47).

I suggest that such an understanding of positive liberty correlates with the valuing of autonomy in immediate-return foraging societies. Autonomy in these societies (again, I grant I am grossly generalizing across many cultures, but with empirical justification) is seen as a

person's privilege to be what that person *is* and to develop one's particularly capacities, whether that be as fine hunter, shaman, musician, painter, weaver, or headman (Ingold 1999, Kelly 2007). The enabling conditions in these cases, though, are not institutional but structural within the customs, beliefs, and practices of the culture. These cultural enabling conditions are where these cultures' valuing of autonomy correlates with positive liberty, although they should not formally be called "positive liberty," which implies deliberate policy and institutional measures that must be drawn up and enacted in order to effect them.

Furthermore, Gould's observation of the essential role of social relations in realizing self-development also correlates with the social nature of valuing autonomy in these foraging cultures. She lists six such ways that social relations enter into self-development, and each of these reflect, by my reading of the ethnographic literature so far, the practices and values of many of the foraging societies that do highly value autonomy.²⁰² However, duly valuing positive liberty so that these social relations ensure self-development requires some deliberate instituting and policy-making; whereas in these societies where autonomy is highly valued, the values placed on community—the valuing of community—are intertwined with this valuing of autonomy: Valuing autonomy and the enabling of self-development lie within the social structure itself.

In sum so far, then, while liberty may not be an overt value in these earlier forms of human society and may not even be needed, the structure of these societies realized the same sort of social effects that positive liberty ensures in more complex societies. This fact then justifies my placing this peculiar value with the others of the "second set" of values which I contended

²⁰² These six ways include: 1) the purposes individuals form are social in nature; 2) social institutions provide the means for individuals' carrying out their aims; 3) individuals may adopt any of the shared common purposes; 4) developing these aims requires recognition by others as free to do so; 5) social relations provide means for mutual support; and 6) all those individuals who en masse have developed their aims enrich the aims of each individual (49-50).

were more longstanding, pre-permanent-settlement values. Now I look at how valuing liberty relates to valuing life in and of itself and whether its prioritization can ever negatively affect volio.

Again I turn to Gould, whose approach to valuing life and liberty are similar to that taken here, although I will distinguish a difference. One important similarity is that Gould sees the valuing of life as essential for all other values, much as I have argued that volio is the most basic value from which others stem, although it can also be subsequently given lower priority to other values. But Gould's approach diverges in putting liberty alongside life as twin basic values. If Gould does not quite conflate these values, she finds them both simultaneously necessary for constituting human activity. Both are essential in defining human activity, characterized by choice, which in turn distinguishes human life from its mere organic life:

...in a certain sense human life and freedom are generically identical, if one takes life not simply as a state of being, but as an activity characterized by choice.... [T]o understand biological existence simply as a matter of organic life would be to lose its distinctive character as a human biological existence, or its value as human life.... The value of life, like that of freedom, is thus affirmed in the very activity of human beings. Since life is a necessary ingredient for the possibility of other value—for without it there would be no agency—it also is a primary value. (130-131)

There is some similarity here to what I call the “Rousseau” approach, in which liberty is something like a natural condition of humanity; and as life would of course be a natural condition, life and liberty would be twinned and inseparable for defining human beings. I differ here in two respects: 1) I find valuing of life still must precede valuing liberty ontologically, and 2) it did so historically/evolutionarily, as per the discussion above, whereby liberty is not even a notion until other values, particularly autonomy and equality, are threatened by recent cultural shifts to structural inequality. Gould acknowledges that indeed “one has to be alive in order to

act” (and this activity distinguishes human life from mere organic life); but this fact could be taken one step further ontologically.

Patrick Henry’s famous “Give me liberty, or give me death” encapsulates the ontological distinction between these two values (perhaps despite his intention): Liberty is fungible, in a sense; it is potentially transient and can be diminished or restored; life is not, in any of these senses.²⁰³ Patrick Henry must have perceived, as many people stuck indefinitely in prison likely have, that if one has been denied one’s liberty, it can at least be restored. If one has been denied one’s life, it cannot be restored (pace sci-fi episodes contrariwise). As Asad (1997) makes clear in terms of cruel and unusual punishment, there has been a transformation in concepts of punishment during the post-Enlightenment campaign of “humanizing” the world. Especially in the prevalent contemporary anti-capital-punishment outlook, depriving a prisoner’s liberty by incarceration is not only more humane than taking a life but often preferable for prisoners (Pinker 2011). They have hope of regaining liberty. These tendencies exemplify a stronger valuing for life over freedom;²⁰⁴ and though Patrick Henry may beg to differ, his own declaration brings out this basic ontological difference between life and liberty, as well as the values commonly placed upon them.

If this distinction is real and *volio* indeed precedes valuing liberty ontologically and genealogically, the question arises of whether, like the other values discussed, liberty may be

²⁰³ As a further ontological difference, liberty can come in degrees, whereas life is all-or-nothing. One prisoner can have more liberty than others; and “free” citizens of a society can have more liberty, or less, depending upon the governing rules. This “degree” characteristic of liberty can also be used, pace Rousseau, to justify liberty’s being defined by government and laws, but I cannot venture further into this particular snake pit of controversy about the ontology of liberty. The Rousseau view, of course, sees liberty as much as a part of our natural human condition as life is. I have pleaded instead that liberty is more clearly understood as a concept arising post-inequality in cultural history in response to lost autonomy and equality.

²⁰⁴ Some commentators may be concerned that not construing liberty as having equal value with life may too easily lead to liberty’s being devalued. There need be no such concern. For one matter, the value of life—specifically *volio*—is often devalued in relation to other values, as I have repeatedly illustrated, so twinning liberty with life guarantees no solid anchoring. Thus, if one wants securely to anchor liberty, one needs a more indomitable value to which to attach it or some other justification.

valued to the point of devaluing life in and of itself (Patrick Henry aside). Off-hand, the only examples that come to mind are those cases in which negative liberty is valued in such a way by policy that some powerful individuals' activities may be permitted to such an extent that other peoples' lives and other values are devalued, even though such harm would not officially be acknowledged as harm. Extreme political situations could allow such situations, although these powerful individuals' activities would be allowed for allegedly improving these devalued persons' lives, as by "trickle-down" economic or technological effects. Other extreme libertarian positions do not regard these devalued lives and values as significant, as these lives and values wither before the supposed triumph of such agents' wills in a march of some kind of destiny: (Hanson (2009) is a casebook example of a proposal for the controllers of technologies to use their "truth orientation" techniques to make everything, every fact and phenomenon, about all subjects' lives, whether voluntary or not, as transparent as possible, for the alleged human manifest destiny of pursuit of Absolute Truth.). Thus, the earlier examples of contemporary agents (see §2.2.3.) who strive to transform *Homo sapiens* into other species of their own design (Miller forthcoming) also provide examples of liberty valued to the point that, if plans were fully implemented, could broadly devalue *volio*. However, such "liberty" could also be construed as out of bounds of true liberty. I cannot here enter into that interesting and important debate.

In brief, I find that liberty, while not the basis of all other value, is nonetheless a central value providing an antidote to the loss of autonomy and equality in inegalitarian cultures, which comprise the overwhelming majority of current societies.

