

A CHALLENGE TO THE PERMISSIBILITY OF PROCREATION

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Abstract

The Non-Identity Problem (the NIP) raises a series of problems to the morality of procreation. The NIP, I believe, highlights a fundamental problem concerning the justifiability of procreation. In chapter 1, I introduce the NIP and show that the logic of the NIP does not rule out the anti-natalist claim. Moreover, there are reasons, which are independent of its capacity to solve the NIP, to accept the anti-natalist claim. However, the anti-natalist claim poses a serious justificatory challenge to the permissibility of procreation. To see whether we can restore the permissibility of procreation, I examine the impersonal pro-natalist claim in chapter 2 and argue that there is not only no good reason to believe that whatever makes life worth living gives us an impersonal reason to procreate but good reason not to believe that. In chapter 3, I examine the justifications for the right to procreate and argue that most promising ground – that is, parenting interest – fails to establish a moral right to procreate. Therefore, the justification of procreation is in trouble, at least, at the individual level because there is a reason against procreation out of concern for possible people and no impersonal reason to procreate and the moral significance of parenting interests fails to justify imposing the harm of coming into existence. This is, nevertheless, a somewhat moderate conclusion because it does not defend that procreation is all-things-considered wrong. More works need to be done to show why procreation is morally permissible (or impermissible).

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The Anti-Natalist Claim

1.1. Introduction

Consider the following thought experiment.

A Ticket to a Theme Park

Suppose you can freely get a ticket to a theme park. You have only two options. You can either give it to a stranger who does not need it or put it in your drawer forever. By saying that the stranger does not need it, I mean that the stranger need not go the theme park to avoid certain intrinsically bad states. We can imagine the stranger is sitting in his or her armchair daydreaming. The stranger of course might find the theme park enjoyable even though he or she does not have a substantial interest to go there. But you do not know that. What should you do?

It seems perfectly permissible to put the ticket in the drawer forever if no one really needs it. But many people might feel that such a decision is a waste and suggest that it would be better to give the ticket out even though there is no moral obligation to do so. However, as a responsible person, you should know what kind of theme park exactly it is before giving the ticket out. After all, not all theme parks are as good as Disneyland Park, Universal Studios Theme Park, or what have you. So you check the ticket and notice an inconspicuous clause on the back of the ticket, which says: "For anyone who uses this ticket to enter the theme park, certain facilities must be used as long as you are in the theme park. But Warning! As far as we know, no one really enjoys these MUST-PLAY facilities." Given the must-play clause on the ticket, it seems irresponsible not to take some time to try to know more about the theme park before giving the ticket out. Nevertheless, one might think this precaution unnecessary because there is an easy and effective solution. We can just give the ticket to the stranger and let him or her decide whether to use it. Unfortunately, this option is unavailable. (Even if this option is available, it seems to me that it would still be somehow irresponsible just to leave the task of investigating the theme park to the stranger. After all, the stranger is comfortably sitting in his or her armchair daydreaming. The stranger might have some ground to complain about being forced to know the theme park.) There is another strange feature about the ticket. Once the stranger receives the ticket, the employee of the theme park will immediately take him or her into the theme park.

You might still think that this is not a serious problem because the strange can simply leave the theme park at will. At this point, it is worth noting a special must-play facility that makes leaving the theme park burdensome if it turns out that the stranger

finds the theme park unworthy the trouble of using the must-play facilities. To leave the theme park one must use a must-play facility called the "Deadline", which, as the name suggested, is usually quite stressful and unpleasant. Many people who find the theme park boring or unworthy might decide to stay in the theme park less for the reason that they want to find some exciting facilities later on but more for the reason that they do not want to use the "Deadline" to leave the theme park until they are forced to (i.e., when the theme park is closed at the end of a day). So perhaps a more accurate description of the situation is this. Although you can give the ticket out for free, the stranger is the one who would have to pay the price, not for entering the theme park but for staying in it and for playing other fun facilities, through using various must-play facilities.

Given the must-play clause and the inability to acquire consent from the stranger in advance, I find it morally problematic to give the ticket out. It seems that to justify the act of ticket-giving we must provide a good reason to the stranger for whom (or what) must he or she be taken into the theme park for a limited period of time. Since the stranger does not need to go to the theme park, it seems problematic to appeal to the fun the stranger could enjoy to justify giving the ticket out. However, we might somehow feel that the ticket is wasted and want to give it out (perhaps because the stranger is a concrete rather than an abstract person). It might be helpful to consider the question from the other side. Is it always permissible for the stranger to turn down the offer? If it is always permissible for the stranger to turn down the offer, then we need not feel any moral pressure from the fact that we possess the power of giving the ticket out so that someone might have a good time in the theme park. It does seem to me that the stranger is always permissible to turn down the offer even if there is no must-play clause. Although it seems tempting for the stranger to reply "Why not" to such an offer, it seems perfectly legitimate to ask oneself "Why take it." For fun? Well, if it is purely for fun, then I find it hard to believe that it would be immoral for the stranger to turn down the offer, assuming that no one else would be adversely affected. Thus, I still feel that, given these features of the ticket, it seems plausible to suggest there is a strong moral presumption against giving the ticket out.

How is this thought experiment related to the morality of procreation? It seems obvious that no one can consent to be born and reasonable to believe that possible people cannot have interests in coming into existence and defensible to argue, as I shall do later, that causing a person to exist involves imposing certain congenitally unavoidable bad things (but no unavoidable good things) on the prospective people. Thus, with these similar features, if it is intuitively problematic to give out a ticket with a must-play clause to a stranger who has no need to go to the theme park, it seems that ordinary procreation should not be taken as innocent as one might initially

assume.

However, if there is a serious problem in justifying procreation, then there should be a longstanding debate about it. But there is no such debate and this fact challenges my anti-natalist inclination. This surely does not mean that no one ever questions the permissibility of procreation. The permissibility of procreation has been questioned occasionally in the history of philosophy but only until recently there is a work devoted to provide a systematic challenge to it.¹ But if, on the other hand, there is no serious difficulty in justifying procreation, then the late emergence of contemporary procreative ethics is a little bit puzzling and the failure to find an acceptable procreative principle somewhat surprising. It would perhaps be shocking when we realize how difficult and intractable the problems in the morality of procreation are. These problems, as McMahan says, “suggest that it is a real possibility that any moral theory that is both complete and coherent will have implications that are intuitively intolerable.”² I agree that these problems, which are the implications of accepting the impersonal value of whatever makes life worth living, are problematic but I am not sure that we have to face them eventually. This is because I find it more difficult to resist an unpalatable belief that procreation is morally problematic in itself. In other words, it seems to me that, instead of finding various unacceptable implications difficult to solve or avoid at the end of the inquiry about the morality of procreation, the challenge lies at the very beginning – that is, there seems to be a moral reason residing in the nature of procreation against procreation.

An overview of procreative ethics nowadays would be helpful here. Certain problematic cases, which are often called wrongful disability cases, challenge most people’s intuitive judgments.³ However, the natural objection cannot be applied to these cases because of the “Non-Identity Problem (NIP).” No satisfactory solution to the NIP has been found because any solution has its own unacceptable implications. This is the stage set by Parfit in *Reasons and Persons*.⁴ Although he expresses an optimistic message at the end of the book when he says “I failed to find such a theory [Theory X], I believe that, if they tried, others could succeed.”⁵ So far, as McMahan observes, “no one else has succeeded where he has failed.”⁶

However, what is the issue that makes procreative ethics so intractable and

¹ Benatar (2006).

² McMahan (2013a: 34).

³ The cases of wrongful disability should be distinguished from the cases of wrongful life, in which the individual would have a life that is worth not living. By contrast, the individual in the case of wrongful disability, though severely impaired, would still have a life worth living.

⁴ Parfit (1984).

⁵ Parfit (1984: 443) suggests that Theory X should, at least, solve the NIP, avoid the Repugnant Conclusion and explain the Asymmetry.

⁶ McMahan (2013a: 27).

perplexing? This issue, I think, is whether the expectation that possible people would have lives worth living provides a moral reason to cause them to exist. It would be helpful to distinguish competing views in terms of their answers to this issue.

The Pro-natalist Claim: The expectation that possible people would have lives worth living provides a reason to cause them to exist.

The pro-natalist claim is the main obstacle that makes the search for an acceptable procreative principle unsuccessful. There are two versions of the pro-natalist claim. One is the person-affecting pro-natalist claim; the other is the impersonal pro-natalist claim.⁷ The person-affecting pro-natalist claim holds that there is a person-affecting reason to cause a person who would have a life worth living to exist because being caused to exist with such a life would be better for him. I will argue against this version of the pro-natalist claim in section 1.3 of this chapter. But what really makes procreative ethics intractable is the impersonal version. Many people, on the one hand, believe that we must appeal to the impersonal pro-natalist claim to solve the NIP.⁸ But on the other hand, they acknowledge that accepting the impersonal pro-natalist claim would lead to various problematic implications. No satisfactory procreative principle has been found.

If the anti-natalist claim can avoid these problematic implications, we would have a negative motivation to take it more seriously.

The Anti-natalist Claim: The expectation that possible people would have lives worth living provides not only no reason to cause them to exist but a reason not to do so.

However, many people find that the anti-natalist claim is too high a price to pay for avoiding the problems of the pro-natalist claim because it seems equally, if not more, counterintuitive to believe that there is a reason against causing a life worth living to exist. That said, it is worth noting that a substantial minority believe that the some version of the anti-natalist claim is uncomfortably plausible.⁹

Are we forced to choose between the pro-natalist claim and the anti-natalist claim? You might feel that both options are not intuitively attractive. There is a third option that seems more palatable to common sense.

The Liberal-natalist Claim: The expectation that possible people would have lives

⁷ The term “person-affecting” is more prevalent in the literature than a more precise term “individual-affecting.” Since my focus here would be on the morality of causing persons to exist, I shall use person-affecting most of the time, unless the individual in question would not be a person. But what matters is the affecting relation, that is, something can be *better or worse for* an interested party.

⁸ For example, Parfit (1984), McMahan (1998, 2013a), and Singer (2011: 118-119) think that the postulation of impersonal value is unavoidable.

⁹ Besides early mentioned Benatar (2006). Here are a few more examples. Belshaw (2012); Harrison and Julia (2011). Weinberg (2012: 26) leaves an anti-natalist impression in her recent work. In my view, Shiffrin’s work (1999) remains the best in establishing a general case against procreation.

worth living does not by itself provide a reason in favor of causing them to exist nor against doing so.

Commonsense views of procreation obviously do not find the anti-natalist claim appealing but seem not to accept the opposite pro-natalist claim either. Commonsense views seem to accept the liberal-natalist claim. After all, it seems odd to claim that there is a moral reason to have children that is independent of existing people's interests in having children. That is, we do not want to have children merely out of the expectation that they would be happy but out of the expectation that having children would make us happy. If neither the pro-natalist claim nor anti-natalist claim is intuitively attractive, then why not accept the liberal-natalist claim?

We cannot accept the liberal-natalist claim because it cannot provide an explanation of what is wrong in wrongful disability cases. In other words, it cannot solve the NIP. But what exactly is the NIP? I shall first identify the fundamental cause of the NIP and then examine the logic of the NIP. The logic of the NIP, I shall argue, does not exclude the possibility that causing a worthwhile life to exist would harm the prospective person.

1.2. The Non-Identity Problem

Before examining the logic of the NIP, I would like to introduce several examples that are typically used to illustrate the NIP. With the help of these examples, we could better understand the NIP and its significance. However, the following examples serve another important purpose: to clarify what really causes the NIP. Knowing the real cause of the NIP would help us focus on the question that truly challenges the morality of procreation. These examples can be distinguished into three kinds.¹⁰

The first kind of the non-identity cases is procreative decisions that affect what kind of individual would be caused to exist.

*A Couple with Temporary Medical Condition*¹¹

A couple is told that they have a temporary medical condition so that if they were to have a child within the next few months, any child they would have within this period of time would have a substantial disability, say, blindness, though the child would be blind he or she would still have a life worth living. But if they have a child after this period of time, they would have a normal healthy child.

This kind of cases should be distinguished from procreative decisions that affect how the individual would be treated after being caused to exist. The most famous example

¹⁰ Robert (2007: 271-2) suggests a similar distinction about non-identity cases. My focus here is the "can't-do-better" problem, as she calls it.

¹¹ Such examples are quite common in the discussion of the NIP. The origin of this case is attributed to Parfit (1984: 367).

is something like the following.

*The 14-year-old Couple*¹²

A 14-year-old couple decides to have a child. But because of their youth, they are unable to give their child adequate care. Their immaturity will have negative effects throughout the child's life but the child would still have a life worth living. But if this young couple postpones their family plan for several years, they would be in a better position to give their child adequate care.

Finally, we have non-procreative decisions that affect who would come into existence.

*The Depletion*¹³

A government is choosing between two energy policies: keeping the consumption of fossil fuel at its current level or finding other renewable energy source. Depleting fossil fuel would be a slightly cheaper and easier way to sustain its economic growth in the short term; however, we can reasonably predict that because of irreversible climate change caused by the overconsumption of fossil fuel the quality of life for people who would live in two centuries later would be lower than it would have been if we had chosen to use renewable energy source. Nevertheless, they would still have lives worth living.

All these three kinds of cases are common examples to illustrate the NIP. When facing these decisions, most people find the decisions to have a child in the face of the temporary medical condition, to have a child at the age of 14, and to deplete fossil fuel in the face of irreversible climate change morally objectionable. Since the logic of the NIP seems applicable to all of them, these decisions would not be objectionable. After all, these negative effects would not be worse for the affected parties in question because they would still have lives worth living and they owe their existence to these putatively wrong decisions. However, I shall argue only procreative decisions that affect what kind of individual would be caused to exist pose a challenge to the morality of procreation. To see this, we have to diagnose the cause of the NIP.

1.2.1. The Precariousness of Existence

The phenomenon that the existence of any particular individual is extremely sensitive to the timing, among other things, of its conception has been called the "precariousness of existence."¹⁴ It has been noted that the precariousness of existence would make the scope of the NIP surprisingly wide. The logic of the NIP would be applicable not just to the Depletion, but to any decision that has a pervasive

¹² The example is adopted from Parfit (1984: 358).

¹³ The example is adopted from Parfit (1984: 362).

¹⁴ I believe this phrase is adopted from Gregory Kavka's work (1982: 93).

effect on people's daily life (because the timing of conception, at the very least, would thereby be affected). Given the precariousness of existence, there seems to be no better alternative for the resulting future generations, no matter how irresponsible such decisions would be, how bleak the future for future generations would be, and how trivial the benefit we would get from such decisions, as long as future generations would not have lives worth than nothing, such decisions would be morally permissible according to the logic of the NIP. This is hard to believe. Such implications strongly suggest that there must be something wrong in the logic of the NIP.

But instead of being impressed by the scope and the practical significance of the NIP, we might wonder whether the logic of the NIP is really applicable to any decision that would affect the identity of people in the future. After all, if the NIP is really so extensive, it would be surprising to know that the NIP became a philosophical issue only since mid-1970s. Hence, it is worth considering whether the precariousness of existence is the fundamental cause of the NIP. If the precariousness of existence is not the factor that can necessarily make a morally relevant difference in these non-identity cases, then perhaps the logic of the NIP is not applicable to any decision that would affect which particular person would be caused to exist. Is this suspicion sustainable? And if the precariousness of existence is not the fundamental cause of the NIP, which feature about procreation causes the NIP? We can start by asking whether the concern of which particular individual would come into existence is a relevant consideration in making a procreative decision. It seems that our concern is not about which particular individual but about what kind of life to have. That is to say the particular identity of future generations seems not to a relevant part of one's procreative reason.

It is undeniable that if the teenage couple postpones their family plan, they would have a numerically different child but it seems reasonable to believe that whether the teenage couple decides to have a child now or later would not affect the kind of child they would have. We can reasonably assume that the kind of child the teenage couple would have will be healthy regardless of the timing of their having children. Our objection to their decision to have a child at such a young age seems to be that they are unable to satisfy the flourishing requirement for their child whoever he or she would turn out to be.¹⁵ Being raised by immature parents would have negative effects on the child. If the logic of the NIP is applicable only because of the superficial facts about our reproductive system, that is, countless similar persons could be caused to exist but only one or few of them would actually exist, it is hard to see the relevance of this fact in evaluating the moral status of procreative decisions as long as the same kind of child would be caused to exist. Theoretically, we could simplify the way we reproduce, say, by stipulating that we produce only several germ cells in one's lifetime

¹⁵ See Appendix A.

so that the child that the teenage couple could have would be the same if they decide to become parent when they are more mature. Or we could imagine that they freeze their embryo at the age of 14 and implant that embryo when they become competent parents to guarantee that the same child would be caused to exist. My point here is this. It is logically possible that their child could have a better life but only because of the contingent fact about human reproductive system that the child they would have at different times would be numerically different.

Moreover, which particular individual would come into existence seems not to be a relevant consideration in making a procreative decision. The precariousness of existence can be ignored. What matters in assessing procreative decisions is whether the child conceived at different times would still be the same kind of child. Of course, there is a problem concerning how to categorize possible people into different kinds. If in a procreative context each person could be categorized into a unique kind, then the precariousness of existence would practically become a relevant consideration again. But this seems implausible. To rule out this extreme view, we need an account of how to categorize possible people into different kinds. Common questions that help us categorize possible people seem to be: are they healthy or not, boys or girls. The underlying principles seem to be people's procreative selection criteria. Since the procreative selection criteria should respond to procreative reason, perhaps the most general criterion for categorizing possible people is to see whether a person's coming into existence would respond to the procreative reason. It is of course possible to offer a more specific principle but here I rely on people's intuition. And it does seem plausible to categorize a disabled child and a healthy child into different kinds.¹⁶

The same point can be seen in the Depletion case. It seems plausible to believe that, although adopting an irresponsible energy policy would affect the timing of conception, it would not affect the kind of life that would be caused to exist. Our objection to such policies does not depend on our knowledge of whether future generations would be the same group of people. Rather, our objection is based on the expectation that such policies would negatively affect the flourishing condition for future generations whoever particular individuals they turn out to be. We can test the plausibility of this objection by considering a backward-looking version of the NIP,

¹⁶ There are definitely many grey areas, such as whether a healthy boy and a healthy girl should be categorized into the same kind. I am inclined to say that they should be counted as the same kind unless only one particular sex would respond to the value that underlies prospective parent's procreative reason. It is worth noting that in standard non-identity cases, it is often assumed that either a disabled or a healthy child would be equally good for the prospective parent in question. Thus, it seems that a disabled child and a healthy child should be counted as the same kind of child. Two replies can be made here. First, it is doubtful that this assumption is applicable to real-life non-identity cases. Second, even if it is applicable, procreative reason might not be the only morally relevant consideration in categorizing possible people.

which has been called the “Apology Paradox.”¹⁷ For example, many socially disadvantaged people owe their existence to the history that their ancestors being subjected to some unjust social policies, such as racial segregation or slavery. We would continue to believe that these socially disadvantaged people are the indirect victims of past unjust policies even when we realize that without these policies they would not have existed. We can continue to criticize these policies on the ground that they are indeed the victims of past unjust policies if these policies would not affect the kind of individual that would be caused to exist. The underlying argument is this. If one’s procreative reason has not changed, the precariousness of existence would not affect the kind of individual that would be caused to exist. We can gloss over the precariousness of existence in determining the morality of procreation. It is just a biologically contingent fact that the victims of past unjust policies might not have existed. (Even if they do affect the nature of people’s reason to procreate, this fact does not have much practical significance because in the past people did not have much ability to affect the kind of child they could have.) Although these policies accidentally affected the timing of the conception and thus affected which particular individual came into existence, the particular identity of these people is not a relevant consideration in their parent’s procreative decisions. What matters is what kind of people would be caused to exist. Since we can assume that the same kind of people would have existed, in dealing with these cases we could ignore the precariousness of existence and hypothetically simplify our reproductive system so that the same group of people would have existed whether or not these unjust or irresponsible policies were adopted.

However, we face a real challenge when dealing with procreative decisions that would cause different kinds of child to exist – a disabled or a healthy child as in the case of the couple with temporary medical condition. In such cases, the problem cannot be fixed by improving the living condition where the child would be raised, as we can in the case of teenage couple. What needs to be changed for the couple with the temporary medical condition to make a morally defensible decision is the kind of child they would have, not the living condition. In short, what gives rise to the NIP is not the precariousness of existence itself but our ability to affect or determine what kind life to procreate.

(It is worth clarifying the flourishing requirement here. The reason why in making a procreative decision we are inclined to take how the child would be treated after birth into consideration is that it is a part of the flourishing requirement. However, we should not only care about whether the flourishing requirement would be satisfied but also whether it *could* be satisfied. If the reason why the flourishing requirement would

¹⁷ See Thompson (2000) and Levy (2002).

not be satisfied can be overcome independent of the decision to procreate, then what is morally problematic seems not to be in the procreative decision but in the failure to improve the living condition for future generations. The teenage couple could wait to give their child a better start in life. We could adopt a more environmentally friendly energy policy, or improve the socially disadvantaged group's situation. The failure to overcome these undesirable conditions cannot be defended by arguing that without them the negatively affected parties in question would never have existed because their coming into existence and the absence of these undesirable conditions are theoretically compatible. What matters in procreative decisions is not the coming into existence of particular individual but whether the same kind of individual would come into existence. In these cases, we can reasonably believe that the same kind of people would be caused to exist. Therefore, what we should object is the failure to overcome these undesirable conditions rather than procreative decisions themselves. But what if the flourishing requirement cannot be satisfied regardless of whichever decision to procreate one makes, say, being a slave in a society where slavery is legal? This seems to be a tragic situation. It seems to me that whether procreation is permissible depends on the significance of the value that underlies procreative reason. However, reasonable people might have different views about the significance of the value underlying procreative reason so that such cases become very controversial.)

Finally, recognizing that the precariousness of existence is not the cause of the NIP would help us give up a mistaken belief that many people have – that is, people are glad to be born. Since many of us have a life worth continuing, we might be tempted to believe that coming into existence is in our interests and be glad to be born. After knowing how unlikely our chance of coming into existence is, we might feel extremely lucky to be born. This biased belief, however, might lead people to reject the anti-natalist claim unwarrantedly. A little reflection should make it clear that no one can have an interest in coming into existence. If we recognize this fact, then however unlikely our chance of coming into existence is, the expected value for our coming into existence is zero. We should be indifferent about which particular individual would be caused to exist and not feel glad that it is you who come into existence rather than someone like you.

