

The harms of status enhancement could be compensated or outweighed: a response to Agar

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Nicholas Agar argues, (1) that enhancement technologies could be used to create post-persons—beings of higher moral status than ordinary persons—and (2) that it would be wrong to create such beings.¹ I am sympathetic to the first claim. However, I wish to take issue with the second.

Agar's second claim is grounded on the prediction that the creation of post-persons would, with at least moderate probability, harm those who remain mere persons. The harm that Agar has in mind here is a kind of meta-harm: the harm of being made more susceptible to being permissibly harmed—more *liable* to harm. Agar suggests that, if post-persons existed, mere persons could frequently be permissibly sacrificed in order to provide benefits to the post-persons. For instance, perhaps they could be permissibly used in lethal medical experiments designed to develop medical treatments for post-persons. By contrast, he suggests that mere persons typically cannot be permissibly sacrificed to provide benefits to other mere persons. He thus claims that mere persons would be more liable to sacrifice if post-persons existed than they are in the absence of post-persons. The creation of post-persons would make them worse off in at least this one respect.

Agar then argues that, since this meta-harm imposed on mere persons would not be compensated, it would be wrong to create post-persons. It is here that I believe his argument begins to go awry. According to the concept of compensation that Agar deploys (pp. 19 and 20), a harm imposed on X is compensated just in case it is accompanied by other benefits to X which make it the case that X suffers no *net* harm: the total package of harm and benefit(s) makes her no worse off overall. Agar argues that the harms

imposed on mere persons by the creation of post-persons would not be compensated in this way. The mere persons would, he argues, be worse off *overall* than if post-persons had not existed. In what follows, I attempt to show that this argument is unconvincing, and that, even if it succeeded, it would not establish the wrongness of creating post-persons.

In arguing that the meta-harms imposed on mere persons would not be compensated, Agar relies on an inductive inference. He notes that, over observed ranges of moral status, the introduction of new beings of higher moral status tends to be, all things considered, to the detriment of existing beings with lower moral status (pp. 19 and –20). Thus, for instance, the existence of human persons plausibly makes Rhesus monkeys worse off than they would otherwise have been. It harms them in various ways, including by making them more liable to sacrifice, while conferring few, if any, benefits that might offset these harms. Agar infers that, similarly, the existence of post-persons would probably make mere persons worse off, all things considered.

In making this inference, however, Agar appears to set aside his own assumption that post-persons would treat mere persons only in morally justified ways (p. 15). It is indeed plausible that Rhesus monkeys and many other animals are worse off in the actual world in which persons exist, than they would be if no persons existed; but Agar cannot straightforwardly extrapolate from this observation to claims about how mere persons would be affected by the existence of post-persons, for there is an important disanalogy between the two cases: in the actual world, persons frequently mistreat animals, but in the world with post-persons that Agar is imagining, 'post-persons never mistreat mere persons. Given Agar's assumption, the relevant case from which to extrapolate is not the actual world, but one in which persons

exist and treat animals only in morally permissible ways. It is not so clear that other animals would be worse off in this world than they would be if no persons existed. Whether they would depends on whether, and to what degree, morality requires persons to compensate other animals for harms they inflict on them, something which Agar does not discuss. If these moral requirements are stringent, then the existence of persons who never treated animals impermissibly might cause no net harm to animals. (The persons would fully compensate the animals for any harms that their existence causes.) Agar would then have no inductive grounds for supposing that mere persons would be made worse off by the existence of post-persons who, likewise, never treated them impermissibly.

Perhaps more importantly, however, even if mere persons would be made worse off, overall, by the existence of post-persons, it might, nevertheless, be morally permissible to create post-persons, as I have tried to show elsewhere.² This is because the creation of post-persons could be justified by considerations other than its consequences for mere persons. One possibility is that the creation of post-persons would be justified simply because the lives of post-persons would often be valuable in themselves. It is plausible that post-persons would be capable of enjoying extremely rich and fulfilling lives—perhaps lives much more fulfilling than any that a mere person could live—and we might have reasons to bring about such lives. In doing so, we would be adding something of value to the world.

By way of analogy, consider the following case:

The world is populated with all of the same sentient animals that currently exist with the exception that there are no persons. You are a God-like observer charged with the task of deciding whether to bring persons into existence, *de novo*. Bringing persons into existence will make the lives of all other sentient animals worse, in part because it will make them more liable to sacrifice, but the persons will themselves frequently enjoy rich and fulfilling lives (of the sort that many persons enjoy in the actual world).

In this case, bringing persons into existence would impose harms on other sentient animals. Moreover, these harms are uncompensated. Nevertheless, it is

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not at all clear that it would be wrong for you to bring persons into existence. You seem to have some reason to bring it about, that persons, with their (sometimes) rich and fulfilling lives, exist, and these reasons may outweigh reasons not to harm other sentient beings.

Similarly, we may have reasons to bring post-persons into existence. If these reasons to create post-persons are stronger than our reasons not to harm those who remain mere persons, then creating post-persons will be permissible. Though the harms imposed on mere persons would not be compensated, they would be *outweighed*.

The case for creating post-persons might become stronger still if we created post-persons not *de novo*, as I have been assuming, but by providing status enhancements to mere persons. In this setting, if those individuals who underwent status enhancements retained their identities, then they might be benefitted by making the transition to post-

personhood. This transition would, after all, make them less liable to sacrifice. Thus, not only would we be adding something of value to the world, we would be benefitting individual persons, something that we plausibly have reason to do.

These are possibilities that Agar does not consider. In assessing whether it would be wrong to create post-persons, Agar views matters only from the point of view of those who remain mere persons. He considers whether the creation of post-persons would be good or bad for *these mere persons*. But the creation of post-persons could be justified for independent reasons: because the lives of those post-persons are good in themselves, or because the creation of post-persons would benefit those who make the transition to post-personhood.

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