4.10. Particular Value Prioritizations

*A world without children
would not be a world.*
—Ancient wisdom

I have only covered a few values of moral relevance among the many possible; and, even with this small list of values investigated in terms of their priority relations to *volio*, the number of ways of prioritizing one over the other is enormous. Nor need I attempt such an ordering for the sake of answering the thesis' Central Question, as I aim to do in these last few sections. The concern is simply this: Reproduction is an activity bringing about more life, more human life. The activity (if done deliberately) reflects some kind of valuing of life. Again, the problem is: *If social circumstances are such that life in and of itself is overpoweringly devalued by other, predominant values, such as that for metalife or insatiability, and volio is so diminished that no individual agent can restore its due position, reproduction may be an act inconsistent with prevailing values.* In such cultural conditions it appears inconsistent to reproduce when a culture more highly values, say, wealth, power, insatiable desire, or a metalife over carbon-based, embodied life in and of itself.

To some readers, drawing this conclusion of apparent inconsistency may be hasty: reproduction may not necessarily be inconsistent with the *volio*-debasing values. Before answering this objection, I first point out a paradox. In cultures whose values have strongly devalued life in and of itself, reproduction and its concomitant values of care and love may be one way to help counteract the devaluing of life: In such situations, children may indeed “be our last hope,” or may “help save us from our own degradation of life itself.” One part of the paradox is that children then become a means to “saving” a society that cannot seem to save itself from its own ill-prioritized values: In becoming such a mere means, reproduction and children are further

devalued. Another part of the paradox, similarly to Frankfurt's (1971) case of will and higher-order desires, is: If the society members can perceive that its values are so skewed as to need readjusting, then it could as well shift its values instead of attempting to retain its skewed values while retaining the value from which it has skewed.²⁰⁵ To put the paradox more simply, the society whose values are so ill-prioritized as to need having children as antidote to such priority is the very society with the values least fit to have children. That is, those societies that most need children should least have them. (I return to this paradox later in discussing the Central Question in terms of the planet's resources and the obverse of the paradox for cultures that give volio priority.)

As for the objection that valuing wealth, power, and such over volio does not necessarily mean reproduction is inconsistent with those values: This objection is very important, as well as its answer, in terms of the thesis. I acknowledge that there may some way to arrange the valuing of some values, such as wealth or prestige, over volio, so that volio is not so greatly debased as to render reproduction inconsistent with the value prioritizations. Sometimes, giving a value such as wealth high priority may work to sustain volio in some respects. Flannery and Marcus offer the case of the Apa Tani of Assam state, who managed relations among neighboring groups so as to divert energies from internecine feuding into trading and wealth. If the Apa Tani had had a slogan it would have been "Make wealth, not war.'... [They] show us that endless blood feuds are not inevitable.... [T]he desire for wealth now trumped clan loyalty..." (2012, 257-258). However, such valuing of wealth and trading, as Keeley (1996) and Kelly (2007) reveal, is rarely coupled with peaceableness. Instead, these authors find, trading often opens up conflict and pursuit of wealth leads to aggression (likely dependent upon the culture's entire set of values and

²⁰⁵ Frankfurt's case concerns drug addiction and will: A person, by definition, can desire to have a desire, say a higher-order desire to stop an addiction. To state the part of the idea that is relevant here, the addict who allegedly wants to stop but does not may not be fully a person or may not actually have that higher-order desire.

prioritizations). Nonetheless, the Apa Tani exemplify how highly valuing wealth may not necessarily lead to heavily debasing volio, so that in such a group volio may be still be prioritized so that reproduction is not inconsistent with the entire body of values.

The example of the Apa Tani evokes the important point arising in response to the objection. This people showed no evidence of highly valuing other values such as insatiable desire, metalife, and power. (Indeed, the Apa Tani's unusual form of society had "hereditary rank and wealth, but no chiefs at all" [Flannery and Marcus, 258]. Strangely, wealth incurred little power.) One may construe such a people as esteeming wealth and life in and of itself as of equivalent value. Thus, enhancing values other than volio may not in itself necessarily lead to inconsistency between them and reproduction. The difficulty arises in so prioritizing other values over volio that it is greatly debased, or more significantly, in packing so many values above volio that they work synergistically to degrade volio to the point that reproduction does become inconsistent with the value system. I concede there is a potential sorites paradox here; it is hard to say there is a precise point at which the set of non-volio values weighed over volio tips the balance so that reproduction then becomes inconsistent with the set. One can offer examples of extremes in which reproduction is clearly inconsistent with a set of values, and others where it is clearly consistent. In these examples, "reproduction" is the creation of a new, biological human being from an organic zygote. For the former type of set, consider the scenario involving the fulfilled vision of the sort described earlier: Humans are either entirely uploaded into machines, or supercomputers have replaced all humans (as in Vinge 1993, Kurzweil 2005, Sandberg and Bostrom 2008, Agar 2010). In this case, the highest values are power, insatiable desire, wealth, metalife; and there is no more life (or at least embodied human life) just as there is no valuing of life in and of itself. For one of these entities to create a human being from a zygote solely for the

sake of life in and of itself²⁰⁶ would be inconsistent with the group's set of values. At the other extreme is a people such as the foraging Penan of Borneo (Davis et al 1995, Davis 2002, Davis 2008) or the horticultural Semai (Dentan 1992) of the Malay Peninsula, both peoples documented as peaceable (the Penan historically less so) both intra- and inter-group and living efficiently and in respect for the land, its biome, and its resources. These observations can be made without romanticism but thoroughly rationally.²⁰⁷ Examination of their customs reveals them to be living in accord with *volio* as described above, extending from (what appears to be) love of self to love of others in one's life and to love of other life forms.²⁰⁸ *Volio* appears to enjoy the highest or one of the highest value positions. Creating new human life in such a value context is consistent with the valuing of life in and of itself. As for the objection, then, the first case (of machine dominance) is as clear a case as one may offer in which one can safely say that reproduction is inconsistent with the set of values. In real cases of current cultures, it is hard to say reproduction is necessarily inconsistent with the values. However, one may say that in cultures where *volio* is very debased, one starts to approach, significantly and effectively, an inconsistency between reproduction and the set of values. The objection does bring out the

²⁰⁶ As opposed to, say, creating the human being for a scientific experiment or simply for the expression of the "liberty" of the entity to do so.

²⁰⁷ In fact, Davis 2002, Chapter 5, compares two nomadic groups, the Ecuadorian Waorani and the Malaysian Penan. The former, before invasion by missionaries in the 1950s and subsequent government-forced assimilation, were medically documented as "astonishingly healthy... essentially disease-free, with no history of cancer or heart ailments, with no evidence of exposure to polio, pneumonia, smallpox, chicken pox, typhus, typhoid fever, syphilis, tuberculosis, malaria, serum hepatitis, or the common cold" (124) or internal parasites or secondary infections. However, notably, Davis also describes the people as warlike, living a harsh existence such that "no one who understands the life once led by the Waorani would wish it on anyone." (127) Davis, an anthropologist and ethnobotanist who has studied many peoples of a range of economic and social types, could not be readily accused of romanticizing any people, merely because he describes a group such as the Penan as one with strong and sustainable values that I propose are highly consistent with *volio*.