In sum, the precariousness of existence, though would affect which particular individual would be caused to exist, is not a relevant consideration in making and evaluating procreative decisions. In the following, we shall focus on the cases that pose a real challenge to the morality of procreative decisions, that is, a couple with a temporary medical condition.

1.2.2. The Logic of the NIP

The starting point to demonstrate the NIP is to notice our intuitive judgments about the non-identity cases. Most people intuitively feel that it is wrong for the couple with the temporary medical condition to have a disabled child when they could easily have a healthy child instead. Moreover, our judgments seem to be based on the belief that the prospective disabled child would be harmed thereby. However, since this is a procreative decision and we can reasonably believe that the child's life would be worth living, the decision could not be worse for that prospective child. From the perspective of the prospective disabled child, the decision to cause him or her to exist seems to be the best of what he or she can get. The alternative in question would not make that prospective disabled child better off. Rather, a better-off healthy child would be caused to exist. Since this couple's decision to have a child right away would not be worse for the prospective disabled child, how could this decision harm that child? If their decision would not harm that child, how could their decision be morally wrong? It seems very reasonable to believe that moral wrongness requires a particular victim.

We can now put the logic of the NIP in its most basic form.

P₁. The decision to have child right away rather than waiting for the disappearance of the temporary medical condition would not be worse for the prospective disabled child.

P₂. If a decision would harm someone, that decision would be worse for the affected party.

These two premises are the core of the logic of the NIP and it leads to the following conclusion.

C₁. The disabled child would not be harmed by being caused to exist.

This conclusion already runs against most people's intuitive judgments about the couple's decision. However, to reach the conclusion that the decision to cause a disabled child to exist with a life worth living would not be wrong, we have to appeal to an intuitively plausible moral principle. For an act or a decision to be morally wrong, a particular person must be harmed, or wronged. Something like this has been called the person-affecting principle. However, it would be helpful to separate it into two parts.

P₃. For a decision to wrong someone, it must harm someone.

Combined P₃ with C₁, we reach the following conclusion.

C₂. The decision to have a disabled child would not wrong that child.

If the disabled child would not be wronged by being caused to exist with a life worth living, then it is hard to see how the couple's decision would be morally wrong. Here we appeal to the second part of the person-affecting principle.

P₄. For a decision to be morally wrong, it must wrong someone.

From C₂ and P₄, we reach the final conclusion.

C₃. The decision to have a disabled child would not be morally wrong.

At this point, a worry arises. Even if the disabled child would not be wronged because he or she would not be harmed, other existing people might be harmed so that the decision could still be wrong. This is a legitimate worry. However, it does not successfully prevent us from reaching C₃ because we could simply stipulate that causing a disabled child to exist would not be against anyone else's interest. In fact, we might stipulate that doing so would be slightly better for the existing people. Moreover, even if we could avoid C₃ in this way, it does not seem to solve the NIP in a way that is intuitively satisfying. C₁ and C₂ seem to be what we find particularly objectionable.

The conflict between our intuitive judgments about the non-identity cases and these conclusions is the NIP. With the logic of the NIP (P₁ and P₂) and the person-affecting principle (P₃ and P₄) in hand, we can see how one might try to solve the NIP. Since the NIP is caused by the conflict between our intuitive judgments and the combination of the logic of the NIP and the person-affecting principle. There are two basic routes that we can take to solve the NIP. The first route is to give up our intuitive judgments about these cases and to accept the Non-Identity "Argument." However, our intuitive judgments seem pretty strong. It is not enough simply to give up our judgments without further examining the logic of the NIP and the person-affecting principle. Besides, even if we cannot find fault with them eventually, we should not accept these conclusions without a reasonable explanation of why we strongly feel otherwise.¹⁸

The second route is to find fault with the logic of the NIP or the person-affecting principle to preserve our intuitive judgments so that the conflict would be removed. Most philosophers take this route because they continue to believe that the decision to have a disabled child in the non-identity case is morally wrong but they differ in where goes wrong. There are two places that could be challenged to preserve our intuitive judgments. (a) The NIP is commonly seen as a challenge to the person-affecting principle because it is hard to see how the disabled child would be harmed by being caused to exist with a life worth living. For those who take up this line, there are two ways to go. (i) People might challenge P₃ by arguing that although the disabled child would not be harmed, the decision to cause that child to exist would nevertheless *wrong* that child because the decision would violate that child's rights or generate rights that cannot be fulfilled.¹⁹ This is a less radical way to challenge the person-affecting principle because it leaves P₄ intact, which seems to be the most fundamental idea behind the principle. (ii) A more radical way to go is to challenge P₄ – that is, a

¹⁸ Boonin (2014) recently publishes a book-length defense of this approach.

¹⁹ See Woodward (1986) and Reiman (2007).

morally wrong act or decision need not wrong or harm any particular individual. For example, Parfit argues that we should reject P_4 and adopt some sort of impersonal principle, which he fails to find because all the attempts seem to have unacceptable implications.²⁰ This approach is more radical because it is not easy to understand how an act or a decision could be morally wrong if no one would be wronged or harmed. It should be noted that Parfit not merely suggests that person-affecting principle is insufficient. He also suggests that the fundamental moral principle concerning beneficence is governed totally by impersonal considerations. Friends of impersonal considerations need not endorse this radical suggestion. They could admit the incompleteness of the person-affecting principle without rejecting it altogether, while appealing to impersonal considerations to solve the NIP. This is a more moderate solution; however, it suffers from similar, albeit weaker, problems that beset a purely impersonal approach. Besides, this approach owes us an account of the interaction between person-affecting and impersonal considerations.²¹

(b) Instead of questioning the person-affecting principle, people could directly challenge the logic of the NIP. That is, people can argue that the disabled child would be harmed by being caused to exist even with a life worth living. And if the disabled child would be harmed, we would not be far from understanding why the decision to cause him or her to exist would be wrong. Moreover, this solution to the NIP seems to be the one that is most congenial to our intuitive judgments about the non-identity cases. After all, our judgments seem not only that the decision to have a disabled child is morally wrong but that it would harm the disabled child. This is the approach that I shall take. I shall focus on P_1 and P_2 by arguing why it is plausible to claim that even with a life worth living the disabled child would still be harmed by being caused to exist. In other words, in discussing P_1 and P_2 we shall see the reasons in support of the anti-natalist claim. If the anti-natalist claim can be successfully defended, we can preserve our intuitive judgments about the non-identity cases in the most natural way by saying that the disabled child would be harmed and keep the intuitively plausible person-affecting principle intact.

1.3. Why Coming into Existence Cannot Be Worse for People

Now let's examine P_1 that being caused to exist with a life worth living cannot be worse for the prospective disabled person. In formulating the NIP, Parfit wants to avoid the controversial issue concerning whether a person would be benefited by being caused to exist with a life worth living.²² Thus, he merely claims that, whether or not we

²⁰ Parfit (1984: chapters 17-19).

²¹ For examples, McMahan (1998) and Buchanan, Brock, Daniels, and Wikler (2001: chapter 6).

²² Parfit (1984: 359).

accept that causing a person to exist with a life worth living would thereby benefit that person, we can all agree that having such a life cannot be worse for that person. Although weakening P_1 in this way would strengthen the argumentative force of the NIP, I shall argue that it does not rule out the possibility that causing a person to exist with a life worth living might still harm that person.

The reason why Parfit thinks that we can all accept P_1 seems to be this. On the one hand, if being caused to exist with a life worth living counts as a benefit to that person, the explanation seems to be that having a life worth living would be better for that person. Surely, we can accept the weaker claim that it would not be worse for that person. On the other hand, if being caused to exist with a life worth living does not count as a benefit to that person, this seems to be because the relevant comparisons cannot be made. Hence, it does not make sense to say that having a life worth living would be worse for that person. Although P_1 can be true in these two ways, the force of the logic of the NIP would be affected by in which way P_1 is true. For if P_1 is made true by the incomparability of the value of coming into existence, then it is still possible that causing a worthwhile life to exist might harm that person.

First, assuming that the relevant comparisons cannot be made, we cannot say that being caused to exist a worthwhile life would be better for that person. Hence, even if a comparative judgment is a sufficient condition for being benefited, the question concerning the value of coming into existence with a life worth living would remain open. Second, there is a more serious problem for the logic of the NIP if the relevant comparisons cannot be made. For if the relevant comparisons cannot be made, we cannot say that causing a life that is worth not living to exist would be worse for that miserable person either. But are we willing to accept that since P_1 can be true in this sense so that causing a life worth not living to exist would not harm that miserable person? Most people, I believe, would agree that it is implausible to insist that a person would not be harmed by being caused to exist with a life worth not living, even if having such a life cannot be said to be worse for that miserable person. The point here is this. If P_1 is true because of the incomparability, then P_2 would face a strong counterexample. However, for the logic of the NIP to reach C_1 that causing a life worth living to exist cannot harm that person, we need P_2 , which holds that a comparative judgment is a necessary condition for being harmed. So in order to determine whether P_2 is plausible, we have to be clear about in what sense P_1 is true. I shall argue that it is true only because the relevant comparisons cannot be made and this would give us a reason to question P_2 .

Many people already doubted that the value of coming into existence can be determined comparatively.²³ But it is not clear why the relevant comparisons cannot

²³ For example, Heyd (1992), McMahan (2009: 52) and Parfit (1984: 489).

be made in procreative context. After all, it seems natural to say that it is wrong to cause a life that would be worse than nothing to exist and this claim is not obviously unintelligible. Before discussing the question of why the relevant comparisons cannot successfully be made, I would like to introduce two common comparative accounts. According to the temporal account, to assess whether an act is beneficial or harmful is to find out the expected resulting state of that act and compare it with the state before that act. If the expected resulting state would be better (worse) than the pre-act state, then that act would benefit (harm) the affected party. According to the counterfactual account, the relevant baseline is not the pre-act state but what the alternative state would have been had the act not been performed. Similarly, if the expected resulting state would be better (worse) than the counterfactual state of that act, then that act would benefit (harm) the affected party. The reason for introducing these two comparative accounts of harm is not because they are equally plausible. In fact, they sometimes deliver conflicting judgments. But for our purposes, this complication can be put aside. Neither would I try to discuss whether it is possible to combine these two accounts to develop a unifying account.

One explanation of the incomparability of the value of coming into existence is that causing a person to exist does not make that person better (or worse) off by improving (or decreasing) that person's state of well-being. According to the temporal account, what we need to know is the expected resulting state of the decision and compare it with the pre-decision state of the affected person. But the pre-decision state of the affected person is prenatal nonexistence, which is not a state a person can be in. The temporal account would face a more difficult challenge in assessing a decision not to procreate because here we have to compare pre-natal nonexistence with never existing. But no one can exist in both states. The counterfactual account does not fare better in the task of assessing the value of coming into existence for a prospective person. In evaluating a decision to procreate, although we know the expected result is the existence of a person, the expected counterfactual state is never existing, which again is not a state a person can be in. The same comparison could be made conversely for assessing a decision not to procreate. The expected counterfactual state is the existence of a person and the expected resulting state is never existing, which is not a state a person can be in.

However, it seems that not all comparative judgments require the affected party to exist in the expected resulting state and the relevant comparative baselines. For example, in evaluating a decision to end a person's life, even though the affected party might not exist in the expected resulting state or in the relevant baselines, it seems sensible to say that the decision to end that person's life could be better (or worse) for that person.

There are two approaches for allowing a comparative judgment to be made to help us assess the value of ending a person's life. One intuitive approach is that, though ceasing to exist is not a state a person can be in, we know the value of that state for us – zero. Since it seems plausible to claim that the value of staying alive is positive if continuing to exist would still be good for us, we can see why ceasing to exist would be worse for the person whose life would be ended because having a positive level of well-being would be better for him than having a zero level of well-being. We can similarly see why saving a person's life would be better for him, assuming his life would still be good for him and why ending a person's life would be better for him if his life would be bad for him, that is, having a negative level of well-being. If by assigning zero value to posthumous nonexistence we can make the relevant comparisons to assess the value of ceasing to exist, perhaps we can assign zero value to pre-natal nonexistence and never existing so that the value of coming into existence can be comparatively assessed. The biggest problem with this approach is that it is not clear that whether we can say that a dead person (or a nonexistent possible person) has a zero well-being. Moreover, we can make a comparative judgment about the value of death without adopting this strained approach. Instead of taking the form of making someone better (worse) *off*, a comparative judgment can also take the form of being better (worse) *for* someone. (Indeed, it seems to me that why it is natural to assign a zero value to death is because a comparative judgment can take this form.)

The reason why a comparative judgment about the value of ceasing to exist can take the form of being better (worse) for someone is due to the fact that death is an event that happens to an actual person. Posthumous nonexistence would not affect the referring point for making this kind of comparative judgments. Before one's death, that person exists. Had one not die, that person would have existed. However, coming into existence is not something that can happen to an existing person. The point in time that we need to take in order to evaluate the decision in question would affect whether there is a referring point for making a comparative judgment. The reason why the value of coming into existence cannot be evaluated comparatively is due to the lack of a referring point. Before one's coming into existence, no one exists. Hence, the temporal account is inapplicable. Had one not be caused to exist, no one would have existed. This means that a referring point would fundamentally be removed in assessing a procreative decision. Hence, the counterfactual account is inapplicable there.

Perhaps some might think that the reason why a procreative decision cannot be evaluated comparatively is that at the time of making the procreative decision in question we cannot refer to a particular possible person. However, it seems that this problem can be overcome by using a definite description to pick out a particular

possible person. For example, with the help of a definite description that the combination of a particular pair of gametes would result in a particular person, we can refer to a particular possible person. Moreover, if we cannot refer to a particular possible person, it would make the claim that we should not cause a miserable person to exist practically insignificant because we cannot reasonably predict whether the prospective person would have a miserable life or not. But perhaps because of this (or at least it is easy to imagine and identify a specific possible person), we might mistakenly be lead to think that we should take possible people, who could be caused to exist, into moral consideration. However, we should resist this temptation because *abstract* possible people do not exist in the domain that could let them have moral relevance. The very nature of a procreative decision is to decide whether we should bring possible people into the domain that would let them have moral relevance. Assigning zero value to pre-natal nonexistence and never existing would illegitimately assume that possible people are already in such a domain. Possible people do not have zero value of wellbeing but none wellbeing at all.²⁴ The idea that abstract possible people are already in such a domain is incompatible with the precondition of what makes an entity has interests. The claim that possible people have zero value is like saying that a rock has an IQ of 0. However, the concept of intelligence quotient is inapplicable to a rock just like the concept of interests (or whatever property that has moral relevance) is inapplicable to abstract possible people. Possible people cannot have any interest at all. Heyd suggests an illuminating analogy to help us see the point. “We cannot say that someone who has no bank account can be considered as having a zero balance!”²⁵

Now I would like to provide another analogy to illustrate this point. Imagine that there is a board in front of us. The board represents the domain of reality. The pushpins on the board represent actual people. The movement of a pushpin on the board represents the change of a person’s well-being level. Being removed from the board means death. In determining whether ceasing to exist would be better or worse for a person, we compare two lines of a pushpin’s movement on the board. Continuing to exist means that the pushpin would draw a longer line on the board. If the extra segment of the longer line locates in the positive (negative) dimension, then death would be worse (better) for that person. That is, to determine whether ceasing to exist would be better (worse) for a person is to compare different ways that one’s life would unfold. This way of comparison is not applicable to determining the value of coming into existence for a possible person. The reason is simple. The act of causing a person

²⁴ Herstein (2013) recently defends the same thesis based on the similar idea that the nature of well-being is inapplicable to nonexistence entities.

²⁵ Heyd (2009: 15).

to exist is to enable one to have a life in the first place and one needs to exist first for one's life to unfold into different paths. To continue the analogy, abstract possible people are pushpins floating in the air. A procreative decision is like the question concerning whether to nail a pushpin onto the board. For a floating pushpin, there are only two possibilities. To be nailed down or not to be. In other words, a procreative decision determines whether a pushpin can leave a line on the board, rather than a longer or a shorter line on the board. Only when a pushpin is nailed down on the board, there is a starting point of drawing different lines.²⁶

Finally, it is important to note the problematic implications of being able to evaluate procreative decisions comparatively. Surely, it is tempting to claim that causing a miserable person to exist would be worse for that person and then there seems to be a person-affecting reason not to procreate. However, if we can say that, it seems that we must also accept that causing a happy person to exist would be better for that person and hence there seems to be a person-affecting reason to procreate. Moreover, it seems to follow that abortion, contraception and celibacy would be *prima facie* objectionable because not causing a happy person to exist would be worse for that person. There is a more disturbing implication when we need to choose between saving a worthwhile life and causing a worthwhile life to exist. Causing a worthwhile life to exist arguably would prevent a greater harm befalling on a possible person than the harm prevented by saving an existing person who would still have a life worth living because a possible person seems to have more to lose. Hence, it seems that we would have a stronger reason to cause a possible person to exist than to save an existing person's life.²⁷ This is hard to believe. Yet this is not the most disturbing implication. Let's consider the scope of the claim that there is a person-affecting reason to cause a possible person to exist who would have a life worth living. Given that the number of possible people that potential parents could have is enormous but only a tiny fraction of possible people would be caused to exist. It seems that, no matter how fecund a particular couple is, they would unavoidably harm far more possible people by failing to cause them to exist than few children they would benefit by causing them to exist. Procreative power seems to become a curse than a blessing. Moreover, the curse would be aggravated whenever the children that couple would actually have become

²⁶ People might ask if a pushpin can be nailed onto the board at different places, we might still be able to assess the value of coming into existence comparatively. However, one thing that the precariousness of existence taught us is that the existence of any particular individual is very sensitive to the timing, among other things, of its conception. I am inclined to think that the same pushpin cannot be nailed onto the board at difference places, or even if it can, these two places must be very close. Otherwise, it is not clear that the pushpin that we would like to nail onto the board is really the same pushpin. To avoid this complication, we can suppose that each pushpin has a corresponding place on the board.

²⁷ There is a similar problem for those who believe that there is an impersonal reason to cause a worthwhile life to exist. See McMahan (1998: 239-41).

fertile because the number of possible people would be multiplied exponentially. If this were the case, it would become reasonable to suggest that one should stop having children to end the curse of procreative power.

To sum up our discussion of P_1 , the reason why P_1 is true is due to the incomparability of the value of coming into existence. The fundamental reason why the relevant comparisons cannot be made is that possible people are not in the domain that allows them to have moral relevance. For making a comparative judgment about the value of coming into existence for a person, he or she must first be in such a domain but no one can exist in such a domain before coming into existence. Finally, it is worth noting that the incomparability of the value of coming into existence is also the reason why our concern for possible people cannot ground a person-affecting reason to procreate and the fact that possible people are not in the domain that allows them to have moral relevance explains why no one can have an interest in coming into existence.

1.4. The Harm of Coming into Existence

We have seen why the value of coming into existence cannot be assessed comparatively. But does the incomparability of the value of coming into existence mean that people cannot be harmed (or benefited) by being caused to exist? P_2 holds that a comparative judgment is a necessary condition for an act to be beneficial or harmful. However, it seems implausible to accept P_2 because we have a strong intuition that causing a miserable person, who would have a life worth not living, to exist would harm that person, even though having such a life cannot be worse for that person. That is, it seems more plausible to reject P_2 than holding that causing a life worth not living to exist would not harm that prospective miserable person.

However, if it is plausible to believe, whatever the ground is, that causing a life worth not living to exist would harm that person, then it seems that it should be equally plausible to believe that causing a life that would be worth living to exist would benefit that person. How could we object the couple's decision to have a disabled child, so long as that child would still have a life worth living? Indeed, it seems that we have to accept that their decision would benefit their child. Hence, though P_2 , as I presented, is false, P_2 could be modified in a way that preserves the conclusion of the logic of the NIP – that is, (C_1) the disabled child would not be harmed by being caused to exist with a life worth living. After all, the role of the P_2 in the logic of the NIP is to show that causing a life that would be worth living to exist cannot harm the prospective child. So P_2 does not have to insist that a comparative judgment is necessary for determining whether an individual would be harmed or benefited by being caused to exist. But do we have to accept P_2 with whatever modification necessary to preserve C_1 ?

I do not think we have to because there is an intuitively attractive view that denies the claim that causing a worthwhile life to exist would benefit that person. Though it seems that this view would also deny that causing a life worth not living to exist would not harm the prospective miserable person, it provides a reasonable explanation of why we should accept this seemingly implausible claim. This view holds that being caused to exist is just a necessary precondition for various good and bad things that could happen in one's life – that is, coming into existence brings about only instrumental value, which is value-neutral. Following Kagan, "life itself is only a container which we fill with various goods or bads. And deciding how valuable it is, how good it is for me to be alive, is a matter of adding up the value of the contents. The container itself is indeed a mere container; it has no value in and of itself."²⁸ We can call this view the Neutral Container View (of the Value of Life).²⁹ According to this view, the description that a person would be caused to exist with a life worth living is oversimplified and misleading. A more precise description is this: a person would be caused to exist with a life that *could* be made worth living (or worth not living) and would be made worth living. The appropriate object in assessing the value of coming into existence is to know the value of being caused to exist with a life that could be made worth living (or worth not living). Whether one's life would be made worth living is not relevant in determining the value of coming into existence, though not irrelevant in determining the moral status of a procreative decision.

Another way to understand the Neutral Container View is to distinguish the morality of procreating from the morality of parenting. However, these two issues are not totally unrelated. These two issues correspond to the two elements of the Future Generations Constraint (henceforth, FGs Constraint) – that is, the value of coming into existence and the flourishing requirement.³⁰ Here we can put the flourishing requirement aside, given that it is reasonable to assume that the prospective person's life would be made worth living. However, the question whether the flourishing requirement would be satisfied can only become morally relevant when there is no reason against procreation based on the value of coming into existence for the prospective person (or when such a reason against procreation is outweighed by the moral significance of the procreative reason in question). This is because possible people cannot have interests in coming into existence. Any price needed to be paid for coming into existence, however small, is a moral reason against procreation.