²⁰⁸ These examples are not to imply that all foraging groups fully value life in and of itself, at least to the extent of loving and respecting all species. Some groups have notably exhibited lack of respect, even careless disregard, in their treatment of some species. See Thomas (1958) for one San group's callous treatment of some animals. As I emphasize here and elsewhere, observing that some foraging groups appear to approximate most closely the due prioritization of *volio* does not arise from romanticization of foraging groups in general but from the rational approach of this thesis in turning to empirical studies both to characterize *quod sunt homines* and *volio* and does not imply that all foraging groups equally approximate due prioritization of *volio*.

socially contingent possibility that some set of values in which volio is substandard may not mean reproduction is inconsistent with it. But this contingency only brings to light the fact that the more a set of values amasses non-volio or volio-debasing values so that volio sinks ever toward zero, reproduction is ever more likely to become inconsistent with the set (or to fall ever more closely to inconsistency with the set). In other words, a scenario like the paradox—arising in a society that heavily debases volio but whose members seek to reproduce—becomes ever more likely.

Most cultures probably fall between the two sample extremes. I dare not enter here into precisely how to judge when a culture's, or even an individual agent's, set of values are such that reproduction would be consistent with it. The general concern for assessing the consistency of social values with reproduction is where the overall set places volio, that is, whether it is notably devalued in relation to other values such as power, desire insatiability, and immortality. These values in themselves are not necessarily anti-volio. It is the degree to which they are valued, and the additive (synergistic) dynamic effect with other volio-debasing values, that may make reproduction inconsistent with them. Current industrialized, agrarian-urban cultures as a whole, and specific subcultures within them more pointedly, have arguably been granting more and more value to prestige, wealth, specialization, ease and convenience, desire expansion, competitiveness, and metalife to the point that volio is increasingly debased. The adamant insistence in such societies to have large spreading dwellings incorporating enormous parcels of land and biome, to light every room at night, overly rely upon computers (see Weizenbaum 1976) that require rare earth metals which in turn require detrimental mining, exacerbate agents' desires whose ever-receding horizon of fulfillment demands exponential rises in resource extraction and use, and deploy complex consumption-intensive mechanisms to seek longevity-

extensions for agents who can then produce ever-consumption-intensive means to amass more-unfulfillable desire all reflect strong value prioritizations. Respectively with this list of actions, these values are, again, those for prestige and wealth, ease and convenience, power, desire expansion, and metalife. Life in and of itself is, at best, deferred to some receding horizon, or is trampled in the scramble. Volio may have been the spark, at one time, to spur these values, but it is difficult now to tease apart any remaining substance of it from these overpowering values. In such societies, then, it is a challenge to square reproduction with the cultural practices, that is, to account for just which value is motivating reproduction. As Overall writes (2012), reproduction may still be pursued but for values other than what I am calling life in and of itself: reproduction becomes a commodified activity and children commodities. “I am uneasy about seeing children as a product... Parenting can go wrong when parents see their offspring as objects they can and should mold to suit their own purposes.... Children are not property.” (211) However, some sides in the bioethics debates (Savulescu and Kahane 2009; also see Buchanan 2011) promote exactly such objectified treatment of offspring. *That* particular life in itself, the offspring, is thus subservient to the value of competition, prestige, insatiability, and even metalife. If that life is subservient to other values, then it is plausible that, in that value system, all other human lives are subservient to values other than that for life in and of itself.

Of course, for now such societies still do value life to some extent and outlaw murder—but life is veritably the mere means to the materialization of these other values. This trend works contrary to what Overall protests, that “Children, like adult women and men, should be treated as ends that are valuable in themselves.” (2012, 211) Within such societies, for the time being, life remains a substrate or matrix upon which these other values can be pursued. But if a substitute for life were to appear, by which these other values could still be materialized, then some agents

(apparently Vinge 1993, Jones 1995, Sandberg and Bostrom 2008, although each of these are subject to interpretation; de Garis 2005 has more explicitly avouched for the sacrifice), if their declarations are to be believed, would sacrifice life for the sake of these non-volio values. And it is not clear that other segments of such societies, if the valuing trends that they exhibit portends anything, would not follow that lead and also prioritize those values to the expense of volio.

4.11. A Quandary for Volio and the Valuing of Reproduction

It may appear that, in some social conditions, such as this last one described, agents may reproduce for values other than volio. Earlier, though, I had said that in societies that heavily debase volio, reproduction represents an inconsistency in value. Which is the case (to avoid possible inconsistency herein as well)?

To answer, I must make a conjecture, although it ties together the many previous parts into the whole that I have promised. In a social condition in which volio is given indisputable priority over all other values, in which other values are prioritized beneath it so that they serve to further valuing of life in and of itself, reproduction, being the furthering of life in and if itself, is an act of that valuing. It calls on no separate valuing, as I now attempt to explain.

As Kelly (2007), Flannery and Marcus (2012) and other anthropologists and archaeologists have recently pointed out, the old anthropological dream of reconstructing how our prehistoric foraging (or some early horticultural) ancestors lived by studying current foraging societies has been deflated: Current societies of this sort vary widely one from the other, and compared with prehistoric cultural conditions they appear to have evolved in widely differing ways as well; thus drawing up some “ideal” model hunter-gatherer society is almost meaningless. However, recent such societies—the Penan or partly horticultural Semai that

appear to have abided by their customary values and resisted powerful incursions from inegalitarian influences—have retained a certain integration in their value priorities (see also the many ethnographies in Lee and Daly 1999). Indeed, what is more common among these societies is not custom, which as Kelly cogently argues does vary widely among them, but value priorities.²⁰⁹ The above-listed values that strongly tend to displace *volio* are held, if at all, only exiguously. These societies exhibit only slight valuing of wealth, prestige, power, competitiveness; seemingly no valuing of insatiability or *metallife* (discounting group members converted to Christianity or Islam); and a moderate valuing of specialization and of ease and convenience. They generally value autonomy, equality, variety, mobility; but none of these so much as to displace *volio* from top priority.

In this light, the cultural values and practices are integrated in such a way as to uphold *volio* as primary. As Davis et al. (1995) write, “In Penan culture, there are no sharp distinctions between, play, work, and education.” (41) In this culture and many others documented (Gowdy 1999, Ingold 1999), daily activities profoundly interrelate with one another in both substance and meaning. “Hunting and gathering is [*sic*] integrated with rituals, social organization, and artistic expression. The idea that earning a living is drudgery whose only purpose is to make it possible for us to live our ‘real’ lives is not present in hunter-gatherer culture.” (Ingold 1999, 393)

Commonly among such societies, there is a strong interconnection between harvesting plants or

²⁰⁹ This commonality may be what imbues this set of societies with unity, rather than their intersecting practices, by which anthropologists had earlier attempted to unite them. Certainly, there is, as well, great variance in value prioritization among them. For example, some foraging societies value war, others value peace; some value prestige, many (immediate-return foraging cultures) do not. But what appears to hold them together, if loosely, as a group is their value prioritizing such that those values that tend to devalue *volio* are given low importance, those that tend to support it are given high importance, and *volio* remains prior over all.