If the Neutral Container View is correct, it seems that the conclusion of the logic

²⁸ Kagan (2012: 258).

²⁹ Although many philosophers seem to endorse the Neutral Container View, this view is somehow less explicitly acknowledged. See, for example, Overall (2012: 116); Weinberg (2013: 473 and 2016: 4); Wilkinson (2010: 77-81).

³⁰ See Appendix A.

of the NIP (i.e., C1) would be intact. Since in a standard non-identity case the value of causing a life that could be made worth living to exist is neutral and the prospective parent can reasonably expect that their child's life would be made worth living, despite that child's disability. That is, the FGs Constraint would not be violated and thus we cannot object their decision to have a disabled child in terms of the direct effect of procreation.³¹ How could the Neutral Container View help us avoid C₁? Although the Neutral Container View cannot help us avoid C₁, this view does provide an intuitively plausible framework to evaluate the morality of procreative decisions. With this framework in hand, I would like to argue that the Neutral Container View is false. A more realistic view about the value of coming into existence is the Defective Container View – that is, being caused to exist would not only *expose* neutral instrumental value on the prospective person but *impose* certain negative elements on that person. In other words, coming into existence, as a matter of fact, would always be a harm.

Before arguing against the Neutral Container View, we need to distinguish three versions of the Neutral Container View. The first version holds that a person *cannot* be harmed or benefited by being caused to exist. Although the Neutral Container View can explain why a miserable person whose life would be made worth not living would not be harmed by being caused to exist *per se* with a life that could be made worth living, it seems implausible to insist that causing a doomed person, whose life *cannot* be made worth living, to exist would not harm that person. Similarly, it seems implausible to deny that a *blessed* person would be benefited by being caused to exist with a life that cannot be made worth not living. These two kinds of case challenge this strongest version of the Neutral Container View. A friend of the Neutral Container View could retreat to a weaker version by holding that these two kinds of case are just theoretical possibilities and, as a matter of fact, no one would be benefited or harmed by being caused to exist because people's life can always be made worth living (or worth not living). This weaker version makes a general empirical claim. Although I agree that there is no blessed case in reality, it seems that there are doomed cases. There seem to be certain congenital conditions that can reasonably be described as a doomed case, say, Tay-Sachs disease. However, since these doomed cases, if any, must be rare, a friend of the Neutral Container view might hold a weaker version that most people's lives are neutral. I shall challenge this version of the Neutral Container View by showing that there are some negative elements or features built in the human condition. Hence, the value of coming into existence is not neutral but negative.

³¹ The obvious effect of a decision to procreate is that a new person would be caused to exist. We can call this the direct effect of procreation. By contrast, we can call the effects of procreation on people other than the prospective people (i.e., the would-be created people) the indirect effects of procreation. I borrow the phrase of the direct effect and the indirect effects of procreative choices from Narveson (1967: 62).

But how do we test this modest version of the Neutral Container view? I shall propose three tests and all of them suggest that the Defective Container View is more plausible than the Neutral Container View. A natural way to test whether the value of being caused to exist with a life that could be made worth living is neutral or not is not to let anything that is positively good and positively bad happens in one's life. We might call this method the Neutrality Test. If such a life would not be worth living nor worth not living, then being caused to exist does not bestow us any benefit or harm beyond the instrumental value of life. But if such a life would be worth not living, then the Neutrality Test suggests that the value of being caused to exist with a life that could be made worth living is not entirely neutral but negative. By contrast, if such a life would still be worth living, the Neutrality Test suggests that the value of being caused to exist with a life that could be made worth living is positive rather than merely neutral. The plausibility of the Neutrality Test can be easily seen with an analogy. Suppose we want to know whether there is any built-in element in a container. We can pour in some tasteless substance, water for example, in order to know the composition of the container. If the container would turn tasteless water into something pleasant (or unpleasant), we know that there is something desirable (or undesirable) in its composition. To do the Neutrality Test, we can imagine a person is born with the so-called locked-in syndrome and is put in solitary confinement. All the basic needs for staying alive are satisfied in an unstimulating way, no interaction with others, no exciting physical or mental activities, tasteless meals, dreamless sleep, etc. It seems reasonable to believe that such an existence is unbearable. If so, the Neutrality Test suggests that the value of being caused to exist with a life that could be made worth living is not merely neutral but negative – that is, the container is defective.

However, the result of the Neutrality Test does not tell us how undesirable the composition of the container is. Thus, the Neutrality Test is unable to distinguish a defective life that can be made worth living from a doomed life that cannot be made worth living. According to the Neutrality Test, both kinds of life would turn out to be worth not living. But we need to know not only whether coming into existence would be a harm but how serious such a harm would be to determine the permissibility of procreation. I propose another test called the Extremes Test to do this. Imagining, given the way the world is, the best case scenario that one's life *realistically* would be (i.e., everything would be in its most favorable condition). If one's life would be worth living in such a scenario that is realistically possible, then it would not be a doomed life. If one's life would still be worth not living, it would be a doomed life. Applying this Positive Extreme Test to a normal person, as someone like you and me, who has a life that could be made worth living, would the best case scenario that is realistically possible for such a life be absent of any intrinsically undesirable thing? If there were

nothing undesirable in such a scenario, then a normal person's life would not be a defective container. But unfortunately, it seems hard to believe that our lives could be absent of any intrinsically undesirable thing even in the best case scenario that is realistically possible for us.

Nevertheless, it does not follow from the Positive Extreme Test that a normal person's life must be a defective container. This is because all we have seen in the best case scenario for a normal person is that there seem to be some unavoidable bad things. It does not rule out the possibility that there might be some unavoidable good things. If such desirable things cancel out the undesirable things that cannot be absent in one's life, then a normal person's life would still be a neutral container. To test this possibility, we have to imagine the worst case scenario that is realistically possible for a normal person's life. If a person's life would still be worth living even in such a scenario, it would be incorrect to describe that person's life as a neutral container. Such a life would be a blessed container. But it is always possible that everyone's life could be made worth not living. That is, no one has a blessed life. However, is it still possible that a normal person's life would contain some unavoidable good things even in the worst case scenario? Sadly, it seems that our lives could be made totally worth not living and no bit of any desirable thing would happen in the worst case scenario. One example of the worst case scenario that is realistically possible for us is to undergo unremitting torture for a lifetime. It is hard to say that there is anything valuable in such a case. Some people might, nevertheless, suggest that there is something valuable even in such a case – that is, existence itself or being alive. However, our starting point is the Neutral Container View and accepting that being alive *per se* is valuable begs the question. Moreover, it is unclear why being alive *per se* is valuable if all one would get from life is unremitting suffering. In short, given there are some unavoidable bads in the best case scenario but no unavoidable goods in the worst case scenario, we have a further reason to believe that life is a defective container rather than a neutral one.

The Extremes Test tells us not only that there are only bad unavoidable things in life but also that their proportion to the instrumental value of life. The unavoidable bads in a normal life would not be serious enough to prevent such a life to be made worth living even just under a favorable (as opposed to an optimal) condition. However, the Extremes Test might not be sufficiently reliable. One worry is that the best and the worst case scenarios might be too extreme so that the actualization of instrumental value of life in both scenarios would overshadow the presence of unavoidable bad (or good) things in life. But it seems that this worry applies only to the worst case scenario because bad things would seem to present in the best case scenario. Hence, even if the Negative Extreme Test cannot rule out the possibility that there might be some

ineffective good things in life, it does suggest that the moral force of the unavoidable bads is stronger than that of the unavoidable goods, if any. The Extremes Test, therefore, still suggests that a normal person's life is a defective container. At this point, a friend of Neutral Container View might question the Extremes Test by saying that the presence of the bad things in the worst case scenario does not mean that they are unavoidable or inherent in life. The presence of bad things in the worst case scenario is merely the result of our inability to positively actualize the instrumental value of life. The value of coming into existence itself is indeed neutral. However, our inability to positively actualize the instrumental value of life seems to be an undesirable feature of our lives. Hence, this objection fails to show that existence itself is indeed just a neutral container. Nevertheless, this objection reminds us that the Defective Container View is subject to empirical facts (or changes) about the human condition. Perhaps people (or post-human) in the future could have an existence that is really value-neutral. But this is not the current state of the human condition. Our lives are still defective containers.

So far these two tests suggest that a normal person's life is a defective container. But we need to know more than the presence and the proportion of unavoidable bad things in life to determine the strength of the anti-natalist claim. It would thus be helpful if we can identify these unavoidable bad things in our lives. For this purpose, we can adopt the Elimination Test. The Elimination Test asks us to imagine whether the various good and bad things in our lives could have not happened. If there are things that, given the way the world is, we cannot imagine could have not happened or not appeared in our lives, then it seems plausible to believe that these things are essentially part of our existence. Now let's ask: is there anything valuable in life that could have not happened? It seems to me that we can easily imagine all the good things that has happened, is happening, and would happen – such as having intimate personal relationships, enjoying delicious meals, accomplishing personal goals, and so on – could have not happened. (This observation does not deny that there are many good things in one's life that could and would make it worth continuing; however, it does suggest that the procreative decision that is responsible for one's existence is not responsible for whatever makes life worth continuing because no such valuable thing is unavoidable. Procreative decisions are responsible for the precondition that allows various good things that make life worth continuing to happen but not for their happenings.) To complete the Elimination Test, we have to ask: is there anything bad in life that could have not happened or not appeared in our lives? Although there are indeed many bad things in our lives that could have not happened, it seems hard to deny that there are still some bad things (or features) in our lives that are unavoidable *as long as we continue to exist*, such as aging and our vulnerability (or, to put it more

neutrally, susceptibility,) to various physical and mental sufferings.³² It seems plausible to suggest that these unavoidable things (or features) are the harm of coming into existence (or, to put it more generally, the harm of existing) – that is, the price we have to pay for coming into existence (and existing).

All these tests suggest that our lives are not neutral containers but defective containers. I think most people would agree that every life that is worth living will inevitably contain a great deal of harm.³³ The crucial question is how this fact affects the morality of procreation. Now we can see why a decision to cause a life that could be made worth living to exist would still harm the prospective person because it would not only expose a great deal of instrumental value but also impose the harm of coming into existence on them. Moreover, putting together the belief that coming into existence is, as a matter of fact, always a harm and the belief that possible people cannot have interests in coming into existence, we have justified the anti-natalist claim. The expectation that possible people would have lives worth living provides no reason to cause them to exist because they cannot have interests in coming into existence even if the instrumental value of existence would be positively actualized. The expectation that a possible person's life would be made worth living does not undermine the fact that there is a reason not to procreate based on the harm of coming into existence.

Although the anti-natalist claim challenges the permissibility of procreation, the challenge might not be serious if the harm of coming into existence is trivial. That said, I am inclined to believe that the harm of coming into existence, say, our susceptibility to various physical and mental sufferings, is not morally negligible. To justify procreation, it must be shown there is an important moral value that needs to be responded to by causing persons to exist. However, it is unclear to me that in ordinary procreation there is anything that is so morally important as to outweigh the harm of coming into existence, not even prospective parent's parenting interests, as we shall see in the next chapter.

With the anti-natalist claim in hand, we can see why in a standard non-identity case the decision to cause a disabled child to exist would harm that child. The reason why our intuitive judgments about the non-identity cases are so strong, I believe, is that the harm of coming into existence with a disabled life is more serious. The reasonable expectation that the disabled child's life would be made worth living is less

³² It might be tempting to add death on the list of the harm of coming into existence. However, I believe this is wrong because the evaluation of death is comparative, that is, the evaluation of death is to know what death would prevent us from having what we would otherwise have. If our lives would still be worth living, the death would be worse for us because it would prevent us from continuing to live a life that would be worth living. By contrast, if our lives would be worth not living, death would not be a harm anymore but arguably a benefit. In short, death is not always a harm.

³³ For example, DeGrazia (2010: 317); McMahan (1998: 230); Smuts (2014: 711); Weinberg (2012: 32).

likely to distract us from recognizing the harm of coming into existence. Before ending this section, I would like to note quickly why the anti-natalist claim poses a challenge to ordinary procreation. Since the difference, in terms of the harm of coming into existence between causing a disabled person to exist and causing a normal person to exist, only comes in degrees but not in kinds. In both cases, the harm in question would not prevent them from having a life worth continuing, their lives are defective rather than doomed. If we accept that we harm a disabled person by giving that person a defective life, we should also accept that we harm a normal person by giving that person a defective life.

1.5. Is the Anti-Natalist Claim a Plausible Solution to the NIP?

The anti-natalist claim so far only helps us reject C_1 by showing that coming into existence is, as a matter of fact, always a harm. With the rejection of C_1 , we would then not be forced to accept C_3 that the decision to have a disabled child would not be morally wrong. However, accepting the anti-natalist claim does not yet justify the claim that the decision in question is morally wrong because P_3 only maintains that harming someone is a necessary condition for moral wrongness rather than a sufficient condition. To completely solve the NIP in a way that explains our intuitive judgments, we have to do more than showing that in non-identity cases there is a reason against having a disabled child but also that it is wrong. In other words, we need to know why the harm of causing a disabled person to exist would not be justified.

To see why harming in a standard non-identity case is unjustified, we need to note that the NIP is raised in the context of making a Same Number Choice (SNC), where the same number of people are expected to exist in the options available to the procreative decision in question.³⁴ (It is worth noting that we had better not assume that having either a healthy or a disabled child would have no effects on the prospective parent. Instead, we should assume that either child would be equally good for the prospective parent to avoid the worry that they might have no reason to procreate in the first place.) Since in a standard non-identity case, both procreative options would be equally good for the prospective parent in question, to make a choice that would cause a harm (or a greater harm) when there is an alternative that cause no harm (or a smaller harm) would not be justified (or be more difficult to be justified). To put it more simply, we can appeal to the claim that the FGs Constraint would be violated (or be more severely violated) to solve the NIP.

There is, however, another sensible approach to solve the NIP. To appreciate the

³⁴ Perhaps it is worth clarifying that SNCs are standard non-identity cases in the sense of being the typical examples to illustrate the NIP rather than in the sense of being the most common non-identity cases. DNCs, which includes Fundamental DNCs, are the more common kind of non-identity cases as a matter of fact.

sensibility of this approach, we should remember that our ultimate goal in procreative ethics is to find a morally defensible procreative principle that tells us what kind of child to have and how many. With this goal in mind, it is very sensible, I think, to take the non-identity cases that are SNCs as our starting point. This is not only because our judgments about these cases are more agreeable but also because it does seem that we could uncover the underlying moral principle from procreative selection criteria. After all, it seems reasonable to believe whatever explains our judgments here is a procreative reason (because procreative selection criteria and procreative reason are two sides of the coin). If an underlying procreative reason that is at work but so far unnoticed can be successfully identified, then we can try to extend it to cover non-identity cases that are Different Number Choices (DNCs), where the number of people in each procreative option is different. This seems to be the right track in uncovering the unifying procreative principle that can handle both SNCs and DNCs. However, so far the search for such a unifying procreative principle has been failed. Instead of continuing to try to search for such a principle, I would like to show that this sensible strategy is not a promising approach to the morality of procreation.

The first worry is that whether appealing to a procreative reason can really explain our intuitive judgments about the non-identity cases. It seems that the allegedly problematic decision in a standard non-identity case would be just rationally unsatisfactory (as opposed to morally problematic) if that decision only fails to respond to the procreative reason appropriately. However, this worry unwarrantedly assumes that prospective parents' interests are only the source of procreative reason. Besides, we already postulated that in such a case having either child would be equally good for the prospective parent but our intuitive judgment seems to remain unchanged.³⁵ (Indeed, we might assume that having a disabled child would be better for the prospective parent in question but still believe that it is morally problematic to have a disabled child when one could easily have a healthy child instead.) A straightforward response is to suggest that there is a moral reason to procreate that is independent of prospective parent's interests and the concern about possible people – that is, there is an impersonal moral to procreate. An alternative way to explain our judgments about the non-identity cases, as noted earlier, is appealing to the violation of the FGs Constraint. Our task here is to determine which approach is more plausible. We shall do this by testing the explanatory power of these two approaches against two kinds of

³⁵ It might be objected that I undermine one important possible reason that clearly has moral significance – that is, collective procreative interests. However, I shall not consider this possibility in details here. Besides, even if this can be the case, it need not always be the case. As we have seen in the Depletion, it seems possible to make a morally wrong decision that would be better for all the existing people. Nevertheless, this possibility deserves more discussion. For an attempt to solve the NIP in this way, see Lotz (2011)

cases.

The first kind of case is a variant of the standard non-identity cases. In the standard non-identity cases, the undesirable effects on the prospective persons seem to be the imposition of harm. Such cases might be called the negative non-identity cases. By contrast, if the undesirable effects are the reduction of benefit, we would have positive non-identity cases.³⁶ For example, suppose that the couple with a temporary medical condition is told that any child they would have in the next six months would be extraordinarily healthy, say, less vulnerable to various physical and psychological harms. They, nevertheless, decide to postpone their procreative plan for a trivial reason so that they would have a healthy normal child. However, it seems that most people would not judge the decision to have a normal child in such a case morally wrong. But if our intuitive objection to negative non-identity cases is explained by appealing to impersonal reason, then there should be an objection to the decision to have a normal child in the positive non-identity cases as well. According to the impersonal approach, the reason why having a normal child is wrong is not because that child would be harmed. Rather it is because by having a normal child the prospective parent chooses an impersonally worse option. At this point, we can see another difficulty of appealing to impersonal reason to explain our intuitive judgments about the non-identity cases. The difficulty of this explanation is that it seems to equate moral worseness to moral wrongness. Surely, it is possible to defend a view that equates moral worseness to moral wrongness, say, classic consequentialism. But this is one of the most controversial elements in classic consequentialism. To overcome this difficulty, we need a bridge principle from moral worseness to moral wrongness but there is no such a principle that is widely accepted. Perhaps we are willing to accept that in a positive non-identity case, having a normal child is indeed morally worse, but, unlike a negative non-identity case, it is difficult to accept that having a normal child is morally wrong. Perhaps this is because, as most people believe, that causing a normal child to exist would not harm that child so that failing to choose an impersonally better option is not morally wrong. However, according to the logic of the NIP, a disabled child would not be harmed by being caused to exist either. Thus, it is unclear what differentiates these two kinds of non-identity cases. If friends of impersonal value still want to accommodate our different treatments of these two kinds of non-identity cases, they must not just offer a bridge principle that explains why in negative non-identity cases choosing an impersonally worse option is not just morally worse but morally wrong on the one hand, but tell us why such a bridge principle does not apply to positive non-identity cases on the other hand.

Appealing to the violation of the FGs Constraint can explain our intuition about

³⁶ I adopt the distinction between positive and negative non-identity cases from Reiman (2007).

the difference between positive and negative non-identity cases. In positive non-identity cases, each of procreative option is morally permissible because both of them would not violate the FGs Constraint. However, in negative non-identity cases, common sense seems to hold that only causing a disabled child to exist would violate the FGs Constraint. When there is an alternative that can equally respond to procreative reason without violating the FGs Constraint, the harm of causing that disabled child to exist would be not justified. Although, on the face of it, appealing to the violation of the FGs Constraint can explain the different treatments between positive and negative non-identity cases, I must acknowledge that this solution also has counterintuitive implications. This is because the reason why the FGs Constraint would be violated in the negative non-identity cases is due to the harm of coming into existence and this reason is applicable to causing a normal child to exist, albeit to a lesser degree. Hence, in a positive non-identity case having a normal child would violate the FGs Constraint to a greater degree than the alternative and not be justified, just like having a disabled child in the negative non-identity case. That is to say appealing to the violation of the FGs Constraint to solve the NIP would also imply that having a normal child in a positive non-identity case is morally wrong. However, this is the implication that I am willing to bite. (There is a possible reply that might allow us to avoid this counterintuitive implication. If the moral weight of prospective parent's procreative interests can outweigh the harm of coming into existence as a normal person but not the harm of coming into existence as a disabled person, then we will be able to preserve our different treatments between positive and negative non-identity cases in an intuitively plausible way. However, the prospect of this reply is not promising because, even the life in question is the best kind of human life that is realistically conceivable, the harm of coming into existence seems still not morally negligible.)

Now let's consider another kind of cases where the logic of the NIP is also applicable to test which solution to the NIP is more plausible. Suppose that the prospective parent can only have a disabled child, is it permissible for them to procreate? This kind of cases seems to challenge the plausibility of appealing to the violation of the FGs Constraint to explain our judgments about the non-identity cases because the FGs Constraint would be violated to the same degree as in the negative non-identity cases. The decision to have a disabled child in such a case seems to be equally wrong. Many people seem to find the claim that having a disabled child is morally wrong when the alternative is having no child at all implausible.³⁷ However,

³⁷ A dominate majority of Boonin's students think that it is wrong to cause a disabled person to exist in standard non-identity cases. But none of them publicly claim that it is wrong to cause a blind child to exist when the alternative is having no child. See Boonin (2014: 25). However, it is interesting to note Peter Singer's observation on this point. Among 1040 comments, 52% of respondents show a positive

people's intuitions about such cases are not uniform. I shall, following Harman, call cases where there is no alternative to have a normal child the "hard cases."³⁸ First off, although in the negative non-identity cases and the hard cases the FGs Constraint would both be violated, it is perfectly consistent to believe that the decision to cause a disabled child to exist in the negative non-identity cases is impermissible but permissible to do so in the hard cases because there is a significant difference between them. Whether there is an alternative that will not violate the FGs Constraint (or to the minimal degree that is necessary) for prospective parents makes the harm of causing a disabled person to exist in the negative non-identity case unjustifiable but justifiable in the hard case. It should be careful not to confuse the hard cases with fundamental DNCs, which asks whether there is a reason to procreate in the first place. In the hard cases, prospective parents already want to have children but worry whether the FGs Constraint would be violated if they have a disabled child, and if sadly so, whether the moral significance of their procreative interests can justify violating the FGs Constraint. The last question indicates the factor that explains why the hard cases are hard – that is, people have different views about the moral significance of procreative interests. Thus, though it is commonly accepted that people's procreative interests are quite significant, there seems to be a reasonable disagreement about whether it can justify having a disabled child in the hard cases. This seems to be a plausible analysis of the hard cases.

By contrast, appealing to impersonal procreative reason is unable to explain why the hard cases are hard. Indeed, the hard cases would not be hard at all because it seems that all the reasons point to the same direction. Prospective parents have procreative interests and, since a disabled child's life would still be worth living, there is an impersonal reason to procreate. Moreover, even if *possible* parents have no interests in procreation at all, there would be still an impersonal reason to cause a disabled child to exist. That is, not having a disabled child when they are indifferent with the prospect of having children would be morally wrong (or, at least, morally worse). For friends of impersonal reason, one way to preserve the conflict in hard cases is to suggest that it is not clear whether the moral weight of an impersonal procreative reason can override possible parents' reason against procreation. However, this seems not to be a reasonable analysis of why hard cases are hard.

So far it seems that appealing to the violation of the FGs Constraint is more capable of explaining the different treatments between positive and negative non-identity cases and the difficulty of the hard cases. Or, at least, the concern for the FGs

attitude toward human existence; 16 % a negative attitude and 32 % were neutral or undecided, <http://opinionator.blogs.nytimes.com/2010/06/16/last-generation-a-response/?_r=0> (last accessed: Sep. 2014)

³⁸ Harman (2009: 138).

Constraint provides a more reasonable explanatory framework. In standard non-identity cases, having a reason to prevent the existence of a disabled child does not mean that it must be a reason to procreate that is independent of prospective parent's interests. Finally, it is worth mentioning that some of those who favor the impersonal approach seem to accept the harm of coming into existence implicitly. Sometimes they claim that the wrongness of causing a disabled child to exist is because people should prevent unnecessary suffering.³⁹ However, if the harm of coming into exist would be completely outweighed by the expectation that the prospective person's life would be made worth living, the difference between causing a disabled person or a healthy person to exist should be cashed out in terms of overall lifetime well-being. A more appropriate wording would be that the wrongness of causing a disabled child to exist is because there is another option that would bring about more impersonal value due to the fact that a normal child would have a life more worth living, rather than because a disabled child would bring about more suffering.⁴⁰ Anyway, if we intuitively feel that it is not implausible to say that the wrongness of the non-identity cases is due to the preventable unnecessary suffering, the anti-natalist claim should be less counterintuitive than one may assume.

To sum up, since we can explain the different treatments between positive and negative non-identity cases and why the hard cases are hard by appealing to the violation of the FGs Constraint, appealing to the violation of the FGs Constraint is a reasonable solution to the NIP. Moreover, appealing to impersonal reason has difficulties in explaining the positive non-identity cases and the hard cases. Not to mention various problematic implications that we shall see in the next chapter. Therefore, appealing to the violation of the FGs Constraint is more capable of solving the NIP than appealing to an unnoticed impersonal reason. The biggest difficulty of solving the NIP in this way is that it would pose a serious challenge to the permissibility of procreation because this solution is based on the harm of coming into existence. But I have already argued that we have reasons to accept this deplorable fact about the human condition. In the final section, let's consider some objections to the anti-natalist claim.

1.6. Further Defenses for the Harm of Coming into Existence

Although appealing to the violation of the FGs Constraint can solve the NIP, the explanatory advantage of this approach is based on the harm of coming into existence, which makes the anti-natalist claim highly counterintuitive. I think, however, many

³⁹ For example, see Feinberg (1986: 169) and McMahan (1998: 229).

⁴⁰ Parfit (2011: 239) rightly takes this more positive wording to explain the wrongness of the non-identity cases. See also Holtug (2009: 75).

objections to the anti-natalist claim come from misunderstanding its nature and strength. It would be helpful to clarify this provocative part of the anti-natalist claim at this juncture.

People might deny that the anti-natalist claim can solve the NIP because the anti-natalist claim is more implausible than C_3 that it is not wrong to cause a disabled child to exist. As Boonin would have said “the anti-natalist cure will be worse than the non-identity disease.”⁴¹ However, this analogy is misleading. I believe the NIP reveals a very fundamental problem. Following Boonin’s medical analogy, I would say we should not belittle the symptom (the NIP) merely because we do not want to acknowledge the fundamental disease (the harm of coming into existence). The explanation of how we can easily discern the fundamental disease from the symptom is that the justificatory force of prospective parents’ interests become ineffective in standard non-identity cases and the more serious harm of coming into existence would be imposed on the prospective disabled children. These two features of the negative non-identity cases help us see that even causing a life that would be worth living to exist is morally problematic, or, at least, make us be more willing to consider whether this is the case.

But why many people think that the anti-natalist claim is too counterintuitive to be acceptable. It is important to emphasize that the anti-natalist claim does not hold that our lives are worth not living. Benatar suggests a helpful distinction between a life that is worth continuing and a life that is worth starting (or creating).⁴² This distinction allows us to say that one’s life is worth continuing but not worth starting. Moreover, with this distinction in hand, we can better resist the influence of a natural tendency to cling to life. This tendency might lead people to believe mistakenly that coming into existence is in our interests just like continuing to exist is in our interests. The tendency to cling to life can be seen from people’s preferences to the way their lives actually go. We form various attachments to various events, personal relationships in our actual lives so that we prefer our actual lives and are not willing to give up our past lives even if we would have had a chance for an objectively better one. However, it is one thing to prefer our actual lives; it is totally another thing to prefer our coming into existence. We cannot form any attachment to our lives before our coming into existence. Hence, if I were the disabled child in a negative non-identity case, the fact that I would have a

⁴¹ Boonin (2014: 22-27).

⁴² Benatar (2006: 22-28). Strictly speaking, “a life that is worth starting” is not very accurate. Since no one can have an interest in coming into existence, there is no life that is by itself worth starting. “A life that is worth not preventing (or worth welcoming)” might be a better way to characterize the distinction. Similarly, “a life that is worth not starting” is not appropriate because it seems to concern possible people who could be caused to exist, who are not the relevant object for moral concern. “A life that is worth preventing” is more accurate because it concerns possible people whose existence could be prevented. That said, this distinction suggested by Benatar is more well-known so I shall follow his usage.

life worth continuing should cause no reluctance to admit the fact that a healthy child could have come into existence instead of me. Preferring one's coming into existence illegitimately assumes that one has an interest before coming into existence. But possible people cannot have any interests at all. This point also helps us see why it is misleading to say that one is glad to be born. What we should be glad about is that our lives turn out well enough. The anti-natalist claim does not make us regret our coming into existence. It merely makes us wonder why we (or someone like us) should be here when there is a harm of coming into existence and no one has an interest in coming into existence. That is, the anti-natalist claim raises the question of existential justification. Finally, it is worth noting that one of the reasons, I think, why we are unwilling to consider the plausibility of the anti-natalist claim is that the people who make tremendous efforts to make our lives worth living are also often the people who impose the harm of coming into existence on us – that is, our biological parents. Because of our gratitude toward them, we are unwilling to ask the provocative question why they bring us into existence in the face of various difficulties in life.⁴³

After seeing the nature of the anti-natalist claim, we would be in a position to reject many implausible implications that the anti-natalist claim is alleged to have. One common objection is that it implies anti-natalism, which holds that procreation is impermissible all things considered.⁴⁴ It should be clear now that the anti-natalist claim does not hold that procreation is always impermissible. It only holds that there is a reason against procreation out of concern of the prospective people. We still have to take the moral significance of procreative reason, say, prospective parents' interests in having children, into account in determining the permissibility of procreation. Perhaps these considerations can override the reason against procreation based on the harm of coming into existence. But even so, it does not automatically follow that the procreative decision in question is morally permissible. We still need to see whether the flourishing requirement can reasonably be expected to be satisfied. Another common objection to the anti-natalist claim is this. If there is a reason not to start a life, then there should be a reason not to continue one's life or to end one's life (i.e., pro-mortalism). However, as we have seen, this objection overlooks the distinction between a life that is worth starting and worth continuing. Acknowledging the harm of coming into existence does not deny that existing people have interests in continuing to exist. Moreover, it is likely that an existing person would suffer a greater harm from death if he chooses to die in order to avoiding the harm of coming into

⁴³ When people culpably fail to fulfil their parental duty, it seems to become very nature for the children to ask their parents the existential question if the children have the chance.

⁴⁴ A related objection is that the anti-natalist claim would require abortion. Regarding the requirement of abortion, we need to take women's right to bodily integrity and her newly formed attachment to her child into account.

existence. Hence, the anti-natalist claim does not imply pro-mortalism. Indeed, choosing to die in order to avoid the harm of coming into existence seems to rub salt in the wound. Since the harm of coming into existence comes from certain negative features of the human condition, death might highlight these negative features of human existence, such as our vulnerability and extreme finitude, even though it would prevent certain specific harm of existence from happening.

Finally, one might object the anti-natalist claim by saying that it is defensible to impose the harm of coming into existence on possible people because the procreative act would bestow a greater benefit to them. We can see this objection with the following example. Suppose the only way to save one's life is to amputate one's limb, it is morally defensible to perform such a surgery even if the patient is unconscious. The surgery is not a harm in the comparative sense but is in the sense of being intrinsically undesirable and unavoidable for one's life to be saved. If it is morally permissible to save one's life by harming someone in this way, it should be morally permissible to start a person's life by imposing the harm of coming into existence on that person. However, this analogy fails.⁴⁵ Again, the crucial difference is that possible people do not have interests in coming into existence but the unconscious patient has an interest in continuing to live.

1.7. Conclusion

Let's finish this discussion with the Free Ticket to the Theme Park. Since, by stipulation, we cannot acquire the consent from the stranger, is it morally defensible to give out the ticket that has a must-play clause on it? We should now see giving the ticket out is a morally hazardous act. First, we cannot guarantee that the stranger would have the fun we expect him or her to have in the theme park. Second, even if we know that the stranger would have a good time in the theme park, the existence of the must-play clause seems to demand that we should ask for the stranger's consent unless we know that the stranger would never say no to the burden of using the must-play facilities. But we cannot be sure about that because we know that the stranger does not have to enter the theme park to avoid anything undesirable. It is legitimate for the stranger to ask why forcing him or her to go into the theme park that has the must-play facilities in it. For the stranger's sake is not a good reason. To justify the act of giving out the ticket with a must-play clause, we need to find a morally important reason that the stranger could not reasonably reject for letting him or her bear the burden of the must-play facilities. That is, to justify procreation, parents have to find a morally important

⁴⁵ Shiffrin (1999) argues that what makes the analogy fail is that the imposition of the harm of coming into existence is not to prevent a greater harm but to bestow a pure benefit. However, I think this insightful point is a manifestation of the more basic difference that possible people have no interest in coming into existence but existing people have interests in continuing to live.

reason that tells their children why they should endure the harm of coming into existence.

Rejecting the Impersonal Pro-Natalist Claim

2.1. Introduction

We have seen that in the context of making a SNC there is no need to postulate an impersonal reason to solve the NIP in section 1.5 of chapter 1. But even if we accept that the postulation of an impersonal reason can account for our intuitive judgments about SNCs, to fully address the morality of procreative choices we must consider how appealing to an impersonal reason that is based on the impersonal value of whatever makes life worth living would help us handle DNCs. In this chapter, we shall discuss the problems of appealing to that impersonal reason to guide DNCs.⁴⁶ My goal here is not to uncover any new problem nor to offer any solution to them but merely to see these problems in the light of a Procreative Decision-Making Model (henceforth, the P-Model).⁴⁷ The P-Model provides a framework to understand these problems and helps us see that the origin of these problems is not due to some feature of DNCs but to the very nature of the impersonal value of whatever makes life worth living. When the structure and the origin of these problems are clearly understood, there might be a better chance to solve or to avoid them. However, this task is left to friends of impersonal theories and the consensus now is that no such impersonal theory is found.

First, we need to distinguish two kinds of DNCs. One kind of DNCs occurs in the process of answering the question of procreative selection criteria. In this kind DNCs, appealing to a procreative reason is to help people find out which option would realize the value underlying procreative reason to the greatest extent (or to a satisfactory degree). In the following, we shall see that so far no principle that appeals to the impersonal value of whatever makes life worth living can offer us a plausible procreative selection criterion. The other kind of DNCs is what I called Fundamental DNCs. Fundamental DNCs occur in the process of answering the question of procreative reason.⁴⁸ Postulating an impersonal reason to procreate gives an affirmative answer to the question of procreative reason. In other words, we have an impersonal reason to procreate whenever we could promote the impersonal value of whatever makes life worth living. The problems of postulating an impersonal reason to procreate are more easily seen in the Fundamental DNCs because an impersonal reason to procreate can easily conflict with our other person-affecting reasons for

⁴⁶ These problems are already well discussed in the literature. See Ryberg and Tännsjö (2004).

⁴⁷ See Appendix A.

⁴⁸ McMahan (2013a: 28) calls the choices between having and not having a child “simple” DNCs. However, the reason why he calls such DNCs simple is because the calculation is simple and the calculation would be simple only under the assumption that there is a reason to procreate. I believe that the question of procreative reason is one of the most fundamental questions in the morality of procreative ethics. So, instead of following McMahan, I call such DNCs “fundamental.”

actions.⁴⁹ If the impersonal value of whatever makes life worth living cannot answer the question of procreative selection criteria and that of procreative reason in a plausible way, it seems that we had better not postulate it in making procreative decisions. Indeed, these problems of postulating an impersonal reason to procreate can be seen as a negative defense of the anti-natalist claim.

Now it would be helpful to clarify the concept of impersonal value a little bit. The defining feature of impersonal value is that its existence is good simpliciter – that is, “it is neither good or bad nor better or worse *for* anyone.”⁵⁰ Here I follow the convention by assuming what has impersonal value is whatever makes life worth living or well-being.⁵¹ Although what has impersonal value need not be good or better for anyone, it happens to be the case that having whatever makes life worth living is also good for people. A better way to capture the idea of impersonal value perhaps is this. The coming into existence of a worthwhile life would realize a valuable state of affairs that constitutes an impersonal reason to procreate. This state of affairs is the existence of well-being. It might be said that we do not procreate for possible people’s sake. Rather, we procreate for the sake of making the world a morally better place by adding more of whatever makes life worth living in the world. My goal here is merely to show that there is no good reason to postulate the impersonal value of whatever makes life worth living (and hence no reason to accept that there is an impersonal reason to procreate) rather than to defend the stronger claim that there is no impersonal value at all.⁵²

2.2. Various Problems of Impersonal Approaches

Now let’s, for the sake of argument, accept that the impersonal value of well-being gives us an impersonal reason to choose a life that is more worth living in a SNC and see how such an impersonal procreative reason would help us answer the question of procreative reason and that of procreative selection criteria. Assuming that an impersonal reason to procreate exists, the next task in making a procreative decision is to answer the question of procreative selection criteria. The question of procreative

⁴⁹ For a discussion of these problematic implications. See McMahan (2009: 65-67).

⁵⁰ McMahan (2009: 50).

⁵¹ Here I use “whatever makes life worth living” and “well-being” interchangeably and in the following “an impersonal reason to procreate” is shorthand for “an impersonal reason to procreate this is based on the impersonal value of whatever makes life worth living.” It is also worth noting that I assume that only a worthwhile life would make the world a morally better place. This is because, if we accept that the existence of a person *per se* has impersonal value, we would have to accept that the coming into existence of a miserable person would make the world a morally better place in that respect. Although this assumption seems innocent in the context of the beginning of life, it is controversial in the context of the ending of life. In debates about the permissibility of euthanasia, it is often claimed that even when a person’s life has ceased to be worth living, his or her existence still has impersonal value that must be respected by keeping his or her alive.

⁵² Kraut (2011) recently argues for this stronger claim.

selection criteria consists in answering a set of questions – what kind of life to procreate and how many. Although there seems to be no fixed order in answering them, a natural order is to decide what kind of life to procreate first and then decide how many of such a life should be procreated. If there is an impersonal procreative reason, an attractive set of answers to the question of procreative selection criteria is to procreate the kind of life that would contain the greatest amount of well-being and to procreate that kind of life as many as possible. This set of answers is arguably the best option in theory; however, the procreative option picked out by this set of answers is not available in reality due to limited resources. It would, therefore, be helpful to offer a principle that evaluates the impersonal value of each procreative option to tell us which option would respond to the impersonal value better (or to a satisfactory degree) so that we know which option is more worth choosing. It is also important not to leave the question of procreative reason aside. Merely knowing that there is an impersonal procreative reason does not clearly tell us when we should respond to it. The proposed principle that serves as a procreative selection criterion should also tell us when such an impersonal reason to procreate appears because procreative reason and procreative selection criterion are interconnected.

2.2.1. The Impersonal Total Principle

One intuitively appealing and simple principle for evaluating the impersonal value of a state of affairs is the Impersonal Total Principle (ITP): “If other things are equal, the best outcome is the one in which there would be greatest quantity of whatever makes life worth living.”⁵³ According to the ITP, the impersonal value of a state of affairs is determined by its total amount of whatever makes life worth living. However, the ITP has a widely discussed implication – the Repugnant Conclusion (RC): “For any possible population of at least ten billion people, all with a very high quality of life, there must be some much larger imaginable population whose existence, if other things are equal, would be better, even though its members have lives that are barely worth living.”⁵⁴

To see why the ITP implies the RC, imagine a world, called A, where all ten billion people have lives that are well worth living. Next, imagine a second world, called B, with twice as many people, where everyone is more than half as worth living as the people in A. B contains more of whatever makes life worth living than A and, according to the ITP, is better than A. We can repeat this procedure to reach the conclusion that Z, with an enormous population all have lives that are barely living, is better than A because Z contains a larger amount of whatever makes life worth living. The assumption behind this reasoning seems natural in impersonal terms. Given that

⁵³ Parfit (1984: 387).

⁵⁴ Parfit (1984: 388).

whatever makes life worth living has impersonal value, a certain amount of whatever makes life worth living can be equally realized by procreating a single life that contains that amount of whatever makes life worth living or by procreating two lives that each contains half amount of whatever makes of life worth living. That is, a loss in the quality of lives in a population can be made up for by a sufficient gain in the quantity of a population.

As the name of the RC suggests, Parfit finds this implication of the ITP unacceptable. Many attempts have been made to avoid the RC, as we shall see soon. However, it is worth asking why the RC is repugnant in order to see why we must reject the ITP. One point that needs to be clarified is whether lives in Z are individuals like us. If they are persons like us, it seems reasonable to claim that they are unfortunate given that their lives are barely worth living. It does seem repugnant to claim that Z is morally better than A, where everyone has a flourishing life. But suppose that lives in Z are not like us but like, say, chicken. It seems reasonable to believe that, even if a chicken has a flourishing life, its life is barely worth creating from an impersonal perspective because it realizes only a tiny amount of whatever makes life worth living. It seems absurd to believe the fact that in Z where a vastly large number of chicken have flourishing lives could make Z impersonally better than A where each person has a flourishing life. Either way, it seems highly problematic to conclude that Z is better than A. In short, because of the RC, the ITP is unable to be an acceptable procreative selection criterion.

Now let's consider the question of when we should act on an impersonal procreative reason (as opposed to which procreative option is the one that we have most reason to realize)? According to the ITP, it seems that when possible people would have lives worth living, potential parents should recognize that there is an impersonal procreative reason for them to act on. Although it is odd to claim that potential parents have an impersonal procreative reason, which is independent of their interests in procreation, to cause a worthwhile life to exist, perhaps this view is not unacceptable. We should nevertheless recognize not only that the morality of abortion have to be reconsidered but also that of contraception and celibacy if there is really an impersonal reason to procreate whenever a worthwhile life could be caused to exist.⁵⁵ Moreover, when increasing the total amount of the impersonal value of

⁵⁵ If we would like to retain the permissibility of contraception and celibacy, an obvious strategy for friends of impersonal value is to incorporate the person-affecting consideration. However, for this strategy to work, it seems that we must accept that the person-affecting consideration is significantly stronger than the impersonal consideration because we are comparing the impersonal value of a lifetime well-being of a possible person (even putting aside the impersonal value that this possible person's offspring could bring about) and the person-affecting value of avoiding unwanted procreation. This view can explain why it seems more important to save an existing person than to cause several worthwhile lives to exist, even though the latter is arguably better from the impersonal point of view.

well-being is pursued at the cost of sacrificing existing people's interests, for example giving up saving an existing person's life so that a possible person whose life would contain more of well-being could be caused to exist, the plausibility of the ITP is seriously undermined. Finally, there seems to be nothing in the ITP that prevents us from calculating the total amount of the impersonal value of well-being for all affected parties, as opposed to future generations alone. The ITP, thus, would require us to cause lives that are worth not living to exist if the loss of the impersonal value of well-being by having such miserable lives could be outweighed by the gain of the impersonal value of well-being through existing people's lives. This possibility is particularly repulsive if non-procreation would not render the lives of existing people miserable. In short, for the sake of accumulating the greatest amount of the impersonal value of well-being, the ITP could require us not only to sacrifice the well-being of existing people but that of possible people.

We have seen why the ITP is not an acceptable answer to the question of procreative reason and that of procreative selection criterion. We must find another way to respond to the impersonal value of well-being if we continue to believe that it can constitute an impersonal reason to procreate.

2.2.2. The Impersonal Average Principle

The ITP can be understood as the view that the set of questions in the procreative selection criteria can both respond to the impersonal value of well-being. By contrast, the Impersonal Average Principle (IAP) is the view that only by answering the question of what kind of life to procreate can we respond to that impersonal value. The question of how many to procreate is irrelevant from the impersonal point of view. According to the IAP: "If other things are equal, the best outcome is the one in which people's lives go, on average, best."⁵⁶

The IAP can easily avoid the RC because A's average level of well-being is higher than Z's. The larger sum of well-being in Z, according to the IAP, makes no contribution to the impersonal value in the universe. Unfortunately, the IAP is not an acceptable principle for evaluating the impersonal value of a state of affairs because of the

But this view's plausibility is undermined when we are choosing between avoiding harming an existing person or preventing several miserable lives from coming into existence. Given that the person-affecting consideration is stronger than the impersonal consideration, it would be better to allow several miserable lives to come into existence than to make an existing person's life miserable. But this is hard to believe. It seems that we need an explanation why the impersonal value of bad things behaves like its person-affecting counterpart but the impersonal value of good things is significantly weaker than its person-affecting counterpart. However, if there is such an asymmetrical weight between the impersonal value of whatever makes life worth living and worth not living, we might have an impersonal reason to prevent a worthwhile life to exist. For a more extensive examination of this conflict, see McMahan (1998: 229-41).