I should note here that this observation of integrated values in some societies, far from arising from a romanticizing notion simply because these cultures are less complex than current industrialized inegalitarian ones, is instead offered as an empirical example of how human cultures can at least approximate an integration of values with *volio* prior to all. The strongest accusation that could be leveled at this approach is, contrarily, to accuse it of cold rationality about human values, which perhaps should be assessed wholly via emotions.

animals from the land and due respect to, even permission from, the gods; and taking too much would threaten relations with the gods and future harvests.²¹⁰ Thus, quotidian practical economy is integrated with devout religious feeling. Food gathering interconnects with medicinal gathering and preparation, which connect with shamanistic and religious practices and rituals. These rituals in turn commonly are intimately connected with dance and music. Rituals of dance and music may also envelope storytelling, mask-making, painting, and other arts. Their motifs often tie in with those on more quotidian objects such as baskets and mats, so even activities with these daily objects have designated place within cosmological context. These objects and their design share particularities among kindred within a band, or among families of a band in a group of bands. Family, extended family and blood kindred have a particular position within the cosmological context. Finally, marriage and reproduction have a special value within that kindred structure. The value of reproduction is then a given within this overall context of values, beliefs, and practices; and those, as I have contended, by a customary system of checks and balances keep volio-displacing values in check and volio in priority.

I should add one more note about this system of checks and balances on values within this structure, because it is within that system that the value of reproduction is tightly interwoven. Customs like those of sharing maintain equality and keep wealth, power, competitiveness, and prestige in check. Customs emphasizing kindred and community relations maintain autonomy and keep in check those values that would threaten it. “It is through their relationships that persons are constituted as autonomous agents,” Ingold writes (1999). “A

²¹⁰ This and the following described integrations of practices, values, and beliefs with one another come from various ethnographies in Lee and Daly (1999), as well as Thomas (1958), Hunter and Whitten (1977), Dentan (1979), Davis et al. (1995), Gowdy (1999), Davis (2002), Kelly (2007), and Davis (2008). This description is thus, for the purpose of expediency, an amalgam, so that not all such societies may have this set of integrated values, practices, and beliefs; but at least some of them, such as the Eastern Penan, perhaps Eastern Semai, come very close to including all of them.

person acts with others, not against them.... The combination of autonomy and dependency calls into being relationships that are founded on the principle of *trust*.” (406-407; emphasis in original) And trust, as Ingold describes, is key to the interdependence of sharing and equality, and sharing reinforces autonomy: “by sharing, persons surrender nothing of themselves to society. The scope of their autonomy, far from being diminished, is enlarged.” (408) Much like the triangular relation of *liberté, égalité, fraternité*, the values of autonomy, equality, and community thus interconnect among these foraging societies. That value for community, which is the extended set of blood kindred, is interlocked within that structure of value maintaining autonomy and equality. The value of reproduction arises, as I described, within that of the extended family and the remainder of the given cosmological context; but this value in turn is tightly interlocked with that of autonomy and equality.

To return now to the potential contradiction (in whether reproduction can be indeed be valued by non-volio values or whether it must arise from volio and thus render some value-prioritizations contradictory): Ontologically, according to the immediately preceding discussion, it appears that valuing reproduction is an inseparable part of volio, which subsumes the valuing of self, family and community, and life forms in general. It may be possible either to abstract this valuing of reproduction from the broader context of volio, or to so confine volio that valuing reproduction is the only activity remaining from that valuing.²¹¹ If so, would valuing reproduction somehow retain a vestigial valuing of life in and of itself? I cannot quite grasp the gist of the question, without risking obscurantism. Consider then a subculture that strongly prioritized, say, wealth, power, insatiability, competitiveness, ease and convenience, and immortality. Its members not yet being immortal, it conceded that for the time being carbon-

²¹¹ I would contend that in such an attempt, when valuing family and community and the rest of life forms or greatly diminished or obliterated, (former) volio would no longer be volio, if it is indeed ontologically, necessarily connected with this larger context.

based, embodied life was the only available instrument by which to pursue these other valued ends and so did not duly value life in and of itself. It also conceded reproduction (say cloning via artificial wombs) was the only likely route to those ends. Then that subculture would not be valuing life in and of itself but somehow valuing reproduction and, thus, not be inconsistent in the valuing. The subculture may be using reproduction and the entities created thereby solely as means for ends such as immortality, power, and insatiability and so may be charged with moral transgressions but, it would seem, could not be accused of being inconsistent with its own set of values.

However, if it could be shown either that valuing reproduction cannot be readily abstracted from volio and any attempt to do so would leave a “vestigial” volio, then reproducing in such a case when volio is otherwise heavily debased may indeed exhibit inconsistent values, and the stated quandary is resolved. The problem here is the obscurantism of a “vestigial volio.” Or, it may be argued that what this subculture is doing by, say, cloning themselves via artificial wombs, is not really reproduction but some other kind of act, and so the “vestigial volio” is avoided, and valuing reproduction is conserved within volio and the quandary thus resolved. But then niceties in just what “reproduction” consists in are introduced, a further problem.

One plausible resolution of the quandary is to concede that in a subculture that has so devalued volio that its agents would reproduce solely as the last means available to attain immortality, power, insatiability, and so on are not inconsistent in debasing volio although (minimally, if infinitesimally) valuing reproduction, but may be subject to other moral criticism (such as using offspring as mere means to—quite selfish—ends). And yet, as to the second half of the quandary—viz., that volio-debased value-prioritization seems inconsistent with reproduction—there still may be societies that have not so completely debased volio beneath

other values as this last example has, but still have retained enough volio that their reasons for valuing reproduction *do* leave their overall set of values inconsistent. So I have not quite resolved the quandary but at least in suggesting some resolutions have pulled out the complications that the quandary involves.

The lesson of this quandary is that there are cultural conditions in which volio is prioritized over all other values and in which there is thus not even a question of justifying the valuing of reproduction, as reproduction is an integral part of volio. (Somewhat similarly, in pre-inegalitarian cultures, there would be no need to justify the valuing of liberty, as autonomy and equality are integral in the cultural values and the issue of liberty does not even arise.) Valuing reproduction *per se* seems to become an issue when volio is markedly debased, as in many inegalitarian industrialized cultures in which values that tend to debase volio are overwhelmingly prioritized over volio. (It is not surprising, then, that it is among such cultures that, today, the valuing of reproduction has come into question as needing justification.) Again, given the sorites problem, what cannot be offered is exactly where along the loading of volio-debasing values above volio does reproduction become inconsistent with the value prioritization and normatively unfounded—invoking the reproduction paradox. It seems as well that, here, life in and of itself is diminished.

For this approach of assessing cultural values according to how they prioritize volio, questions abound. How could cultures have gotten to the point where they so debased volio (one may say the very reason for being alive and human)? I believe that studies such as that by population geneticist Wells (2010) and archaeologists Flannery and Marcus (2012), which I have turned to repeatedly in this chapter, can help answer this chilling question. Indeed, as matter has anti-

matter, so does life have its “anti-life,” malignancy or neoplasm. Malignant cells are as much alive as healthy cells; they are simply missing a few crucial traits (such as inhibitory responses from other cells to stop growing) to halt their choking infiltration. Wells hints that there may be social malignancy as well. If I may expand on his hint, a busy and proliferating culture may not be a healthy culture for its members; it may lack the essential traits to inhibit its growth (not so much population growth as growth in resource use). But another question is whether, within the present cultural context, giving *volio* its due place above all other values poses a threat, by leading agents to be less competitive in a largely competitive world? That is a weighty question. I cannot answer it in the next and final section, which deals with the global context and population, but it hovers there. It is a hard issue that warrants a fervid, thorough, and ongoing research project into current social values and the degree to which they uphold, if at all, the most basic value, that of human life, all life, life in and of itself.

4.12. *Volio* in Light of Enormous Population and Limited Resources

In returning to the question that has led to that of whether humans should reproduce, this final section brings together the major points of the previous chapters. In light of both the drastically increased population and of the resource use and kinds of values that together tend to devalue life in and of itself, how could agents justify adding yet more consumers and devaluation of the very life that, one would think, is the “point of it all”?

If one can grant that projected global demographics for the next century are accurate, then over the past 200,000 years of *Homo sapiens*’ existence there are two major inflection points in the growth of the human population. (Figure 4.1).

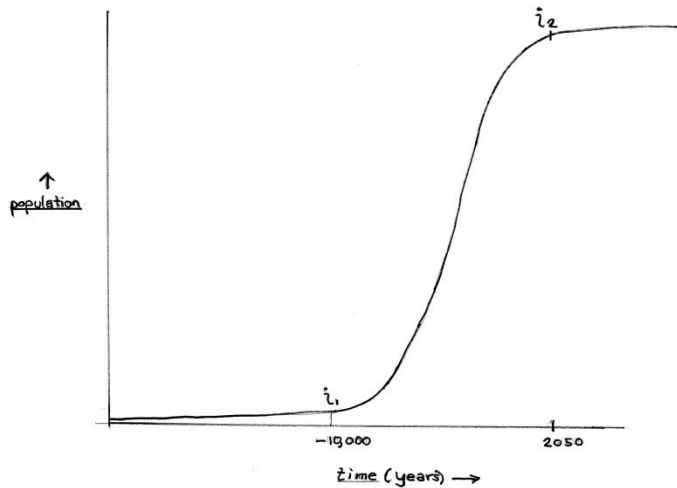


Figure 4.1 Inflection points in human population growth over time. Inflection point i_1 , about 10,000 years ago, marked the beginning of rapid population growth with the advent of agriculture after a long relatively even population. Inflection point i_2 , projected to occur roughly mid-21st-Century or later, should mark the beginning of a leveling-off of the population. (Time and population are not drawn to scale.) (Based on discussion in Wells 2010, 13-17.)

The first inflection, i_1 , came about 10,000 years ago, when the population began its spike that was especially notable since the 20th Century. The next inflection point, i_2 , is projected to come toward the end of the present century, when there is expected to be a leveling off of the spike. In both cases, the inflection point is due to technological development. The first is due to the invention of agriculture and domesticated species, with its concomitant sedentarism. Although longevity decreased as morbidity and mortality increased drastically, the new types of social organizations allowed (even necessitated that) people to have more children (Wells 2010). The second inflection point appears to be happening now because technologies have reached the point that people become involved in the sorts of projects that do not put reproduction at the center. Unlike the long foraging past of most of human existence, throughout most of the agricultural period women were largely relegated to reproduction and domestic duties. Social developments subsequent to recent technological changes, along with the growth in individual rights, have allowed women's access to education and career so that average ages of first

pregnancy have increased and average number of children per family have decreased. (Wells 2010) Women (those outside foraging societies) once again, apparently like many of our pre-agrarian ancestors, have a chance for equal social standing with men.

A serious difference between the foraging ancestral cultures and current highly complex societies, though, besides the presence of government, marked energy inefficiency, and disparity in technological dependencies, is that in values and value prioritization. These market-economy, industrialized, individualist, agrarian-urban societies have institutionalized the values of desire expansion, wealth and power amassing, specialization, competitiveness, and immediate convenience to the point that it is hard to say if any of these support valuing life in and of itself but, rather, persist as abstracted values persisting for their own sakes, or recidivistically. Certainly, with the increasing awareness of global warming and other environmental degradation, there has been an increase in general awareness of the effects of extensive resource use and depletion (Wells 2010). However, it remains unclear whether that subsequent concern (which has grown slowly in comparison with the intensity of the problem) has heightened volio or rather has arisen because environmental degradation could undermine the fulfillment of (volio-devaluing) values such as desire expansion and competitiveness—at least until, say, humans can allegedly depart their life-sustaining environment and persist, whether actually living or not, in nonliving environments such as the insides of computers. Indeed, there is a literature explicitly upholding such volio-debasing values and urging that life and life-sustaining environments are needed only until conditions are such that these values can be pursued without life at all (Vinge 1993, Kurzweil 2005, Chalmers 2009).

Putting aside these positions and focusing only on the current general industrialized agrarian-urban societies: Reproduction when volio is greatly devalued is difficult to justify. I

recall the paradox of the previous section, by which a society such as ours most needful of volio over more detrimental values is one whose values are less fitting for having children. Subjecting children to such values is not fitting for duly valuing life in and of itself. However, consider the other option, which leads to a paradox of its own: the option whereby those cultural conditions in which volio is prioritized and all subservient values work so as to uphold this priority, so that having children is wholly consistent with the values. If our species past is a guide, these conditions have been optimized in foraging economies, in which volio-endangering values were relegated to low priority. While estimates vary on the maximum global population which such economies can sustain, for the present discussion ten million is a workable number for carrying capacity. Our current population (7+ billion) and that at which demographers estimate will level-off is about one thousand times that ten million. If humans were to decide to move forward to a volio-maximizing culture and economy, they would need to reduce their numbers over time. That move would call for having few children over a long period, and that action in itself would, in one perspective, paradoxically tend to work against life in and of itself. (To increase our valuing of that which is most valuable—volio—we would need to decrease the amount of that which is most valued, human lives, by our volio.)

Alternatively, in order to set about on such a progressive program toward optimal population, humanity as a whole would already have to have given volio primacy and to debase the volio-threatening values, and then people would have to go through a long transition of having very few children, only one to two per couple for hundreds of years to reduce population—operating against the very value for which one is undertaking the program. Such a program would call for unprecedented concerted belief, cooperation, and sacrifice. I am discussing this other side to the paradox not as a proposal to undertake such a program, but

indicate the other of two ways in which a paradox binds us from solving the moral problem of human reproduction in our heavily populated era from the standpoint of volio.

While I do not see a ready way out of the paradox, there are some options that individual agents can take. As the paradox implies, more than merely reducing numbers would be required for making reproduction most consistent with volio. (Indeed, agents may concertedly reduce their numbers for the sake of non-volio values, such as immortality.) I have described how reproduction's consistency with volio is determined within a context of values. Those values and their prioritizations relative to one another commonly are partly cultural: One can see broad trends of values in a culture or subculture, but nonetheless variation from agent to agent (R. Wilson 1997). Cultures are not completely predominant over individual agents' prioritizations of values. Individuals, particularly in tolerant societies, may use idiosyncratic criteria to determine their own ordering of values, differing to some limited degree from the average of their broader culture. They may then use a criterion such as maximizing the position of volio in their value prioritization. But a pertinent question may be, Why should one want to re-prioritize one's values, varying from the cultural average, and maximize volio's position? That is, there appears to be no normative force compelling an agent to do so. The discussion in this chapter so far has been almost purely descriptive, involving observations about what humans are and about beliefs, based on biology and anthropology. No attempt has been made to bridge what is and what one ought to do; nor can I offer such a way; normative force can come only from agents' having already accepted certain precepts.