⁵⁶ Parfit (1984: 386).

following problems. One problem for the IAP is raised by a choice between bringing about a world where only Eva and Adam exist and bringing about a world where millions of people have lives that are well worth living but none of them would have lives that are as good as Eva's or Adam's life.⁵⁷ According to the IAP, the first world is better because it has a higher average level of well-being. This verdict ignores a vastly large amount of well-being in the second world. Moreover, it is hard to see how this amount of well-being is totally inconsequential from an impersonal point of view. Although this verdict is not plausible, we might be willing to bite the bullet in order to avoid the RC. However, the IAP has other implications that are no less problematic than the RC. The most devastating problem is that the IAP judges that Hell one, where ten people equally suffer great agony for 50 years, is worse than Hell two, where ten million people equally suffer for great agony for 50 years minus a day.⁵⁸ It is surely correct to say that each person in Hell One suffers a greater harm than anyone does in Hell Two. But it is extremely implausible to ignore a great amount of suffering in Hell Two and to claim that Hell Two is a less undesirable option from the impersonal point of view. This cannot be right. Because of its implication that Hell One is worse than Hell Two, the IAP cannot be an acceptable procreative selection criterion. The lesson here is that in answering the question of procreative selection criteria we should not consider only what kind of life to procreate.

Now let's consider under what condition the IAP would tell us that there is an impersonal reason to procreate? According to the IAP, it seems that whenever causing a person to exist would raise the average level of well-being there is an impersonal reason to procreate. But does the IAP mean whenever procreation would raise the average level of all affected people, or whenever a prospective person would have a higher level of well-being than the current average level, that there is an impersonal reason to procreate? The former could imply that we have an impersonal reason to cause a miserable person to exist if the existence of a miserable person would raise the average level. To give a simple example, only two people exist and each has a well-being level of 10. Both of their well-being levels would be raised to 17 if they cause a miserable person to exist, who has a well-being level of -1. Since the average level of well-being would be raised from 10 to 11, this understanding of the IAP implies that there is an impersonal reason to procreate. This sadistic implication is unacceptable. What makes the IAP intuitively attractive, I think, is the thought that we care deeply about future generations' quality of life (but less about how many they are) and wish each generation to have better lives than its previous generation. Thus, it seems more reasonable to believe that only when a possible person would have a higher level of

⁵⁷ Parfit (1984: 401).

⁵⁸ Parfit (1984: 393).

well-being than the current average level there is an impersonal reason to procreate. However, it seems arbitrary to restrict the scope of the impersonal concern only to future generations (as opposed to all affected people) if there is an impersonal reason to maximize the average level of well-being.

But whether or not our concern about the average level of well-being should be extended to all affected people, there is a problem concerning the calculation of the current well-being level, which in turn raises a problem concerning the relevance of the current well-being level itself. The problem of calculating the current well-being level is raised by the difficulty of fixing the size of denominator. For example, should we include everyone (or every living being) in the history so far, or only those who currently exist, or only those we have reliable data about their well-being, to calculate the current well-being level? The former timeless version is unworkable. It seems more plausible to adopt a practical solution by calculating the well-being level of those we have reliable data. However, except that these different denominators might give conflicting answers to the question of when to procreate, new historical discovery might change currently existing people's impersonal reason to procreate. As Parfit points out, "If the Ancient Egyptians had a very high quality of life, it is more likely to be bad to have child now. It is more likely that this child's birth will lower the average quality of the lives that are ever lived."⁵⁹ It is hard to see not only how the quality of Egyptians' lives is relevant to the question of when to procreate but also how causing a worthwhile life to exist would make the world a worse place. The former raises a question concerning the relevance of current average level; the latter raises the "Mere Addition Problem." Even if causing a worthwhile life to exist would lower the average level of well-being, the IAP's judgment that the world would be made a worse place seems implausible if no one would be made worse off or harmed.

So far, both the IAP and the ITP give us no reasonable principle to evaluate the impersonal value of procreative options nor an acceptable guidance to the question of when there is an impersonal reason to procreate. These problems of the IAP and the ITP suggest that the quantity of the amount of well-being and the quality of an individual's well-being should not be our only concern and unrestricted. In the following, we shall discuss two ways to restrict the IAP and the ITP.

2.2.3. The Critical Level View

Perhaps what can contribute to the impersonal value of well-being in the world is not the lives that can increase the average level of well-being but the lives that reach a critical level of well-being. This is the so-called "Critical Level View." It can avoid the Mere Addition Problem because, even if the extra people's well-being fails to reach

⁵⁹ Parfit (1984: 420).

that critical level and hence gives us no impersonal reason to procreate, contrary to the IAP, their existence need not make the world an impersonally worse place. More importantly, the Critical Level View avoids the RC because it denies that the loss in the quality of lives can always be compensated for by a sufficient gain in the quantity of a population. Given that it seems reasonable to assume that a life that is barely worth living does not reach that critical level, the lives in Z, however numerous they are, do not contribute to the impersonal value of well-being. Hence, Z is not better than A from an impersonal point of view.

The underlying assumption here, according to the Critical Level View, is the view that the value of a worthwhile life for that person is distinct from its impersonal value. However, it is not clear why a worthwhile life must reach a certain level of well-being for it to make a contribution to the impersonal value in the world, especially when we start with the postulation that whatever makes life worth living is impersonally valuable. But if, for the sake of argument, we accept this assumption, there is an undesirable possibility that is hard to rule out. Although it seems reasonable to suggest that causing a person to exist with a life well worth living would reach that critical level but not, say, causing a chicken to exist with a life well worth living, this suggestion might just be a result of our wishful thinking that the existence of humanity makes the world a better place. Suppose that there is an alien species and its members have a level of well-being that is way higher than human's level of well-being. The members of this alien species might judge with confidence that because of the hilariously low level of human's well-being our existence cannot make a contribution to the impersonal value in the world, as our judgment about the impersonal value of the existence of chicken. This possibility, though not aspiring, perhaps is not particularly repulsive.

The view that the personal value of a worthwhile life is distinct from its impersonal value could give rise to a repulsive possibility. Given this view, it seems not just possible that a worthwhile life would not only not increase but decrease the impersonal value in the world. The alien species might judge that there is an impersonal reason to end the existence of humanity, even if the existence of humanity is good for us. This possibility is completely unacceptable. I am not claiming that the Critical Level View must entertain this possibility. However, lack of an account of what kind of life has impersonal value, the Critical Level View cannot conclusively rule this possibility out. This raises the fundamental question of how we know whether a state of affairs has the alleged impersonal value. We can determine the person-affecting value of a state of affairs by seeing whether it is good (or bad) for someone. But the same method is no use for determining the impersonal value of states of affairs because the impersonal value is nonrelational, that is, good (or bad) simpliciter. It

seems that people's intuitions are the only support for believing that certain states of affairs are impersonally good (or bad). But if there is any state of affairs that is impersonally good, it seems plausible to believe that the state of affairs that something is good for someone is impersonally good. However, since the Critical Level View postulates a gap between the personal value of a worthwhile life and the impersonal value that worthwhile life, we cannot claim with certainty that the coming into existence of a person whose life is worth living must be capable of increasing the impersonal value and that person's life must be incapable of decreasing the impersonal value.⁶⁰ We should, therefore, be very skeptical about the Critical Level View.

2.2.4. The Limited Quantity View

Another way to limit the impersonal value of well-being is not based on the idea that certain worthwhile lives have no impersonal value but on the idea that, when the amount of well-being in the world reaches a certain point, a worthwhile life would then make no contribution to the impersonal value in the world. This view is called the Limited Quantity View. It can avoid the RC to some extent. We could avoid the implication that Z is impersonally better than A if the amount of well-being in A already reaches the limit. The Limited Quantity View, however, still implies that Z is as good as A from the impersonal point of view because, if the amount of well-being in A reaches the limit, Z must reach that limit as well. This implication is still discomforting.

Moreover, as a procreative selection criterion, the Limited Quantity View has a serious problem. Even if we accept that a worthwhile life contributes nothing to the impersonal value if the amount of well-being in the world reaches the limit, it seems implausible to accept that a miserable life would not decrease the impersonal value in the world if the amount of whatever makes life worth not living reaches a certain point. But the combination of the belief that whatever makes life worth not living would not stop decreasing the impersonal value if a certain amount of whatever makes life worth not living is reached and the belief that well-being would cease increasing the impersonal value if a certain amount of well-being is reached would imply a version of the so-called "Absurd Conclusion."⁶¹ Let's start with a world where the impersonal value of well-being has reached its limit. Any increase of the size of population while keeping the relative proportions of whatever makes life worth living and worth not

⁶⁰ The motivation behind the Critical Level View seems to be that only certain kind of worthwhile life is capable of making the world a better place. If what has impersonal value is not whatever makes life worth living but some state of affairs, say world peace, and the existence of life is to realize that state of affairs, then it is possible that not every worthwhile life is capable of making the world a better place but only certain kind of life, which usually but not always are lives worth living.

⁶¹ Parfit (1984: 411-2).

living constant would only make the world impersonally worse. Eventually, the impersonal disvalue of whatever makes life worth not living would outweigh the impersonal value of whatever makes life worth living so that it would be better no one exists. Since denying that a miserable life would no longer have impersonal disvalue is implausible if the amount of whatever makes life worth not living reaches a certain point, it seems that the only way to avoid the Absurd Conclusion is to accept that there is no limit on the impersonal value that a worthwhile life can contribute to. However, avoiding the Absurd Conclusion in this way would lead us back to the RC. In short, the asymmetry in the claims about the value of quantity would imply the Absurd Conclusion and the only way to avoid it would lead us back to the RC. We therefore should conclude that the Limited Quantity View is not an acceptable procreative selection criterion because it lacks a plausible account of why there is an upper limit on the impersonal value of whatever makes life worth living but no upper limit on the impersonal value of whatever makes life worth not living.

How would the Limited Quantity View tell us when there is an impersonal reason to cause a worthwhile life to exist? To know whether there is an impersonal reason to procreate, potential parents must know whether the amount of well-being in the world has reached the upper limit. If the amount of well-being in the world has reached the upper limit, then potential parents have no impersonal reason to procreate. If not, they have an impersonal reason to procreate. However, this requirement seriously undermines the practical plausibility of the Limited Quantity View because it is possible that unbeknown to us that the upper limit of well-being has been reached due to, say, the existence of a superior alien species. But why should we have to know whether the amount of impersonal value has reached the upper limit in making our own procreative choices? Why should the impersonal value of a worthwhile life depend on whether there is already enough worthwhile lives in the universe?⁶² It seems that the Limited Quantity View cannot provide a reasonable procreative selection criterion or a useful guidance in helping potential parents to recognize when there would be an impersonal reason to procreate.

To take stock, two intuitively attractive ways to respond to the impersonal value of well-being are the ITP and the IAP. But they are not plausible procreative selection criteria and give questionable guidance about when to procreate. We then consider two alternatives – the Limited Quantity View and the Critical Level View, which can be seen as modified versions of the ITP and the IAP respectively. As shown, they also fail to be a reasonable way to respond to the impersonal value of well-being. It is of course possible for friends of impersonal value to find other ways to respond to the impersonal value of well-being. However, it is hard, if not impossible, to avoid various

⁶² For a clear formulation of this objection, see Mulgan (2001a).

problematic implications that we have discussed. Thus, we have sufficient reason to doubt that the postulation that whatever makes life worth living has impersonal value is a reasonable move in dealing with the morality of procreative choices. Given that there is an alternative solution to the NIP without postulating the impersonal value of well-being, we should feel safe to reject the impersonal pro-natalist claim.

Although these problems of postulating the impersonal value of well-being are well recognized, many philosophers are not willing to give up the idea of impersonal value of well-being. In the following, I shall consider three more arguments in favor of the impersonal value of well-being and argue that these arguments do not warrant us in believing the impersonal value of well-being.

2.3. Examining Three Arguments Supporting the Impersonal Pro-Natalist Claim

So far in this chapter we have seen that accepting the impersonal value of well-being has various problematic implications in dealing with DNCs and Fundamental DNCs. In section 1.5 of chapter 1, we seen that there is no need to appeal to such an impersonal value to solve the NIP. I suggest an alternative explanation of our intuitive judgments about the (negative) non-identity cases – that is, the violation of the FGs Constraint but this explanation faces a difficulty because it is based on the harm of coming into existence, which is supported by arguments independent of the fact that it can solve the NIP. Many people would not entertain the uncomfortable claim that procreation is morally problematic in itself; however, they should take the anti-natalist claim more seriously than they initially do after seeing various problematic implications of postulating the impersonal value of well-being. Nevertheless, we should not neglect that there are other arguments supporting the impersonal value of well-being. If these arguments fail to give us sufficient reason to accept the impersonal value of well-being, we should feel safer to reject it altogether and take the anti-natalist claim very seriously and consider its implications more carefully.

The first argument in favor of the impersonal value of well-being is that it helps to explain a powerful intuition. It is suggested that the idea of impersonal value can explain why the Party & Go proposal is problematic – that is, in Peter Singer’s words “we could party our way into extinction” if having children would no longer be in our interests.⁶³ It is important to note that according to the Party & Go proposal, procreation would not make existing people better off, rather non-procreation would be in people’s interests. Hence we cannot appeal to the interests of existing people to object voluntary extinction. To reject the Party & Go proposal, we must believe that whatever makes life worth living is good (period) or, as some might put it, that the existence of humanity has moral significance in its own right. However, the argument

⁶³ See Rachels (1998: 103); Singer (2011: 115-119).

is not well grounded. First, not every reasonable person believes that the Party & Go proposal is morally problematic. When people realized that human extinction would not be bad or worse for anyone, many of us no longer find it objectionable.⁶⁴ Those who feel otherwise might be accused of falling prey to the vanity of humanity. Second, the impersonal value of well-being does not guarantee the moral significance of humanity. The reason why the impersonal value of well-being can reject the Party & Go proposal is that it happens to be the case that most people's lives would still be worth living. That is, even if the impersonal value of well-being can give the existence of humanity moral significance beyond its interests in perpetuating itself, it is based on a shaky ground.

The second argument to support the impersonal value of well-being can be called the "Argument from the Symmetry."⁶⁵ This argument can be represented in two ways. A positive way to establish the impersonal value of well-being is to note the fact that there is a reason, which is independent of the interests of existing people, not to cause a miserable person to exist. If so, it seems that there should be a parallel reason to cause a happy person to exist. The crucial issue here is the nature of the reason not to cause a miserable person to exist. As the explanation of the Asymmetry suggests, our reason need not be impersonal.⁶⁶ It seems defensible to hold that our reason not to procreate is based on the concern for the possible people *whose existence could be prevented*. If a possible person would have a miserable life, we have a person-based reason to prevent that person's coming into existence. Moreover, this explanation of the Asymmetry helps us resist the temptation that there is a parallel reason to cause a possible happy person to exist. We can understand why we do not have a person-based reason to cause a possible happy person to exist because possible people *who could be caused to exist* are not in the domain that make them have moral relevance.⁶⁷ In other words, given that we can explain the Asymmetry by distinguishing two aspects of possible people, the Argument from the Symmetry fails.

However, this reply needs to face the negative form of the Argument from the Symmetry – that is, accepting the Asymmetry would have an anti-natalist implication. This kind of argument can take place at two levels – an individual level and a collective level. At the individual level, we can agree that whatever makes life worth not living gives us a strong reason not to procreate. But if the value of whatever makes life worth living does not constitute a reason to procreate, then the concern for possible people

⁶⁴ For example, Overall (2012: 201) says, "I have not found adequate reasons to show that the extinction of the human species – provided it is voluntary – would inevitably be a bad thing."

⁶⁵ See McMahan (2009: 64).

⁶⁶ For my explanation of the Asymmetry, See Appendix B.

⁶⁷ Although the person-based reason to prevent a possible miserable person from coming into existence is not strictly person-affecting because of the incomparability of existence, this kind of reason still belongs to the person-affecting approach to morality, broadly construed.

can only give us a reason not to procreate. However, the person-based explanation of the Asymmetry does not imply that there can only be a reason against procreate out of concern for possible people. As argued in Appendix A, the main factor in determining the morality of a procreative decision is the FGs Constraints, which includes two parts: the value of coming into existence and the flourishing condition. Only when there is no harm of coming into existence (or that harm is outweighed by the moral significance of procreative reason) can the flourishing condition come into play. This means that our concern for the flourishing condition of a possible person whose existence could be prevented is person-based. If it is reasonable to expect that that possible person's life would not be made worth living, then we have a person-based reason to prevent that person from being caused to exist. And if it is reasonable to expect that that possible person's life would be made worth living, we have no person-based reason to prevent that person from being caused to exist. Thus, accepting the Asymmetry does not necessarily condemn procreation at the individual level.⁶⁸

At the collective level, a *reductio ad absurdum* argument against the asymmetrical impersonal value of whatever makes life worth living and worth not living goes like this. Any large scale of population program is probably unjustifiable from the impersonal point of view because it is very likely that any large scale of population program would cause few lives that are worth not living to exist.⁶⁹ However, even assuming that there is such an asymmetry, the anti-natalist implication does not follow. For this argument to work, it has to assume that these miserable lives are causally necessary for any population program. This assumption ignores the causal independence of procreative decisions. These miserable lives are not causally necessary for bringing about a vast number of lives that are worth living. (However, the coming into existence of miserable lives might be statistically unavoidable because we do not yet have the procreative ability to prevent all miserable lives from coming into existence.) Thus, this argument fails to show that worthwhile lives (and whatever makes life worth living) must have impersonal value in order to outweigh the impersonal disvalue of miserable lives, even if we accept, for the sake of the argument, the impersonal disvalue of whatever makes life worth not living.

⁶⁸ People might think that we can appeal to the anti-natalist claim to justify the Asymmetry. After all, if coming into existence is always a harm but never a benefit, it seems that there is always a reason against procreation and no reason in favor of it. However, my explanation of the Asymmetry does not depend on the anti-natalist claim at all. Even if coming into existence is always a benefit, the expectation that a person would be benefited by coming into existence still does not provide a reason to procreate, though no reason to prevent such a life from being caused to exist (or coming into existence) either. My explanation of the Asymmetry appeals to the two aspects of the concept of possible people. Our concern for "possible people" can only provide a reason not to procreate but not a reason to procreate.

⁶⁹ See Sikora (1978: 136 and 161).

The third argument to support the impersonal value of well-being can be called the “Argument from the Continuum.” Singer asks us to imagine a whole series of universes with progressively less whatever makes life worth living in them.⁷⁰ If, for example, the Peopled Universe, which contains more of whatever makes life worth living, is morally better than the Happy Sheep Universe, which contains less of whatever makes life worth living and so on, then it seems odd to believe that suddenly the Nonsentient Universe, which contains no whatever makes life worth living, becomes incomparable with other universes that contain certain amount of whatever makes life worth living. The Argument from the Continuum can be put in the following way. If there is a reason to choose the Peopled Universe over the Happy Sheep Universe because the former contains more of whatever makes life worth living, then there should be a reason to turn the Nonsentient Universe into a universe that contains whatever makes life worth living. This argument is based on the idea that procreative selection criterion and procreative reason are two side of the same coin (i.e., the value of procreation). Two crucial questions here are: (1) is there really a reason to choose the Peopled Universe over the Happy Sheep Universe? And if so, (2) is the reason based on the impersonal value of well-being or something else? It could be argued that, as people’s judgments about positive non-identity cases suggest, these two universes are morally on a par in the sense that there is no moral reason to oppose any of them from happening. I am inclined to accept this claim. However, it should be made clear that I would accept this claim only in the sense that there is really no harm of coming into existence in both universes but this condition does not hold true in reality. This clarification helps us answer (2) by replying the challenge, as people’s judgments about negative non-identity cases suggest, that there is a reason to choose a procreative option that contains more of well-being over the others. I accept that in reality not every prospective worthwhile life is morally on a par when people are making a procreative decision. However, as argued in the section 1.5 of chapter 1, this is not necessarily because of the impersonal value of well-being. The moral difference could come from different degrees of the violation of the FGs Constraint. In short, the Argument from the Continuum fails to give us a sufficient reason to believe the impersonal value of well-being because there is an alternative account that can explain the moral difference between the People Universe and the Happy Sheep Universe without assuming the impersonal value of well-being.

2.4. Conclusion

Even if we accept that postulating the impersonal value of whatever makes life worth can solve the NIP raised within SNCs, it must be extended, as a complete solution to

⁷⁰ See Singer (2011: 116-118).

the morality of procreation, to help us handle DNCs and Fundamental DNCs – that is, to provide a procreative selection criterion and tell us when there is an impersonal reason to procreate. However, all the major attempts have unacceptable implications. These implications lead us to suspect whether it is really helpful to postulate the impersonal value of well-being, especially when we have an alternative solution to the NIP, which is no less plausible than the postulation of the impersonal value of well-being. Our suspicion about the impersonal value of well-being is further strengthened when several arguments to support the impersonal value of well-being fail. Hence, we should feel safe to reject the postulation of the impersonal value of well-being. However, this is not to deny that there is no state of affairs that is impersonal good. My conclusion here is merely that there is no reason to believe that the impersonal value of well-being and good reason to disbelieve it. The value of whatever makes life worth living comes from the fact that having whatever makes life worth living would be good for us, rather than good impersonally.

We should not, therefore, appeal to the impersonal value of well-being to justify procreation. However, this is a weak challenge to the permissibility of procreation not only because the postulation of the impersonal value of well-being is suspicious but also few would appeal to such a value to justify procreation. The most common and weighty justification of procreation is prospective parent's procreative rights. In the next chapter, we shall discuss the grounds of these rights and whether they can justify procreation.

The Right to Procreative Freedom

3.1. Introduction

The last and widely appealed justification for the permissibility of procreation that we are going to examine is the right to procreate. The right to procreate is commonly understood as a negative right in the sense that one's procreative decision should not be interfered with by others or the state, unless there will be people who would be seriously harmed by that decision. Although it is widely accepted that people have a negative right to procreate, most people agree that such a right is not unlimited. The difficult task is to draw the boundary of the right to procreate. In chapter 1, I defended the anti-natalist claim, which holds that not only that there is no reason in favor of causing a worthwhile life to exist but a reason against causing such a life to exist because of the harm of coming into existence. To determine whether one's right to procreate can justify procreation or, to put it another way, to determine whether the harm of coming into existence is serious enough to restrict people's right to procreate, we must know the moral weight of that right because merely claiming that people have a right to procreate is not particularly helpful when conflicts arise.

However, even if you do not find the anti-natalist claim defensible so that there is no urgency to determine the moral weight of the right to procreate, the advance of Assisted Reproductive Technologies (ARTs) pushes us to face the same task. The advance of ARTs, though, gives us various new procreative options; it also gives rise to many controversies concerning the boundary of the right to procreate. For examples, is it within one's procreative right to seek a surrogate who would carry one's embryo to term, to beget and rear a child when one passes normal reproductive age, to have a preconception screening in order to have a healthy (or a disabled) offspring, or to have a child who could provide suitable body part(s) to save his or her sibling's life? Besides, the problems of the global climate change, which are exacerbated by overpopulation and overconsumption, force us to consider whether there is a duty to limit the size of one's family in order to maintain a sustainable environment. These cases involve many controversial issues, such as the respect of pre-natal life, the definition of parenthood, and the value of procreation. To know the moral weight of procreative right, that is, what values or interests that procreative right are supposed to protect would help us tackle these issues.

I shall argue that what makes procreation valuable for prospective parents – that is, their parenting interests – is unable to override the harm of coming into existence so that the permissibility of procreation cannot be established by appealing to the right to procreate.

3.2. The Scope and the Grounds of Procreative Right

To determine whether a decision to procreate is a legitimate exercise of one's procreative right, we have to know whether it would involve the values (or the interests) that procreative right is supposed to protect. If the relevant value would be involved, it would be a genuine exercise of one's procreative right. To determine whether it is a *legitimate* exercise of one's procreative right, we have to know whether that exercise would conflict with other considerations. If the exercise of one's procreative right would conflict with other considerations, to justify one's procreative right it must be shown that the value involved would outweigh the opposing consideration. However, the burden of proof is on those who challenge its legitimacy. As long as it is a genuine exercise of procreative right, a strong presumption should be given to the procreative decision in question. Before discussing what values or interests that procreative right is supposed to respect or protect, let's see the main contents of procreative right.

3.2.1. The Contents of a Right to Procreative Freedom

At first, let me introduce a general right to procreative freedom. To have a right to procreative freedom means that one has a right to decide whether to procreate or not. A right to procreative freedom thus encompasses two basic dimensions: a right to procreate and a right not to procreate. Although the right not to procreate has aroused one of the most heated debates in bioethics – that is, the permissibility of abortion, the advance of ARTs shifted our attention to the right to procreate and it will be our primary focus here. However, a brief discussion of the right not to procreate is helpful. It is not difficult to understand why the permissibility of abortion makes the right not to procreate controversial. This is because it involves, among other things, a controversial issue concerning the moral status of embryos and fetuses. But for our purposes, we can put this issue aside by assuming that one's right not to procreate is exercised before conception (or implantation) to avoid the possibility of the destruction of embryos and fetuses. Except a few religious objections to contraception, it seems plausible and modest to assume that contraception is a legitimate exercise of one's right not to procreate in ordinary circumstance. Nevertheless, it should be noted that one's right not to procreate might be overridden if non-procreation would have serious negative indirect effects.⁷¹

Strictly speaking, one's right to procreate is not limited to the exercise of one's

⁷¹ There is an interesting question worth noting here. If we all voluntarily decide not to procreate and magically there would be no negative indirect effect (i.e., to Party & Go), is the collective exercise of our rights not to procreate justifiable? This, I think, is one of the most fundamental questions in procreative ethics.

reproductive capacity. That right includes the use of any procreative capacity that is justifiably acquired, such as other person's reproductive capacity or other animals' reproductive capacities. For example, a farm owner has a right to breed his cattle. Our concern here, however, is the use of human's reproductive capacity. According to this understanding of the right to procreate, it seems reasonable to believe that an infertile couple should have the right to procreate if another fertile person is willing to help. The collaborative nature of the infertile couple's procreative plan should not undermine their right to procreate.

Although the right to procreate is commonly understood as a negative (or a liberty) right, there is a trend in contemporary discussion of procreative right to treat it as a positive (or a welfare) right in the sense that the state has a duty to help people to achieve their procreative goals. Nevertheless, my concern will be more on the negative side of the right to procreate. As I said, most people accept that the right to procreate is not unrestricted but where to draw the line between the legitimate and illegitimate exercise of one's right to procreate is not an easy task. To be in a better position to draw the line, we must not only know the justification for upholding the right to procreate but also the weight of its various aspects. Before doing this, I would like to introduce three aspects of the right to procreate that are mostly affected by the advance of ARTs to see why it is important to clarify what value the right to procreate is supposed to protect (or promote). These three aspects are: a right to decide when to procreate, how many children to procreate, and what kind of child to procreate.

The Right to Decide When to Procreate

The importance of the right to decide when to procreate comes from the obvious fact that procreation would normally have a dramatic impact on one's thereafter life, especially when one is going to rear the child. Being able to decide when to procreate gives people more latitude to determine when to bear the challenging (and arguably rewarding) task of parenting. Although it is generally a good thing that people have greater control over the timing of their procreative plans, could there be a restriction on the right to decide when to procreate? Most of us agree that there are some situations where it seems defensible to restrict people's right to decide when to procreate. For example, it is morally defensible to restrict the 14-year-old teenage couple's decision to have a child, assuming that there is a nonintrusive way of restricting their procreative decision. Our intuitive objection to the idea of having a child at such a young age is that their child is very likely to be harmed by their inadequate parenting abilities. Moreover, restricting teenage pregnancy would normally not rule out the chance of having children when one acquires enough parenting abilities later. Thus, it seems plausible to conclude that restricting teenage

couples' right to decide when to procreate is justified. Some people might even argue that it is not an infringement on teenage couple's right to decide when to procreate because they do not have a right to procreate at all. To have a procreative right, one must be able to appreciate the value that is protected by that right. It is not implausible to claim that immature teenagers do not have a sufficient appreciation of the value of procreation. Hence, they do not have the right to procreate and restricting their procreative decision is not a case of infringing their right to procreate.

A more controversial case is post-menopausal motherhood.⁷² The advance of ARTs allows a post-menopausal woman to beget a child with the help of donor gametes or her frozen embryos. Presumably, a post-menopausal woman understands the value of procreation and parenthood. But is her right to procreate justifiably exercised? One intuitive objection to her procreative decision at such an advanced age is the concern for the well-being of the prospective child. For example, a post-menopausal mother may not have enough energy or remaining time to meet the demanding task of parenting so that her child would be harmed either by receiving insufficient care or becoming an orphan prematurely. Two observations about this objection should be noted. First, such a case suggests that the concern for the well-being of the prospective child is a reason to restrict procreation, even if the child would have a life worth living. Second, the objection assumes that the post-menopausal mother's reason to have children is based on her parenting interests so that there is a ground to worry about the well-being of the child who would be raised by her. However, this assumption about people's reason to have children, though plausible, is not necessarily applicable to every case. Parenting interests might not be the only (or primary) value that makes procreation worth pursuing. This point can be seen by a more extreme case: posthumous reproduction. The advance of ARTs makes it possible that one can have a child even when one no longer exists. To determine whether posthumous reproduction is an exercise of one's right to decide when to procreate, we have to be clear about the relevant interest(s) at stake in reproduction. Obviously, one's posthumous reproductive plan does not include child rearing but one might still have a posthumous interest in having a genetic offspring. If this is the case, posthumous reproduction is within one's right to procreate. But whether it is a legitimate exercise of one's right to procreate depends on, at least, whether there is a sound plan to take care of one's genetic offspring. Even if prospective procreators do not have parenting interests, it does not mean that they have no responsibility to make sure that their children would have a flourishing life, that is, to satisfy the flourishing requirement. If they do have a sound plan to satisfy the flourishing requirement, the

⁷² For a view that argues that post-menopausal motherhood poses no particular problem to the morality of procreation. See Cutas (2007).

age or the timing of having children *per se* is not a consideration capable of restricting procreative decisions. The consideration that could restrict people's right to procreate is whether the flourishing requirement can reasonably be expected to be satisfied.

However, the controversies raised by the right to decide when to procreate is not limited to whether or not the flourishing requirement of the prospective children would be satisfied. That is, our concern is not merely about the morality of parenting. The right to decide when to procreate can pose a problem to the morality of procreation as well. For example, the risk of conceiving a child with Down syndrome increases significantly when women are over 35-year-old. However, that risk is not unavoidable. If what matters are gestative interests, that is, interests in experiencing pregnancy and labor rather than reproductive interests, a woman of advanced reproductive age could use other's younger eggs, assuming that she did not preserve her healthy eggs when she was reproductive prime, to avoid imposing a higher risk of greater harm of coming into existence with her decision to procreate. Thus, the reproductive age of prospective parents need not always be a consideration restricting the right to decide when to procreate because the age or the timing of having children *per se* would not necessarily affect what kind of child one would have.

That said, a woman of advanced reproductive age might think what matters is her reproductive interest, is it defensible to restrict her decision to procreate out of the concern for the well-being of the prospective child? To answer this question, we must investigate the moral grounds of procreative right.

The Right to Decide How Many Children to Have

Another important aspect of procreative right is the right to decide how many children to have. Thanks to the advance of reliable contraceptive methods and ARTs, the size of one's family became a matter of choice. Is it, however, plausible to hold that a negative right to procreate entails a right to have as many children as we want? Recently, there is a notorious case that attracts worldwide attention and criticism. Nadya Suleman, the so-called Octomon, with the help of IVF, gave birth to octuplets.⁷³ Putting her personal story aside, the issue here is whether there is an upper limit on the number of children that one can justifiably have. Many countries now have regulations concerning the maximum number of embryos that can be implanted in a cycle of IVF. The main reason for such regulations is to reduce the risks of health problems caused by multiples births for the children and the mothers.

There are three kinds of worry that might be serious enough to restrict the Octomon's decision to procreate, even if multiples births pose no increased risk of

⁷³ An interview with Nadya Suleman, see <<http://content.time.com/time/nation/article/0,8599,1877962,00.html>> (last accessed: Mar. 2015).

harm to the children. Our initial worry to her procreative decision might be that she cannot provide adequate care for the octuplets. Raising a single child is already a demanding task for a couple, let alone raising octuplets for a single mother. However, here we assume, though plausibly, that the Octomom's reason to have children is based on her parenting interest so that there is a legitimate worry for the well-being of the octuplets. But this worry can be mitigated. Suppose that she has a viable plan to take adequate care of the octuplets, would it be right to restrict her decision to have octuplets? Perhaps there is still a reason to restrict her procreative decision if her plan involves using public resources to an excessively degree. This second worry is similar to a negative reaction that most of us have toward those welfare parents who claim excessively on the welfare system to fulfill their personal procreative projects. This worry, however, is not applicable to wealthy prospective parents who want to have a supersize family. But even if such prospective parents' family plans would not burden the welfare system, many people nowadays rightly think that forming a supersize family is morally problematic out of environmental concern. This is the third kind of worry. Plausible these worries may be. They are not our focus here.

Our focus is whether there is a reason to restrict people's right to decide how many children to have due to the harm of coming into existence. It seems defensible to argue that the harm of coming into existence can restrict the number of children that one is going to have. This is because it seems that whether one has one child or multiple children the value of procreation would not be seriously affected. Thus, even if one's right to procreate can justify having one child, it does not follow that one has the right to procreate as many children as one wants. However, to substantiate this claim, we must know what makes procreation valuable and why the value of procreation would not be seriously undermined just by having just one or two children.

The Right to Decide What Kind of Child to Have

Before the reproductive revolution, the only way to affect what kind of child to have is by choosing one's mate. While we are still unable to determine what kind of child to have in a precise way, preconception and prenatal screening have enabled prospective parents to select what kind of child to have. The advance of ARTs makes the right to decide what kind of child to have the most controversial aspect of the right to procreate.⁷⁴ There are two main reasons why this aspect of the right to procreate is so controversial. First, this aspect of the right to procreate is closely related to the value of procreation. The controversies concerning the value of procreation are haunted by the dark history of eugenics. Although the right to decide what kind of child to have is

⁷⁴ The right to decide what kind of child to have has been developed into a subarea of procreative ethic – that is, the ethics of selective reproduction. See Wilkinson (2010).

exercised as a personal right, it is legitimate to worry whether liberal eugenics is morally desirable or defensible. Is the value of procreation solely determined by ourselves? How do we know whether a particular procreative purpose is morally defensible? Second, even if people have the right to decide what kind of child to have, the question concerning the legitimate exercise of such a right is complicated by its means. Several aspects of the means that help people achieve their procreative goals could affect the moral status of the procreative decision in question, such as, the timing (preconception, pre-implantation, or prenatal screening), the modes (negative/positive screening), and the medical necessity (therapy/enhancement). Let's briefly consider several controversies raised by the means.

One complicating factor is the timing of selection. When the selection occurs would affect the boundary of the right to decide what kind of child to have because pre-implantation and prenatal screening might involve discarding undesirable embryos or aborting undesirable fetuses. Although it is relatively uncontroversial to believe that *possible* people cannot have interests in coming into existence, it is controversial whether *potential* people, such as embryos or fetuses, can have such interests. But even if they have interests in coming into existence (or continuing to exist), we need to determine whether their interests are weighty enough to restrict prospective parents' exercise of their right to decide what kind of child to have by, say, delaying procreation to avoid having an undesirable child, selecting against an undesirable embryo, or aborting an undesirable fetus. The situation would become more complicated if the exercise of such a right happens prenatally (as opposed to preconceptionally or pre-implantationally). In such cases, we have to take women's body integrity into account. We need to be careful in analyzing our intuitive judgments about such cases because our reluctance to interfere with people's decision to have or not to have a particular kind of child might be more due to respecting people's right to bodily integrity than their right to decide what kind of child to have. To avoid these complications, we can assume that the selection occurs preconceptionally or pre-implantationally. This move would help us focus on the moral weight of the right to procreate.

Another factor that complicates the ethics of selective reproduction is whether the selection is positive or negative. Although, as McMahan points out, "positive selection is implicitly negative as well" because "the attempt to bring a person of a certain type into existence [i.e. positive selection] is simultaneously an attempt not to bring into existence a person who is not of that type [i.e. negative selection]," it seems that negative selection is still somehow more controversial than positive selection.⁷⁵ The explanation for the unsettling feeling about negative selection is not hard to find.

⁷⁵ McMahan (2005b: 77).

A negative selection seems to express a message that the characteristic that is being selected against is undesirable. By contrast, a positive selection expresses only that the characteristic selected is desirable or more desirable; it does not have to suggest that the characteristic that is not selected is undesirable. Thus, many people object negative selection because it expresses a harmful or demeaning view about those who are being selected against. This is the so-called the “expressivist objection.” However, a universal objection to negative selection is not plausible because most people accept that it is morally permissible or even mandatory to select against certain serious genetic diseases. Although in procreative context the disabled people could not have existed without the disability in question, this fact does not mean that the disability must be an important self-defining characteristic of the disabled person. What prospective parents select against is the disability itself rather than the disabled person himself or herself. This is, however, a very sensitive topic and worth considering further. That said, the expressivist objection is mainly based on the potential harm to other existing people rather than on the prospective children themselves. So I shall put it aside.

In the future, we might not only be able to select what kind of child to have but to genetically modify embryos or fetuses. It has been suggested that the permissibility of a particular genetic modification might depend on whether it is counted as a therapy or an enhancement. It seems less controversial to perform a genetic therapy on a potential individual than a genetic enhancement. Perhaps it is because the goal of a genetic therapy is to allow prospective parents to have the result of ordinary procreation, that is, a normal healthy child. By contrast, a genetic enhancement is to achieve something more than what is deemed within the goal of ordinary procreation. It seems that whether a particular genetic modification would be regarded as a therapy or an enhancement depends on its relation to the core value of ordinary procreation. Now let’s put aside the issues raised by the means of exercising the right to decide what kind of child to have and turn to some controversies cases concerning the value of procreation.

Let’s start with a well-known case that a couple decided to have a deaf child.⁷⁶ I am confident that most people would strongly oppose such a procreative decision (perhaps because the case is put in such a stark and probably unfair way). However, I suspect, after knowing their story in a greater detail, many people would sympathize with the couple’s decision to have a deaf child. After all, their procreative motivation seems similar to ordinary people’s motivation in an important respect, that is, to have children like themselves (normally achieved through the luck of genes). Of course, our sympathy does not imply that their decision to have a deaf child is a legitimate exercise

⁷⁶ See Spriggs (2002: 283).

of their right to procreate. Many of us also accept that the expectation that their child will be deaf is a good reason to restrict their procreative decision, especially when they can have a normal hearing child instead. But, as we have seen, commonsense views have difficulties in accommodating the intuitive judgment that the deafness would harm the child because of the logic of the NIP. The anti-natalist claim, by contrast, can explain why we intuitively think that causing a deaf child to exist would harm that child. Being deaf would exacerbate the harm of coming into existence. That is, causing a deaf person to exist highlights the harm of coming into existence so that we are more inclined to find such a procreative decision problematic.

Another more important point in this case is that, though the couple prefers a deaf child over a hearing child, they are willing to accept a hearing child.⁷⁷ Their willingness to have a hearing child suggests that the deafness of their child is not an essential part of their procreative project. Even if the right to procreate can justify their decision to have a normal child, it is questionable that such a right can justify pursuing a non-essential procreative preference that would impose a greater harm of coming into existence.⁷⁸

There is another kind of objection to their procreative decision, even if this couple can only have a deaf child. It might be objected that their decision to have a deaf child is not in conformity, or, worse, in conflict with society's interest in the composition of its member. But to avoid implying the unreasonable belief that deaf people are socially undesirable, let's use another example. Now instead of having a deaf child, the couple wants to have an irresistible cutie, who will have the mental life of a dog with an appearance of a 5-year-old child. People might object such a procreative decision more vehemently than the couple's decision to have a deaf child. But why? I think this is, in part, because people implicitly think that reproduction has a social dimension – that is, one's children should someday become a member of one's society – and an irresistible cutie cannot satisfy this implicit purpose. No doubt, many people want their children to become decent citizens who can make a contribution to maintaining one's society. However, one need not share this procreative purpose. If having an irresistible cutie can satisfy one's personal interests in procreation, what is wrong with that? The reply that causing an irresistible cutie to exist would harm him by depriving him of a normal human life has no force because it begs the question by assuming that the goal of ordinary human reproduction is to cause a normal person to exist. Why the

⁷⁷ As they said, "A hearing baby would be a blessing. A deaf baby would be a special blessing." See Spriggs (2002: 283).

⁷⁸ If a desired trait of the prospective child does not contribute to the core value of procreation but would not increase the harm of coming into existence, it seems that such a preference would not diminish the moral weight of a right to procreate. For example, choosing a child with blue eyes would not impose a greater harm of coming into existence than ordinary procreation, it is hard to see why such a decision should not enjoy the same protection as ordinary procreation.

couple wants to have an irresistible cutie is precisely because they do not share that implicit goal of ordinary procreation. Another objection to their decision to have an irresistible cutie is that, though the procreative purpose in question would not directly harm the irresistible cutie, such a procreative purpose would indirectly harm the child because the procreative purpose would affect how that child would be treated. However, if the irresistible cutie would be treated in a way that can satisfy the flourishing requirement for an irresistible cutie as an irresistible cutie, it seems that there is no ground to worry that it would be mistreated. This is the paradoxical aspect of the morality of procreation that procreative reason would determine what kind of child to have and thus determine the flourishing requirement of the prospective individual.⁷⁹ In the context of making procreative decisions, prospective parents are able to determine (or affect) what morality would demand themselves. However, since we do not yet possess the required procreative abilities to align one's procreative reason with procreative selection criteria. A mismatch between one's procreative reason and procreative selection criteria is very likely to happen. It is important to know that in such a situation the prospective individual should be treated in a way that is suitable for its nature rather than the way demanded by the intended procreative purpose. This point will help us understand our somewhat uneasiness about savior siblings.

A common objection to savior siblings is that creating a child to save another existing child's life is to treat the savior sibling as a mean. This objection, however, fails because people need to have a procreative purpose. If there is no procreative purpose, we not only do not understand why we procreate but also no procreative selection criteria to follow. Why choose to have a human child rather than a dog, for example? The spirit behind this Kantian idea is whether a savior sibling would be treated as a "mere" mean. If the only reason to procreate is to provide some suitable body part to save an existing child's life, then this objection would have some force. Since the procreative reason would determine the procreative selection criteria, which in turn determine what kind of individual would be created, it seems natural to think that the value of a savior sibling solely depends on whether he or she can provide the suitable body part. But in this case, there is a glaring mismatch between the procreative reason and the procreative selection criterion. Strictly speaking, all that needed is the suitable body part, not a child who have suitable body part.⁸⁰ The savior sibling, however, should be treated in a way that is suitable for his or her nature or

⁷⁹ See Appendix A.

⁸⁰ This point explains why in replying the charge of treating the savior sibling as a mere mean it is common for prospective parents who want to have a savior sibling by saying that they want to have another child anyway. This reply removes the mismatch between their procreative reason and procreative selection criterion.

psychological capacities, rather than following the intended procreative reason be treated merely as a source of some body part.

Another objection worth mentioning is that people might argue that to have a savior sibling is not an exercise of the right to decide what kind of child to have because its purpose is not reproductive (though it has a reproductive result). This objection assumes that people's reproductive capacities can only be used on the project of reproduction. However, in the broadest term, a right to procreate includes the use of any procreative capacity that is justifiably acquired. Thus, it seems defensible to claim that the decision to have a savior sibling is an exercise of procreative right. Besides, even if the purpose of the creation of savior sibling is not reproductive, this fact does not make the decision to have a savior child morally problematic. As I argue in the Appendix A, the moral status of a procreative decision mainly depends on whether the FGs Constraint would be violated or not. If the FGs Constraint would not be violated, the decision to procreate should be permitted, whether it has a reproductive purpose or not.