Here, then, is where the normativity of rationality may come in: If one accepts and follows the precepts of the rationality project, as many agents in contemporary industrialized societies do, following those precepts provides a certain normative force to one's actions and

beliefs. Even among the tentative and incomplete list of precepts offered in §1.3., it is clear that an agent following the precepts of rationality should look to the findings of empirical research in forming beliefs and use those beliefs in formulating decisions to action. Thus, a rational agent would build beliefs about what kind of thing is a human being by looking to ordered characteristics such as those in §4.5. Among these, it is seen that human beings are carbon-based, embodied, reproductive, social beings who are highly influenced and shaped by their culture's beliefs, practices, and values. Among those values are some that more closely fulfill *quod sunt homines* than others. While it may not be established as a biological or anthropological fact that valuing of life in and of itself is the source of other values, and although this valuing can be debased by given prioritizations, it is a reasonable proposition consistent with the precepts of rationality. But then some value prioritizations do debase this valuing, and thereby, as I have shown, diminish love of self or *amour de soi*; at best appeal only to part of *quod sunt homines* and detract from crucial parts such as equality and community; and of course debase one's being as a human and other people's and species' being.²¹² In keeping with the precepts of rationality, a rational agent then should not strongly prioritize wealth accumulation, power, insatiability, and immortality to the point of demeaning life in and of itself. Instead, the rational agent should prioritize *volio* above others, along with values consistent with it when in proper balance, such as liberty, equality, community, autonomy, health, and a careful use of variety and mobility (and certainly other such values I have not discussed). With such value-ordering, as I have argued, comes a balance, unity, and integration of self within the community and the rest of humanity and living forms. With this balance comes the tendency to work with others and with life forms

²¹² I find this step the most problematic among admittedly problematic steps and return to it shortly.

rather than trying to control them as a whole.²¹³ Along with this love and celebration of oneself, others, and life in general, as I have argued, reasonably comes renewal of the community and extension of love from oneself to the community, such as through reproducing. The rational agent, then, while not necessarily having to reproduce by this approach, would have a normative justification for doing so if living according to the prioritization of values such that *volio* is maximized and its debasing values (power, metalife) are themselves well debased, if not absent.

Momentarily I will answer the objection that this normative approach is still not necessarily moral. First, I want to contrast this preliminary conclusion with that reached by geneticist and anthropologist Wells (2010). He describes a set of current applied-ethics problems due to industrial-social conditions, including chronic disease, mental disease, eugenics, and global warming, and traces these to our bending, in pursuing certain values, the kind of being we are far beyond its capacity to handle the resulting conditions and environments. He concludes by acknowledging, similarly as I have done, that we cannot readily reduce our numbers and probably cannot work our way toward a new foraging economy any time soon.²¹⁴ His suggestion instead is that “we can learn to *want less*” (208; emphasis in original). However agreeable and possibly correct this suggestion, it is vague and inadequate. It seems to be a call for devaluing wealth accumulation, power, insatiability, and possibly immortality and competitiveness. But without such a broader context of values and valuing, it is hard to decipher just what are our

²¹³ Wilson (1998) has an excellent discussion on how members of modern industrialized societies may strive to work with nature rather than to dominate and control it; see esp. his Ch. 12.

²¹⁴ Actually, Wells states this idea in another way: “I’m not advocating a return to a hunter-gatherer lifestyle” (195)—which declaration he evidently inserts as pre-emptive defense against a charge that could be leveled at his analysis by non-sympathetic readers, as the book throughout does point to how the agrarian-urban and then industrialized lifestyle that most humans have come to adopt over the past 10,000 years is not a good fit for the foraging, small-community creatures that our species and genus developed and persisted as for millions of years. However, I would never, in this context, use the impossible (one cannot go back in time), even inscrutable, concept of “return to.” The species could only move forward, even if it were so rational as to move forward to a much smaller population and much less rapacious, oversized, and “nature”-subjugating economy and culture as has become widely established—and spreading ever extensively in Brazil, India, China, Indonesia, and other places.

wants and to what degree should they be scaled back. Without this further context, it will be hard for readers to determine what they should do. While I wholeheartedly concur with his analysis of the malaises and with the spirit of his prescription, that spirit needs a set of teeth. I hope that in my detailing of values, incomplete though it is, I have clarified the picture of which and what kind of values that are at stake and that need changing, in tackling the same resource, population, and cultural-value problems that Wells has diagnosed.

The objection to the proposal that embracing the normative precepts of the rationality project provides a normative basis for prioritizing one's values so that *volio* retains primacy is two-fold. First, this approach seems a sneaky way to circumvent Moore's naturalistic fallacy—but circumvention is impossible. Maintaining that humans are a certain kind of being, which has values and whose specific prioritizations of values may better manifest this kind of being than other prioritizations, indeed may end up connecting rationality to morality via a "fact of values." But despite this attempt at sneaking values into the scheme, there still remains a begged question of why these values that better manifest this kind of being are actually good (and not merely "better" in the sense of more accurately doing the job)? The second fold of the objection is closely related: Why should the rational agent, following the precepts and determining which value prioritizations better fulfill *quod sunt homines* or which diminish one's life as a human being be even rationally compelled to adopt the fulfilling prioritizations as opposed to the diminishing ones (immortality, insatiability)? It may be rational to follow all the steps up to that point, to study what *quod sunt homines* comprises, confirm which value prioritizations better fulfill human life or diminish it, but why is it rational for the agent to opt for the former prioritizations over the latter?

To answer—or preempt—the objection, I could have tried building into the list of *quod sunt homines* something like “humans tend to prioritize their values so as to optimize their lives given the kind of being they are”—a specious proposition at best. Certainly, if true, it could provide some answer the objection, help solve the naturalistic fallacy and, in the context of the approach to rationality suggested here, bridge the “is/ought” canyon (such bridge being a contemporary “philosopher’s stone” almost as elusive as the alchemist’s!). Empirically, the proposition is falsified many times over by the history of civilization to this very day. A slight modification of this proposition, “humans may prioritize their values so as to optimize their lives given the kind of being they are,” now is more likely true and could make headway in responding to the objection, but it is not fitting with the rest of the list of *quod sunt homines*. I cannot say exactly where, in the scheme that I have developed in this chapter, such a proposition should come in. Furthermore, while it allows a reason for the rational agent to prioritize values to optimize one’s life, it still lacks the compelling normative motivation, or why the agent may want to, or why, vis-à-vis Moore, doing so is good.

The best way to capture the normative thrust of the rational approach offered here would be as a conditional, “If one seeks to optimize one’s life given *quod sunt homines*, then prioritize values such that *volio* has primacy.” This conditional is supported by the discussions of this chapter but is still problematic. It deflects the objection—but only defers it, leaving open why one would seek to optimize one’s life. I cannot aspire to solve the naturalistic fallacy or is/ought chasm here (or the fact/value dichotomy), nor do I so aspire. I appeal to agents’ commonly seeking to optimize the quality of their lives, with a way—given that one’s cultural values debase life in and of itself—alternatively to reprioritize one’s values and offer rational and moral (value-based) justification for reproducing. If one indeed seeks to optimize one’s human life, follows

the precepts of rationality, and reprioritizes one's values and lives by that reprioritization, there is at least the beginning of a way to justify reproduction even if one's society's values debase *volio*. I would not seek a foolproof method whereby, if one is rational, one is compelled to optimize one's life. I have to side with Kant here and accede to autonomy of the will and not impose moral autocracy upon the will. Also siding with Nozick (1982), I find the way of philosophy is through attempted persuasion, not mental bullying. I cannot say otherwise why I find the "is/ought gap" need not be closed here—other than to leave it to agents to choose optimality. While I have taken a naturalistic approach up to this point, I diverge from other naturalistic efforts such as Harris's (2010), which find scientific findings themselves morally compelling.²¹⁵ By the rational approach offered here, while the sciences may indicate what sort of being we are, what values we have and which ones harm us and how a rational agent may best assess and arrange values accordingly to optimize that being, they still do not compel anyone to act in a certain way.²¹⁶

The morality of reproduction is not just a function of total global population but of how those numbers use resources and prioritize their values and, by extension, what sorts of cultures they have. If an average "U.S. citizen consumes as much energy as 900 Nepalis" (Overall 2012, 186), it is reasonable to ask whether the former is indeed experiencing 900 times the better life.