Finally, it should be noted that a right to procreate and its various aspects can be exercised passively by *not* deciding when to have children, how many children to have, and what kind of child to have. For example, even though preconception screening and prenatal screening become quite common in developed countries, prospective parents might still have a right not to know their genetic makeup. That is, people seem to have the right not to decide what kind of child to have. However, unless we assume unrealistically that the task of parenting can always be met easily, the passive exercise of the right to procreate seems problematic because a procreative behavior would result in the existence of a child whose basic needs would seriously restrict people's right to procreate even if it is exercised actively. This is, as we shall see, the reason why appealing to the intrinsic value of autonomy cannot justify a strong negative right to procreate. It should be clear now, as various problematic cases show, that people's right to procreate is not unlimited. To determine whether a particular case is protected under the right to procreate and, thus, morally permissible, we need to examine the grounds of the right to procreate. After all, the claim of rights is not the starting point of moral inquiry. It merely calls for our moral attention. Our task in the next section is to find out the grounds for the right to procreative freedom.

3.2.2. The Grounds of Procreative Rights

There are two dominant approaches to justify the right to procreative freedom. One justification is that people should have procreative right in order to protect a more fundamental value, the value of autonomy or privacy for example. It seems natural to appeal to the value of autonomy to justify the right to procreative freedom. After all,

whether to procreate or not is one of the most important decisions in life. Interfering with people's procreative choices would seriously violate their autonomy. However, appealing to the value of autonomy seems more suitable to justifying a right not to procreate than a right to procreate. In regards to a decision not to procreate, interfering with such a decision would seriously undermine one's autonomy because that would mean forced procreation (or forced using one's reproductive capacity). The value of autonomy would be undermined to a greater extent if the responsibility of parenting falls on the unwilling procreators. Thus, it seems that appealing to the value of autonomy can justify a strong negative right of non-procreation.

By contrast, it is less clear that the value of autonomy can justify a negative right to procreate. Although a procreative decision would be life-changing for a prospective parent, that decision would have a more dramatic effect on the prospective child, that is, his or her coming into existence. It seems plausible to accept that the direct effect of procreation would always put a strain on one's procreative decision. This is because various needs of the prospective child would always give us a reason to regulate or monitor one's procreative decision to make sure that the FGs Constraint would be not be violated. Many people already point out that the right to procreate is internally constrained by the responsibility of parenting.⁸¹ Thus, people are not likely to have a right to procreate whenever they want, to have as many children as they want, or to procreate any kind of child they want. Treating a procreative decision merely as an extension of a right to self-determination exercised in the context of procreation might lead people to ignore or undermine the moral significance of parental responsibility. Respecting people's autonomy does not include allowing people to make any procreative decision as they see fit because the direct effects of procreation would make a moral demand on us to make sure that prospective parents have a reasonable plan to fulfil their parental responsibility. Thus, the value of autonomy is not likely to justify a negative right to procreate.

Nevertheless, it should be noted that appealing to the value of autonomy might support a positive right to procreative freedom. To be able to make an autonomous decision, people need to live in a certain kind of society. For example, poor people can hardly make a procreative decision autonomously if they cannot afford reliable contraceptive methods. Or in a sexist society, woman might not be able to make a procreative choice in according with their life plans. To respect and promote the value of autonomy, the state has a duty to provide the necessary social conditions. However, there are some restrictions on the duty of the state to provide the necessary social conditions that allow people to make autonomous procreative choices. One restriction is that a liberal state should be value-neutral about various valuable life plans or the

⁸¹ See Archard (2004: 415) and Campagna (2008: 115).

conceptions of the good. In this case, pro-natalist or anti-natalist policies might negatively affect people's right to procreative freedom. To respect the value of autonomy, it seems that the state should adopt liberal-natalist policies. That said, since procreative choices have a social dimension, the state might decide to support programs that help its citizens to deal with unwanted infertility and/or to control unwanted fertility, depending on its desired population level and composition. Another restriction is that, since an unlimited positive right of procreative freedom is unsustainable, the state should try to provide the necessary support with equal concern. However, this restriction on the duty of the state seems more capable of justifying a positive right of non-procreation than a positive right of procreation for two reasons. The first reason is simply that the inability to avoid unwanted procreation is more likely to impede one's autonomy than the inability to avoid unwanted infertility. Thus, the value of autonomy might ground a strong positive right of non-procreation. Of course, this fact by no mean undermines the desirability of the positive right of procreation. However, the second reason would make such a right practically infeasible. Since the cost of avoiding unwanted fertility is typically much lower than the cost of treating unwanted infertility, it is more likely to provide the resources necessary for avoiding unwanted procreation equally. Hence, even if there were a positive right to procreate, its scope would be quite limited. However, it should be remembered that the justification of the positive right to procreative freedom is based on the state's interest in its population level and composition rather than individual's autonomy.

In sum, since the value of autonomy alone cannot ensure that the FGs Constraint would not be violated and the state has an interest in making sure that the developmental needs of its future generations be met, it is questionable that the value of autonomy can justify a negative right to procreate. By contrast, the value of autonomy is more likely to justify a strong negative right of non-procreation and a positive right of non-procreation because unwanted pregnancy is a more serious threat to one's autonomy and it is more feasible to protect people's autonomous decisions of non-procreation equally.

Now let's consider another approach to justify the right to procreative freedom. Instead of justifying the right to procreative freedom on the ground of protecting a fundamental value, say, autonomy, we could justify that right on the ground of important interests in procreation and non-procreation. To make the contrast between these two approaches more clearly, we might say that the first approach tries to justify the right to procreative freedom by appealing to the intrinsic value of autonomy to the people, that is, being a valuable component of one's well-being and the second approach by the instrumental value of autonomy to the people, that is, being autonomous allows people to pursue other valuable projects. Since we are focusing

on the right to procreate, I shall try to find out what exactly makes procreation valuable in the next section. This task would help us determine whether a particular procreative decision deserves presumptive protection of being an exercise of one's right to procreate and why different aspects of a right to procreate have different weights due to the involvement of different interests. For example, we can understand why the right to decide what kind of child to have is more important than the right to decide how many children to have. Finally, it should be noted that not any interest could constitute right. I would not try to provide a general account of what makes an interest a right but assume that certain interests involved in procreation, as many people believe, are the kind of interest that can constitute a right.

3.2.3. Procreational Interests

Let's begin by ruling out two kinds of interests that might be thought important in procreative context but are in fact irrelevant for supporting the right to procreate. The first kind is coital interests – that is, interests in having sex. Although people's coital interests might explain the existence of many people, the purpose of procreation is not to satisfy coital interests. What we are looking for in procreation is the result that comes after the satisfaction of coital interests rather than the satisfaction of coital interests itself. However, the protection of coital interests is indeed an important consideration that asks us not to interfere with people's procreative behaviors. However, this is because of the fact that the satisfaction of coital interests is related to the right to privacy and to bodily integrity instead of the value that we are looking for in procreation. This point should be emphasized because respecting coital interests might lead people to overrate the moral significance of the right to procreate.⁸² This point can be seen by noticing different treatments between coital (or natural) reproduction and non-coital (or artificial) reproduction. Most countries have certain restrictions or regulations on non-coital reproduction but no regulation on coital reproduction. The most obvious ground for regulations or restrictions is the concern for the well-being of the prospective person. For example, an infertile woman who is HIV positive is not eligible to IVF, even if denying her IVF means that she cannot successfully secure whatever interests she has in procreation.⁸³ By contrast, no such restriction is put on a fertile woman who is also HIV positive. Our intuitive aversion to restricting a fertile person's procreative behaviors is more likely due to respecting his

⁸² It is tempting to draw the conclusion that "the right to reproduce that we currently acknowledge is the right to have reproductive sex and handle the consequences, and nothing more than that" as Cutas (2009: 46) argues. However, this conclusion is misleading because the regulations on non-coital reproduction are compatible with recognizing people's right to procreate. Just like the regulations on driving are compatible with recognizing people's right to movement.

⁸³ For a recent report, see <<http://www.telegraph.co.uk/news/health/news/10981261/NHS-limits-IVF-to-HIV-positive-men-and-cancer-patients.html>> (last accessed: Mar. 2015).

or her right to privacy than the value of procreation. If the relevant condition for restricting people's non-coital reproduction appears in a fertile person's situation, then, with the help of nonintrusive and reliable contraceptive methods, it seems that there should be an equally strong reason to restrict people's procreative plan while respecting their coital interests.

The other kind of interests that is irrelevant in justifying the right to procreate is gestative interests – that is, interests in experiencing pregnancy and labor. Although gestation is an important part of human reproduction, one's gestative interest does not belong to the core values of procreation. Suppose for some reason a woman is unable to bear and beget a child by herself but there are other methods for her to have a genetic child, such as seeking a surrogate mother or, if possible, using an artificial womb. It seems that the value of procreation can only be slightly diminished, if at all, if one solicits one of these methods to have a genetic child. Besides, the satisfaction of gestative interests alone is hardly in anyone's interests. This is why having a stillbirth is considered as a terrible loss for prospective parents because their investments in procreation completely fail to secure the value of procreation. Of course, many people, especially for women, believe that gestation is an enlightening experience that profoundly transforms their lives in a positive way. There is another reason to doubt that gestation is really in women's interests. Gestation is a risky biological process for women. Would people continue to believe that gestation is in their personal interests if they have to sacrifice their lives to give birth to their children? This ultimate sacrifice seems contrary to one's interests.

However, it is possible to defend that even if having children means giving up one's life, it is still in one's interests. This is because people might have reproductive interests (i.e., interests in successfully passing on one's gene to the next generation), even if they cannot satisfy their parenting interests. Many people do believe that having genetic offspring is extremely important. This belief can be seen from the phenomenon that adoption is often the last resort of forming one's family and the various costs that many people are willing to pay for the ARTs. If people do not believe that reproductive interests are important, they could adopt a child (or adopt a surplus embryo from others) to save the trouble of IVF, for example. But it is not clear whether and why one's reproductive interest has moral significance primarily because the difference of one's well-being between having a genetic-unrelated child and having a genetic child seems nonexistent or insignificant. The strongest explanation of why having a genetic connection to one's child would make a difference to one's well-being seems to be that one's parenting interests would be satisfied more easily or to a greater extent than having a genetic-unrelated one. However, as Levy and Lotz argue,

this is “mere superstition, in the guise of modern science.”⁸⁴ There is no credible evidence to support this explanation. But even if this explanation is true, the significance of genetics interests is subordinated to parenting interests.

Although it is not obvious why having a genetic child (as opposed to adopting a child) can make an impact on one’s well-being, it seems obvious that successfully rearing a child can make a dramatic impact on one’s well-being. Indeed, most people would agree that what makes having children valuable is the satisfaction of parenting interests (or the establishment of a healthy parent-child relationship) rather than the satisfaction of reproductive interests. However, several issues should be noted here. First, what kind of right does the parenting interests justify? A right to procreate or a right to parenting. This problem is raised by the fact that there are many adoptable children in the world so that no child needs to be caused to exist for prospective parents to satisfy their parenting interests. Nevertheless, it seems plausible to assume that people who have parenting interests outnumber the adoptable children in the world. If so, then not every prospective parent can satisfy his or her parenting interests through adoption. New lives must be caused to exist for prospective parents to satisfy their parenting interests. Thus, parenting interests could justify the right to procreate in this way. Second, what is the scope of a parenting-interest-based right to procreate? Although some children must be caused to exist for people to satisfy their parenting interests, it does not necessarily mean that to satisfy their parenting interest they have to procreate by themselves or to procreate their own genetic offspring. If I am right about the insignificance of gestative and reproductive interests, then it seems that seeking a surrogate to have a genetic-unrelated child is within the scope of the right to procreate despite that to satisfy one’s parenting interest in this way deviates from the ordinary practice of reproduction.

There is another question worth reflecting. What makes parenting interests valuable? The parent-child relationship is often regarded as a special interpersonal relationship. Unlike other interpersonal relationships, parents presumably have the responsibility to raise their children. The fiduciary responsibilities of parenting is regarded as the source of what makes the parent-child relationship uniquely valuable.⁸⁵ Becoming a parent is a life-long project that would dramatically change oneself. One would allegedly gain a whole new perspective about oneself, the world, and the future. However, must people’s parenting interests be satisfied by raising an individual who would become a person? In other words, must the parent-child relationship be an *interpersonal* relationship? If one’s parenting interest can be satisfied by raising an irresistible cutie, why should the decision to have an irresistible

⁸⁴ Levy and Lotz (2005: 237).

⁸⁵ For an elaboration of the goods of parenting, see Brighouse and Swift (2006).

cutie not be protected under the name of the right to procreate? Thus, it seems that the parenting-interest-based right to procreate can accommodate a wider scope of procreative right than commonly assumed.

Finally, let's return to the question of whether appealing to parenting interests can justify the negative right to procreate. Compared to an autonomy-based right to procreate, a parenting-interest-based right to procreate seems more capable of restricting other's interference because the satisfaction of parenting interests requires a significant degree of intimacy for enabling parents and their children to share their lives with each other. But the fact that they share lives together might make us more worry about the well-being of the children because in the first few years of their lives children are vulnerary and almost completely depend on their parents. However, the concern for the well-being of the children would not justify imposing an intrusive restriction on people's parenting-interest-based right to procreate because what parenting interests lie in is the task of taking care of their children. Thus, appealing to parenting interests seems more capable of supporting a negative right to procreate than appealing to the value of autonomy. Moreover, the parenting-interest-based right to procreate can explain a recent trend to treat the right to procreate as a positive right, manifested in policies like parental leave and childcare subsidies. This is because a healthy parent-child relationship is not only good for the parents and the children but also good for the society as well.

To sum up, coital interests and gestative interests cannot ground a right to procreate. Although reproductive interests are commonly believed to be important, there seems to be no good reason to believe so. The most important interest in having children is the parenting interest. However, new lives need not always be caused to exist for prospective parents to satisfy their parenting interests and even when new lives need to be caused to exist they need not be prospective parent's genetic offspring. The importance of parenting interests lies in the transformative experience of taking care and growing up with one's offspring. Having and rearing a child can make one's life fulfilled. That said, we still need to know whether the parenting-interest-based right to procreate can override the ordinary harm of coming into existence so that the ordinary procreation is morally justified.

3.3. The Moral Significance of Parenting Interests

Since we have just seen what makes having children valuable for those who have an interest in it, that is, the establishment of a healthy parent-child relationship, we can understand why having children might not be good for everyone. Some people might not have or not be willing to develop the relevant abilities and dispositions necessary for parenting. They are unlikely to find the task of parenting enjoyable or rewarding.

Surely, the fact that parenting is not suitable for everyone does not undermine the fact that many people do have parenting interests and those interests are good reason for prospective parents to have children. People tend to believe that the importance of parenting interests alone can justify ordinary procreation. But the reason why it is commonly accepted as an adequate justification for the permissibility of procreation is based on the assumption that there is no general reason against procreation. However, as I have argued, we not only cannot appeal to the expectation that a possible person would have a life worth living to justify procreation but there is a general reason against procreation based on the harm of coming into existence. The crucial question concerning the permissibility of procreation then is whether the moral significance of parenting interests can justify imposing the harm of coming into existence on future generations. For parenting interests to be a sufficient justification for the permissibility of procreation, it must be shown that the harm of remaining childless for prospective parents would be more severe than the harm of coming into existence. Indeed, the harm of remaining childless should be significantly more severe because in general it seems problematic to harm someone for the sake of oneself, unless the harm to oneself would be far more severe than the harm imposing on another person.

Let's first note that a decision to procreate is under regulation when it is executed via non-coital reproduction. Recall our previous example that a HIV-positive woman is not eligible to IVF. This restriction seems mainly out of concern for the well-being of the prospective child who might be infected with HIV. However, if a HIV infected life can still be made worth living, commonsense views have difficulties in objecting her decision to procreate. By contrast, the anti-natalist claim can easily explain why a HIV-positive woman's decision to procreate is morally disturbing by noting the harm of coming into existence with (the risk of having) a HIV infected life. Thus, it seems not unreasonable to conclude that the anti-natalist claim can override the right to procreate even if the child's life would be worth living. People might challenge this reasoning by pointing out that there is no regulation of a HIV positive woman's coital reproduction. However, as we have seen, our aversion to restricting people's coital reproduction is more likely out of respecting people's right to privacy and bodily integrity than the right to procreate. Thus, the point stands.

Nevertheless, it should be admitted that a HIV-positive woman's decision to procreate is not typical. It seems still reasonable to suggest that a parenting-interest-based right to procreate can justify ordinary procreation. But the difference in terms of the harm of coming into existence imposed on the prospective children between a HIV-positive woman's reproduction and ordinary reproduction is a merely matter of degree. To know whether the parenting-interest-based right to procreate should be

restricted because of the ordinary harm of coming into existence, we need to know how harmful the unsatisfaction of parenting interests to prospective parents would be.

This question is largely empirical. Psychological studies seem to support that having children or not has no significant influence on one's well-being.⁸⁶ The result of these psychological studies is surprising at first because it is contrary to the common belief that having and rearing children is a valuable experience. But if this general claim is plausible, then, given the anti-natalist claim, it seems not unreasonable to hold that prospective parent's parenting interests alone are unable to justify procreation. Surely, these psychological studies can be challenged in various ways such as questioning their methods, concepts (say, their definition of well-being), results (say, their interpretation of the evidence), etc. However, this kind of research is not what I am capable of. Instead, I would like to offer some considerations to support the claim that the harm of remaining childless is not serious.

First, it should be clear that in procreative context, remaining childless does not involve depriving an existing parent-child relationship. It merely prevents one from establishing a new parent-child relationship. Second, remaining childless would normally not make prospective parents worse off than they were before. Instead, their lives would probably go on as usual. In other words, according to the temporal model of harm, remaining childless is not harmful. Moreover, before the decision to procreate prospective parents normally are not in an intrinsically harmful state. If so, with the claim that remaining childless would not make prospective parents worse off than they were before, it seems that the harm of remaining childless, if any, can only be comparative in the counterfactual sense. And as the psychological studies indicate this kind of harm of remaining childless is negligible. This claim can be further supported by observing that few people would claim how miserable their lives would become if they were forced to remain childless so that they are entitled to have a right to procreate. Instead, people are more likely to claim that they miss a special experience if they remain childless. The harm of coming into existence, by contrast, is noncomparative and not negligible. Thus, it seems plausible to hold that our reason to prevent a noncomparative and non-negligible harm of coming into existence is stronger than our reason to prevent a comparative and negligible harm of remaining childless.

Third, why remaining childless would not seriously harm the prospective parents is that there are alternative, though not perfectly substitutable, ways to bring about the benefits of having and rearing children. Thus, even if the difference between having children and remaining childless on one's well-being is substantial, the gap can

⁸⁶ There is a psychological explanation, called the "focusing illusion", of why people tend to believe that having children is overall a good thing. See Powdthavee (2009).

be filled by other projects or commitments so that having children or not need not adversely affect one's well-being as a whole. The plausibility of this explanation depends on whether there is something irreplaceable and, if any, morally weighty in the parent-child relationship. The important interest for prospective parents in a parent-child relationship lies in the task of child-rearing. Although in other kinds of interpersonal relationships we do care others' well-being, we are normally not in a position to guide and help them to develop themselves. But why many people have an interest in the task of child-rearing? The most common and plausible explanation seems to be that child-rearing would make one's life meaningful, fulfilled, or even completed if it goes well. We might find the trace of the meaning-confer property of child-rearing in the word "childless." This word seems to suggest that one's life is somewhat incomplete if one has no offspring.

However, having and rearing children is not the only way that can make one's life meaningful and one's life need not be incomplete if one decides (or is forced) not to have offspring. That said, to determine how harmful of being forced to remain childless, we need to know how many meaningful (valuable) alternatives are left for prospective parents and the difficulty of pursuing these alternatives. If there are few meaningful (or valuable) alternatives and it is difficult to pursue them, then the harm of remaining childless would be quite serious. But normally this is not the case. Having children is just one of many meaningful life plans that one can take. Remaining childless would not seriously limit one's abilities to have a meaningful life. Indeed, if one cannot find any meaningful life plan other than having and rearing children, we might wonder whether such a person is able to raise one's child successfully. This point can be more easily seen in another feature that makes parent-child relationships valuable. The intimacy in a parent-child relationship is surely part of what makes rearing children valuable. Even if the kind of intimate relationship between children and parent is not totally substitutable by other intimate relationships, such as friendships or a marital relationship, we might wonder whether one can really establish a healthy parent-child relationship if one cannot establish a healthy interpersonal relationship with others. Thus, if one cannot find meaning in life other than raising children, we have good reason to doubt whether such a person can really find meaning in life at all by raising children.

Given these considerations about the nature of the harm of remaining childless, it is doubtful that the moral significance of parenting-interest-based right to procreate can justify imposing the harm of coming into existence on the prospective child. Indeed, we might say that there is no parenting-interest-based right to procreate from the moral point of view because that right cannot be exercised justifiably. However, whether there should be no legal right to procreate is a separate question.

3.4. Conclusions and Further Issues

It is commonly believed that people's right to procreate can justify the permissibility of procreation. But because of the anti-natalist claim, to determine whether a procreative decision is morally defensible we must examine the moral grounds of the right to procreate. Two approaches of justifying the right to procreative freedom can be seen as appealing either to the intrinsic value of autonomy or to the instrumental value of autonomy. Appealing to the intrinsic value of autonomy (that is, autonomy as a component of one's well-being) to justify a right to procreate might lead people to ignore the parenting responsibility that would come after one's procreative decision. By contrast, appealing to the instrumental value of autonomy would not ignore the parenting responsibility because the parenting responsibility is the valuable project that people autonomously choose to pursue. In other words, it is more plausible to believe that people have a parenting-interest-based right to procreate, if any. (People's parenting interests do not directly justify the right to procreate because the satisfaction of parenting interests need not be satisfied by causing people to exist.) However, to determine whether the parenting-interest-based right to procreate can justify the permissibility of procreation, we need to compare the harm of remaining childless with the harm of coming into existence. Psychological studies suggest that having children or not has no significant influence on one's well-being. I offer some considerations about the nature of the harm of remaining childless to solidify this claim. Remaining childless means the loss of a valuable experience of child-rearing but that loss would normally not make one's life miserable. More importantly, there are various valuable projects that can compensate the loss of the remaining childless. Therefore, the most plausible ground of the right to procreate is people's parenting interests but a parenting-interest-based right to procreate cannot override the harm of coming into existence (or there is no parenting-interest-based right to procreate at all).