²¹⁵ While it is hard to pin down Harris's precise normative view, he seems to find that it is a scientific fact that humans seek well-being. This finding would be parallel to the idea I dismissed, that "humans tend to seek optimality." Furthermore, my "optimality" differs from his "well-being," in that the optimality I speak of is deeply embedded in a mesh of specific moral values, headed by *volio*, which includes *amour de soi*, valuing and loving others and valuing one's relationships, and extended to the species and to other life forms. Harris's "well-being" is instead traditional hedonism—pleasure and lack of suffering.

²¹⁶ Dangerously, I must also leave open the possibility that the compelling could, in fact, come from either emotional motivation—"I really feel I want to optimize my life"—or even from a further rational motivation, such as a Kantian categorical imperative by which the agent acknowledges that one should will that the maxim of optimizing human optimality (as characterized here) should be universal law. I say "dangerously" because I lack space to enter that debate. However, I have offered *volio* as a way to characterize how values could be arranged so as render reproduction morally justifiable, not to establish a comprehensive moral system (such as deontology or sentimental ethics) whereby an agent should be compelled to act morally.

Certainly, it is hard to gauge lives so as to say which life is X times better than another. But when peoples such as the Hadzabe of Tanzania (Wells 2010) or the Penan of Borneo (Davis et al 1995, Davis 2008), who have seen agrarian industrial cultures and yet chose to retain their foraging lifestyle, even struggle for it defiantly against industrial culture, and other societies to this day completely repulse our incursions (Miller 2013), such adamancy brings into doubt whether the former type of culture is universally better than the latter, by some kind of transcultural standard. If it is indeed not better, thus at least equal (some scholars— Sahlins 1968, Diamond 1987— have argued it is, in fact, worse), it is hard to justify, on a standard by which the extra expenditure of resources is justified by a bettered life, its continued depletion of hundreds of times the resources of comparably fulfilling cultures. Whatever the values of the more efficient culture, those of the less efficient such as ours—if its lives are indeed not closer to optimal— must be put to question.

Another objection to the naturalistic approach to valuing and reproduction offered herein is that (as with most naturalistic approaches) the underlying empirical bases can change. That is, scientific findings and theories seem constantly in flux. If one does not concur that the sciences create apodictic knowledge, then what happens to this system of valuing if the empirical bases shift or are falsified? Suppose that archaeology one day discovers that for most of Hominid existence, societies were in fact not egalitarian and individuals not autonomous, so humans are in fact best suited to inegalitarian societies and experience little autonomy. I allow such possibilities. From the start, what I have proposed here is not an inflexible ordering but a revisable structure of value prioritization in which volio has primacy. That structure is revisable upon ongoing examination of values. How those values are ordered is the basis of the application of the structure to actual situations. (Similarly did Kant propose that while the Categorical

Imperative must be discovered purely through practical reasoning, its application in real situations may be advisable by “anthropology.”) What is probably not empirical—I do not assert it to be—in this approach is the primacy of volio. That primacy, as I have proposed it, appears to be derived logically, in terms of what appears to be the explanation of the source of values for living beings; and for consciously valuing beings such as humans, that valuing is the one that, given value priority, can channel and guide their other values. Given this basic valuing structure, the normative motive for actually ordering one’s values so as to optimize one’s and others’ lives may have to come from an independent source. Thus, there are two major normative parts involved which do not have a scientific basis: ordering values so that volio has primacy (the application, or precise ordering, being advised by empirical research); and the motive to optimization. Shifts in scientific findings should not affect these normative parts.

Another objection is: What about P? If this factor posed difficulties for some moral philosophies, it seems that even if an agent, acting according to any moral philosophy, were to prioritize values appropriately as discussed, there would still be the problem of P. That agent would still be exposing the offspring to the miseries of the inappropriately valuing world. It would be unrealistic to suppose one could sequester the child in a world of appropriate values hermetically sealed from the rest of the world. I concur that P poses a severe obstacle even for volio. I have two responses, only partly satisfactory: 1) the moral traditions examined in Chapter 2 had problems justifying reproduction with or without P; P merely exacerbated the problem. Here, I have found that in conditions of well-prioritized volio and other values, there is little problem morally justifying reproduction even without P, and the problem only enters with P. This feeblest advantage marks at least some progress. 2) I make an assertion I cannot support here for lack of space, although I find that it has some tacit support in the argument I have

provided in this chapter: Much of the difficulties that lead to P derive from inadvisably prioritizing certain values that highly debase volio; many, if not most, of the malaise constituting P derives from conditions of post-egalitarian cultures and the tremendous upswing in population that such conditions allowed. One need not take a “romanticist” (Rousseauian) viewpoint to make this observation but can base it purely rationally upon archaeological and ethnographic data (Diamond 1987, Wenke 1990, Lee and Daly 1999, Kelly 2007, Wells 2010, Flannery and Marcus 2012), although some commentators reach a more neutral position here (Keeley 1993) or in fact opposite (Pinker 2011). The most contested area here is likely whether war and physical violence would persist in cultures that appropriately prioritize volio, as some (Pinker 2011) argue that war was worse in pre-inegalitarian societies than after, although opposing views are strongly supported (Wells 2010). Less hotly contested are whether chronic, infectious, and neoplastic diseases, starvation, loneliness, (ever-increasing) depression, degraded ecosphere, and other miseries are more prevalent in social conditions in which volio-endangering values such as wealth and power accumulation, competitiveness, metalife, and insatiability are highly upheld. Obviously, this very problematic issue, and others related to it, has undergone intensive debate and merits further consideration in terms of volio and P.

A final objection I will cover concerns those people who either do not know about rationality—the rationality project—or reject it. Doesn’t the rational approach mentioned above preclude these agents from the entire volio-based valuation? It does not. I suggested the rationality approach for those people who subscribe to the rationality project: They should acknowledge that giving volio value priority is at least reasonable (even if I have not established volio’s initial value-primacy as an empirical fact), and then according to *quod sunt homines*, arrange their other values so as to retain volio in primacy and debase, if not obliterate, those

values that debase volio. However, if agents do not subscribe to rationality, they are not excluded from giving volio primacy. They may understand the benefit of doing so and of debasing life-debasing values. Or they may live, as a few cultures still seem to, in social and valuing conditions such that volio is already in top value-priority and the rationality project is not part of their culture so as to complicate their prioritization of values. The rationality approach here, then, is fit for those cultures and its members whose values have veered from volio prioritization.

In fact, in such a culture, it still may be the case that, since volio is in top priority and reproduction is an intrinsic part of that valuing, there is no issue of reproduction's being a separately valued action. Similarly as I presented earlier, an egalitarian culture in which autonomy is highly valued may have no separate valuing of liberty or any need for such; liberty instead as a value arises in inegalitarian societies as compensatory for lost equality and autonomy. Curiously, it is in the inefficient industrial-urban/agrarian culture in which this thesis itself has materialized where social conditions are such that the very question of whether one should reproduce has emerged. Values are so fragmented, so exiguously integrated with each other and with the lives of agents, that reproduction itself, the nexus of human vitality, becomes distinct as an act whose value can be examined separately from other values and requires distinct justification. It is as if overpopulation has pressured humans in these cultures to examine the vital basis of that overpopulation, reproduction, in light of their own intensive resource expenditure. The value of reproduction, thus made distinct, is then potentially transferable to non-volio values such as wealth accumulation or metalife. The goal for any concerted effort would be for such societies to move forward to less populous conditions and less rapacious practices and beliefs so that reproduction as a value reemerges with that for life in and of itself. Pending such concerted effort, individual agents have the option to reprioritize their values to achieve that integration as

much as possible at their local and personal level, to simplify their resource-demands and reintegrate all aspects of their lives as embodied beings.

Herein then concludes the articulation of the problem of the morality and rationality of reproduction for Western philosophy (Chapters 1-3) and a sketch of a possible solution to it (Chapter 4), the latter to be followed by extensive further investigation.

Appendix: Outline of Argument on the Ontology of Rationality

Goal: Primarily, to determine which theory of rationality* (T_r), if any, may serve in the position of explanatory priority (PEP) over other T_r 's. Once this theory is determined, the ultimate goal is to order the theories in an explanatory tree, with this theory at the top node and other theories in explanatory subservience to it. This ordered tree is designated the 'best theory' (T_B) of rationality*.

The three Conditions (A, B, and C) for determining whether a candidate theory T_r can serve in PEP: Given a set of theories of rationality* T_j , for $j = 1, 2, \dots, n$, and a candidate theory of rationality T_r for PEP among that set, if that T_r allows good explanations for

- A. Why that T_j (and no other) can serve in PEP,²¹⁷
- B. Why all other T_j are in lower positions,
- C. Why all other T_j have the understanding they have,²¹⁸

then that T_r has explanatory priority over all other T_j (excluding that T_r) and can serve on the node of the T_B . This method begins with Condition A; if the T_r does not meet it, the next theory is considered; if A is met, B is considered, and so on.

<u>Candidate theory: rationality* consists in:</u>	<u>Original source</u>	<u>Fulfills A,B, C?</u>	<u>Comments</u>
T1 – a uniquely defining human characteristic	Socrates (Morrison 2011)	Misses A	Depends on an embedded T11 (see below)
T2 – a particular mental faculty	Descartes (1952)	Misses A	The faculty requires a further faculty of determining what is rational
T3 – a universal guiding principle for deriving codes of behavior	Kant (1998)	Misses A	Falls back embedded theory of what's rational about a rational being.
T4 – an ideal (standard) by which to assess human deliberative thought, judgment, principles, decisions, and behaviors and to which these can aspire	Mentioned in Samuels, Stich and Faucher (2004)	Misses A	The ideal (standard) of rationality* is not explanatorily prior to the rationality* of certain performances, which then requires an embedded theory.
T5 – a certain set of behavioral strategies that may be used by a great number of species	Kacelnik (2006), Proust (2006), Millikan (2006), Cosmides and Tooby (1996)	Misses A	Alleged animal rationality is conditional upon what human rationality* consists in.
T6 – executing operations that implement the rules of logic and probability, as in Bayesian artificial rational* systems	Russell (1997), Omohundro (<i>forthcoming</i>); Somewhat like Stein's "Standard Picture" Stein (1996)	Misses A, or an unwieldy long list of permissible "operations" is required.	"Operations" brings on ambiguity in what is permissibly rational*: needs either a full list of all permissible or an embedded theory
T7 - those activities that yield a proposition or state Y from a proposition or state X, such that $X \rightarrow Y$ follows the rules of reasoning or logic	Popper (Magee 1972)	While its breadth helps it meet B, it still misses A.	In saying an activity's results, not the process itself, is what makes the activity rational, it still must assume an embedded theory of

²¹⁷To put this condition in other terms: In practice, a TR generally fulfills this condition by withstanding any argument that it requires yet another ("embedded") TR in its explanation of rationality*. That is, Condition A is fulfilled if the theory requires no other T_r to explain rationality*.

²¹⁸ The requirements for fulfilling Condition C becomes clearer in the discussion.

(whether or not the activity itself has followed them)			rationality*.
T8 – an ongoing philosophical social/cultural project enjoining individuals and societies to follow precepts relying upon the results of scientific inquiry as much as possible for the basis for their deliberate performances	Barrett (1958), Samuels, Stich and Faucher (2004), Mathesen (2008), Nozick (1993)	Fulfills A; strong potential for fulfilling B and C	While the theory describes a cultural process, it allows a normative place for those precepts within any culture. The culture sets the definition of rationality* and no further embedded theory of rationality is needed.
T9 - use of reasoning to guide the formulation of beliefs and action	Classic instrumental rationality; Nozick (1993); Elster (2010)	Fulfills A contingently based on defining ‘reasoning’; weak on B & C	Has difficulty accounting for T3’s, T4’s and T8’s normativity
T10 – the use of some kind of systematic thought in the formulation of beliefs and action.	Inferred from Adler (2008) and derived from simplified T9	Fulfills A contingently based on clarification of ‘systematic’; weak on B & C.	“Systematic” may still be too broad for most commentators; T10 also has difficulty accounting for T8’s normativity.
T11 – orderliness that humans willfully bring to their lives.	Derived from simplified T10; common sense; appears in Andrić (1962)	Though “order” too broad, fulfills A; weak on B & C.	Same problem as T9 and T10 in terms of weakness on A & B.
T12 – acting in such a way as to be maximally consistent with one’s goals T12M – having goals and acting consistently with them	Derived from restriction on T11; TR12M is from restriction on TR12; is an interpretation of Kant (1998) and Rawls (1996)	TR12 misses A as it must have something like T12M embedded. TR12M’s “goals” too inclusive, or requires an embedded theory as to which goals are “rational” and misses A	Similar problem as T9-T11 in terms of weakness in fulfilling B and C.
T13 – having the goal of maximizing one’s self-interest	From T12; classic “rational self-interest”; the “S” in Parfit (1984)	Misses A, although modified CPS is stronger on B & C than T9-12	Both S and Parfit’s modified CPS require an embedded theory.
T14 - the (supreme) desire that requires each agent to care about one’s own self-interest or that of others’ (when the latter is done for the stated moral reasons)	Parfit’s (1984) proposed CP2 as alternative to S and CPS	Misses A, but stronger on B & C than T9-Y12.	The theory is based implicitly upon a theory of what is a “rational” desire.
T15 – acting according to what is reasonable in a given circumstance	Harks back to T9, substituting “reasonable” for “reasoning”	Unclear on A because of “reasonableness”; unclear relation to TR9 leaves B unfulfilled	“Reasonableness” may turn out more problematic than “reasoning”
T16 – an agent’s not letting emotions control oneself but one controls the emotions; the use of reasoning in contrast to succumbing to emotions	From Stoics to present thinkers and common notions (Elster 2010)	N/A	N/A
T17 - a set of traits	Nozick (1993)	N/A	N/A
T18 – an evolutionary adaptation	Nozick(1993)	N/A	N/A

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