So far, we have already seen that two main justifications for establishing the permissibility of procreation fail, that is, the expectation that possible people would have a worthwhile life and prospective parent's interests in having and rearing child fail to justify imposing the harm of coming into existence on prospective children. However, it does not follow that ordinary procreation is unjustified. If what I have argued is plausible, the burden of proof should shift to those who continue to believe that ordinary procreation is permissible. They must show that there is a neglected but weighty moral reason in favor of procreation. Such a neglected moral reason cannot be the impersonal reason to procreate, as argued in chapter 2. But there is another obvious candidate – that is, collective procreative interests. Although collective

procreative interests seem capable of justifying procreation, it is not clear that society's interest in having the next generation can justify the right to procreate. To achieve society's interest in the number and the composition of its population, collective procreative interests might become another constraint on people's decision to procreate, unless giving people the right to procreative freedom happens to be in the interest of the society in question. That said, it seems extremely plausible to believe that society's interest in having the next generation can justify procreation to a certain degree. After all, if no procreative decision can be justified and everyone follows this judgment, the humanity would end soon and the end of humanity would presumably be a worse result for existing generation. Nevertheless, we might wonder to what extent appealing to collective procreative interests can justify the existence of humanity. It is obvious that collective procreative interests are based on the fact of overlapping generations so that the existing generation needs future generations' coming into existence to maintain a well-functioning society. But what if the existing generation does not need the next generation to maintain the society, or the coming into existence of the next generation is contrary to the interest of existing generation? Is there any moral reason to believe that humanity should continue to exist in these circumstances? These are the questions worth further discussion.

Appendices

Appendix A: A Procreative Decision-Making Model

“Before deciding the number of humans to be created, God has to choose whether to create them at all. Then he has to decide what sort of creatures they are going to be. Only then can the question of number arise. Three questions are thus involved in the original genesis problem: the existence, the identity, and the number of people to be created.”⁸⁷

Although we, unlike God, cannot create lives *ex nihilo*, we adopt a similar procreative decision-making process. I shall offer a procreative decision-making model (henceforth, the P-Model) to help us evaluate the rationality and the morality of procreative choices. The structure of the P-Model, though simple, has strong explanatory force. It helps us solve (or at least understand) some fundamental disagreements in procreative ethics and clarifies certain confusing features of procreation, say, how the concern for possible people affects the moral status of a procreative (and non-procreative) decision. The first thing to notice is that the P-Model is not restricted to our *reproductive* choices (that is, whether to have genetic offspring). Rather, the P-Model is a general framework that applies to any decision that involves causing lives to exist.

Instead of asking whether there is a reason to have *children*, the P-Model asks a general question – whether there is a reason to *procreate* at all (henceforth, the question of procreative reason). To answer the question of procreative reason, we need to find out what, if any, makes procreation valuable. The most natural kind of answer to this question is that procreation would be in our interests. The P-Model, however, does not assume that existing people’s procreative interests are the only source that can ground a reason to procreate. There might be, for example, an impersonal reason to procreate if the amount of whatever possesses impersonal value in the world would thereby be increased. Neither does the P-Model assume what exactly makes procreation good for us. The P-Model is a basic framework that identifies relevant considerations but it does not tell us the nature of these considerations. The important point here is that the question of procreative reason is the most fundamental question in the P-Model. Only after we have an affirmative answer to that question – that is, there is a value that needs to be responded to by causing lives to exist, we can and have to consider how to respond to that value by answering a further set of questions – what kinds of life to procreate and how many (henceforth, the question of procreative selection criteria). There seems to be no fixed order in answering this set of questions and there might be multiple sets of answer that can respond to the value of procreation in question equally satisfactory. The following example illustrates these points. Suppose that we have an interest in

⁸⁷ Heyd (1992: 2).

transportation and it can only be satisfied by breeding livestock. Our only options are to breed horse or donkey. But which kind and how many should we breed? To answer these two questions satisfactorily, we need to know the nature of our interests in transportation. Suppose we know that our interests in transportation could equally be satisfied by either breeding one horse or two donkeys. (Perhaps because the loss at speed of breeding one donkey can be compensated by the gain at load of breeding two donkeys.) If we answer the question of what kind of livestock to breed first, say, donkey, just to breed one donkey would not be rationally satisfactory. Similarly, it would not be rationally satisfactory to breed horse if we first decide to breed two animals. (Perhaps because we can only successfully raise two donkeys at the same time. Neither breeding two horses nor breeding one horse and one donkey is a feasible plan.)

Although the question of procreative reason is more fundamental than the question of procreative selection criteria, in practice these two questions are often mixed in our reproductive decisions. This is because we normally assume that the kind of lives we would procreate is person. That is, we ask whether we have reason to cause *persons* to exist (as opposed to whether to procreate at all). It is like you are already in a relationship with someone and the question facing you is: do I really want to marry this person (as opposed to: do I want to establish any intimate personal relationship)? It seems reasonable to hold that knowing what makes having children valuable would help us determine whether to have children. Even after knowing that having children would be good for us, we still need to determine how many children would serve our interests best. People normally try to have one child first and determine whether to have a second child later. Moreover, after taking the question of what makes having children good for us seriously, we would naturally wonder whether having children is the best way to respond to the underlying interests that make having children valuable. (Another way to put the question is to ask what values need to be responded to by causing persons, as rational moral agents, to exist.) This question becomes more urgent and perhaps unavoidable in the era of the reproductive revolution.

Now I would like to explain how a procreative choice could be rationally unsatisfactory in terms of the mismatch between procreative reasons and procreative selection criteria. Let's start by noting two extreme situations of answering to the question of procreative reason. (1) There is no reason to procreate but one mistakenly believes that there is a reason to procreate. (2) There is a reason to procreate but one fails to recognize it. In both kinds of cases, one's procreative (or non-procreative) decision would be rationally unsatisfactory (but it does not follow that it would be immoral). The first kind of case is theoretically and practically more important than the second because there would be a direct effect of procreation. But let's start with the

second kind of case because people are more likely to make similar mistakes – that is, there is a reason to procreate, but, instead of failing to recognize it, one fails to respond to it appropriately.

Surely, if there is a reason to procreate but one fails to recognize that reason, then the decision not to procreate is rationally unsatisfactory.⁸⁸ But even when we recognize that there is a reason to procreate, we might nevertheless fail to respond to that reason properly. This kind of failure would be more common and difficult to avoid than it needs to be if people do not understand what exactly makes procreation valuable. We can distinguish three kinds of mismatch between procreative reasons and procreative selection criteria. The first kind of mismatch is that (A) one's procreative selection criteria are unable to respond to the value of procreation in question at all.⁸⁹ Recall the previous example about our interests in transportation by breeding livestock. Suppose now we can either breed a horse, a donkey, or a chicken. It is obvious that no reasonable person would choose to breed a chicken to satisfy our interests in transportation. It should also be noted that, though to breed a chicken is rationally unfulfilled, it does not follow that to breed a chicken is morally problematic. The second kind of mismatch is that (B) one's procreative selection criteria do not fully respond to the value of procreation in question. For example, instead of breeding a horse, we choose to breed a donkey. Although to breed a donkey would satisfy our interests in transportation to some extent, it is arguably less satisfactory than breeding a horse given these options. Breeding a horse is the only option that is rationally satisfactory here.

Finally, (C) we might respond to the value of procreation excessively. Perhaps because our procreative interests are fully satisfied, this kind of mismatch seems to be less problematic and less noticed. I am inclined to believe that this kind of mismatch is quite common in ordinary human reproductive decisions. If our interests in procreation can be fully satisfied just by having a pet, say, a dog, then why should we have a normal child instead?⁹⁰ It might be objected that to have a normal child when

⁸⁸ There is a further problem worth considering. If we put all the indirect effects of non-procreation aside, is it possible for a decision not to procreate to be morally problematic? It is difficult to see how such a decision could by itself be morally wrong. The direct effect of non-procreation cannot violate the person-affecting principle.

⁸⁹ We might further distinguish two kinds of situation where one's procreative selection criteria are unable to respond to the value of procreation in question. One's procreative selection criteria might simply fail to respond to the value of procreation in question but not against that value. Although this kind of situation is definitely rationally unsatisfactory, it is probably nonrational rather than irrational. By contrast, it is less controversial to claim that one's procreative selection criteria are irrational if they would be incompatible with realizing the value in question. However, to avoid this complication, I will simply use rationally unsatisfactory to describe various mismatches between procreative reasons and procreative selection criteria.

⁹⁰ Of course, we cannot procreate a dog. So let's suppose that the advances in reproductive technologies allow people to give birth to a dog. The same question can be illustrated better with

all of one's procreative interests can be satisfied just by having a dog (or an irresistible cutie) does not actually manifest a sign of imprudence because having a normal child is even better. However, this objection assumes that one's procreative interests would be satisfied to a greater extent by having a normal child. But we stipulate that this is not the case in causing a dog (or an irresistible cutie) to exist. However, to determine whether having a normal child is indeed an "overkill" with regard to the satisfaction of most people's procreative interests, we need to know exactly what makes having children valuable for us at individual level and collective level. Nevertheless, it is not clear, at least to me, that many, if not most, people's procreative interests require causing persons, qua rational moral agents, to exist. We are accustomed to having persons as our offspring because the default direct effect of human reproduction is the existence of person. (It seems that parents would face a challenging justificatory problem raised by their children about their coming into existence if parent's procreative interests do not require causing persons to exist.)

It is time to turn to another extreme situation where there is no reason to procreate, but one mistakenly believe that there is a reason to procreate. Since the dominant, if not the only, source of what makes procreation valuable is our various interests in procreation, it is unlikely that we actually have *no* interest in procreation at all but mistakenly believe that we have certain interests in procreation. It is, however, a different question whether *having children* is always the best way to respond to what makes procreation valuable for people. Here we can find a possible reply to the charge that it is rationally unsatisfactory to overkill one's procreative interests. People might argue that their procreative decisions are rationally satisfactory, even though they obviously overkill *their* procreative interests because there are other values that we have reasons to respond to by procreation. To be a better position to evaluate this reply, it would be helpful to introduce what kind of value could answer the question of procreative reason. What could make procreation valuable other than existing people's procreative interests at individual level and collective level? It might be suggested that there is a person-affecting reason to procreate for the sake of possible people or an impersonal reason to procreate based on the impersonal value of whatever makes life worth living. However, as I have argued in chapters 1 and 2, there are many unacceptable implications if we believe that these two kinds of consideration can provide a procreative reason.

Whatever we judge about the rationality of procreative choices, it seems that the morality of procreative choices is a distinctive issue. The direct effect of procreation is

another science fiction example. "If our interests in procreation can be fully satisfied just by having an irresistible cutie, who has an appearance of a 5-year-old child but only with the psychological traits that you find desirable in dogs, then why should we have a normal child instead?"

probably the most important factor in determining the moral status of a procreative decision. An intuitive thought regarding the moral status of a procreative decision is this: if a procreative decision would not allow the prospective individual to have a fulfilled (or at least worthwhile) life, then there is a moral reason against the procreative decision out of concern of its direct effect. I am not going to discuss the substantial issue about what kind of life would be counted as satisfying this moral requirement. My starting point is that most people would accept that there is such a moral constraint out of concern of the direct effect of procreation. My goal here is to clarify the structure of this moral constraint.

The moral requirement that the prospective individual should have a fulfilled (or, at least, worthwhile) life would be called the flourishing requirement. To put the flourishing requirement in other words, it demands prospective parents' reasonable efforts to make sure that their prospective offspring will possess the suitable capacities to thrive in its environment. Certain procreative reasons that we intuitively object fail to satisfy this requirement, such as having children as slaves or factory farming. However, the claim that the procreative reason is incompatible with satisfying the flourishing requirement does not necessarily mean that the procreative decision is morally problematic in itself. What is morally problematic is that the prospective individual would not be treated in a way that respects its endowments and hence would be unable to allow it to have a flourishing life. A person should not be treated as slave; a calf should be not raised in a confined space and butchered. Our objections to these cases are based on a practically close (but not necessary) connection between the procreative reason in question and how the prospective individuals would be treated. This raises a fundamental issue. What if our procreative abilities enable us to procreate an individual whose endowments allow it to thrive in these situations? For example, suppose we could create children who are obedient and non-autonomous or "create a breed of animals genetically programmed to die at a comparatively early age, when their meat would taste best" so that in these situations the flourishing requirement would be satisfied.⁹¹ Here we can discern a paradoxical aspect of the morality of procreative decisions. On the one hand, a procreative decision is constrained by the flourishing requirement. On the other hand, a procreative decision, assuming that we possess the required procreative abilities, can determine the flourishing requirement of the prospective individual. In other words, in the context of making a procreative decision prospective procreators are able to determine what morality would demand themselves.

However, the flourishing requirement is not the only relevant factor concerning the direct effect of procreation. There is, I think, a prior factor – that is, the value of

⁹¹ McMahan (2008: 73-74).

coming into existence. Before considering whether the flourishing requirement would be satisfied, we should first consider the value of coming into existence for the prospective individual. Only when there is no reason against procreation based on the value of coming into existence for the prospective individual (or when such a reason against procreation is outweighed by the moral significance of the procreative reason in question), we then have to take the flourishing requirement into account in determining the moral status of the procreative decision. This is because possible people do not (indeed cannot) have interests in coming into existence. Any price needed to be paid for coming into existence, however small, is a moral reason against procreation. Let's recall "A Ticket to a Theme Park" to see how these two aspects of the direct effect of procreation work. After deciding to give the ticket out, we should start to concern whether the stranger would have fun in the theme park (i.e., whether the flourishing requirement would be satisfied). But this is not the first thing and probably not the most important thing that we have to consider. We should first concern the price (or cost) that the stranger has to pay, if any, for entering the theme park (i.e., the value of coming into existence). To know the price (or cost) the stranger has to pay is to find out what these must-play facilities are. To justify procreation, we need first to explain why the prospective individual must pay the cost of coming into existence, if any. But even if we can justify imposing the cost of coming into existence on the prospective individual (or there is no reason against procreation based on the value of coming into existence), we still need to see whether it would have a fulfilled (or worthwhile) life. If the prospective individual cannot reasonably be expected to have a fulfilled (or worthwhile) life, then we have a further reason against procreation. Even so, it still does not necessarily follow that the procreative decision in question must be morally unjustifiable all things considered. Perhaps, there are some morally important purposes that unfortunately can only be achieved by causing miserable people to exist.

These two aspects of the direct effect of procreation – the value of coming into existence and the flourishing requirement – are related to the endowments of the lives that would be caused to exist. They are the constraints that the prospective individuals' endowments place on our decisions to procreate, which will be called the Future Generations Constraint (i.e., the FGs Constraint). If a procreative decision would violate the FGs Constraint, there would be a strong presumption against that decision to procreate unless it can be proved that the underlying value that constitutes a reason to procreate is morally more important.

So far, we have seen the whole structure of the P-Model. The questions of procreative reason and procreative selection criteria primarily concern the rationality of procreative choices. The FGs Constraint is the most important factor in determining

the moral status of a procreative decision.⁹²

Appendix B: The Moral Standing of Possible People and the Asymmetry

Whether possible people have moral standing (or should be included in our moral concern) is a controversial and confusing issue. On the one hand, it seems that we must take them into consideration in determining the moral status of procreative decisions but, on the other hand, it seems that they have no moral relevance at all. The Asymmetry holds that the expectation that a person would have a life worth living provides no moral reason to cause that person to exist, while the expectation that a person would have a life worth not living provides a strong moral reason not to cause that person to exist.⁹³ But why our concern for possible people provides a reason against procreation when the result of such a concern would be negative but provides no reason in favor of procreation when the result of such a concern would be positive?

By understanding the role of our concern for possible people in making a procreative choice, the P-Model can explain the Asymmetry and clarify the concept of “possible people.” Let’s first see how the concept of possible people is understood. It is commonly held that possible people are people who could be caused to exist. Possible people in this sense is the precondition for being able to answer the question of procreative reason. This understanding of “possible people” is practical. We could say that possible people are people who are creatable by potential parents (or procreators). The scope of possible people can thus be determined by multiplying the number of sperm and egg between *any* pair of fertile man and woman. As a matter of fact, the number of possible people would be vastly large even if we confine the scope of possible people only to those that are accessible to a fertile couple, as opposed to any pair of a fertile man and woman. Although any pair of a fertile man and woman can be correctly described as potential parents, I shall use “potential parents” to refer to a fertile couple for the sake of simplicity. However, as we have seen in chapter 1, possible people in this sense have no moral significance. We do not have a reason to procreate for the sake of possible people in this sense. (Also, it makes no sense to say that we have a reason *not to procreate* for the sake of possible people in this sense.) However, the claim that there is no reason to procreate for possible people’s sake does not imply that the concern of “possible people” is morally irrelevant in making a procreative decision. As we have seen, an important factor in determining the moral

⁹² The FGs Constraint is not the only morally relevant factor in procreative context. We also need to take the indirect effects of procreative choices into account in determining the moral status of a procreative choice. Another possible factor in this context is that there might be an impersonal moral reason to procreate. If there were such a reason to procreate, the moral status of a procreative choice cannot solely be determined by its effects on possible people and other existing and future people.

⁹³ See McMahan (1981: 100 and 2009).

status of a procreative decision is the FGs Constraint. Another way to put the FGs Constraint into action is to ask whether there is a reason out of concern of “possible people” to prevent them from coming into existence. Here the idea of possible people should not be understood as people who could be caused to exist. Rather, the idea of possible people here should be understood as people *whose existence could be prevented*. This is a less noticed aspect of possible people but it is the aspect that makes “possible people” morally relevant.

With the help of the P-Model, we can see how “possible people” acquire this morally relevant aspect. The first step of making a procreative choice is to face the question of procreative reason. The precondition of being able to answer this question is the accessibility of possible people who could be caused to exist. Suppose that potential parents have interests in procreation and there are possible people who could be caused to exist fit their procreative selection criteria. This supposition turns potential parents into prospective parents and makes their procreative decision rationally satisfactory.

However, it does not automatically follow that their procreative decision is morally permissible. The FGs Constraint needs to be taken into account in determining the moral status of a procreative decision. If the FGs Constraint would not be violated, then there is no reason against the procreative decision in question out of concern for its direct effect. But if the FGs Constraint would be violated, then there is a reason against the procreative decision in question. It seems plausible to believe that causing a miserable person to exist would violate the FGs Constraint. At this stage, the relevant aspect of possible people is that their existence could be prevented and it is this aspect that attracts our moral attention. This aspect of the concept of possible people is often neglected because, I guess, we are used to and more interested in *creating* life. Suppose that both blessed and doomed lives would naturally occur and we could only prevent their coming into existence. It is perfectly reasonable to claim that those whose existence could be prevented are possible people because their coming into existence is not unavoidable.⁹⁴ It is worth noting another reason that might explain why we overlook these two aspects of the concept of possible people and have difficulties in explaining the Asymmetry. When the expectation is that a possible person would have a life worth living, the question that naturally arises is whether to cause such a life to exist. But when the expectation is that a possible person would have a life worth not living, we rarely ask whether to cause such a life to exist. Instead,

⁹⁴ It might be helpful to note that some people might use “merely possible” to designate this aspect of the concept of possible people in the sense that the coming into existence of any possible people is not unavoidable. This way of talking about “merely possible” people should be carefully distinguished from the talk of “merely” possible people who might exist but in fact will never exist. Only possible people whose existence could be prevented are morally worth considering but not “merely” possible people.

our natural reaction is to ask whether not to procreate. However, if the concept of possible people here is understood as people who could be caused to exist, then why we need to consider this question. In other words, when the expectation is that a possible person would have a life worth not living, we naturally tend to ask whether not to procreate. But to make sense of this question, the relevant aspect of possible people here must be that their coming into existence could be prevented. Unless a life can occur naturally, being able to concern this aspect of the concept of possible people already assumes that there is a reason to procreate. Similarly, being able to meaningfully ask the question whether not to procreate when the expectation is positive, there is already a pre-existing reason to procreate and the commonsense judgment is that there is no reason to prevent or not to procreate.

Therefore, if we consistently apply the appropriate aspect of possible people in answering the question of whether to procreate and not to procreate, we can explain the Asymmetry and successfully resist the temptation that the expectation that a possible person would have a worthwhile life can constitute a reason to procreate. In asking the question whether to procreate, the relevant aspect of a possible person is whose existence is not impossible. Whether or not their lives would be worth living, there is no reason to procreate out of concern of possible people in this sense. By contrast, in asking the question whether not to procreate, the relevant aspect of a possible person is whose existence is not inevitable.⁹⁵ The expectation that a possible person, whose existence is not inevitable, would have a life worth not living gives us a reason to prevent that persons' coming into existence and the opposite expectation gives us no reason to do so. The expectation that a possible person, whose existence is not impossible, would have a life worth living gives us no reason to cause that person to exist and the opposite expectation gives us no reason to do so either.

To sum up, the concern of possible people who could be caused to exist does not provide a reason to procreate but the concern of possible people whose existence could be prevented is a factor that should be taken into account in determining whether the FGs Constraint would be violated. These two aspects of the concept of possible people explain why it is natural to say that, on the one hand, we do not procreate for the sake of "possible people" and, on the other hand, we refrain from procreation for the sake of "possible people." Although we can explain the Asymmetry in this way, this explanation does not suffice as a justification. To justify the Asymmetry, we need to show why the concern of possible people who could be caused to exist cannot provide us a reason to cause them to exist. However, I have shown in section

⁹⁵ Heyd (1992: 97) once notes that "the subjects of genesis choices are persons who are possible, that is, whose future existence is neither inevitable nor impossible." However, he later blurs this distinction by defining possible people as "people whose existence is dependent on human choice."

1.3 of chapter 1 why there cannot be a reason to procreate for possible people's sake – that is, the concern of possible people can not constitute a person-affecting (or person-based) reason to procreate. Possible people who could be caused to exist are not in the domain that makes them morally relevant and hence no interest at all (let alone an interest in coming into existence). Nevertheless, it might be possible that the concern for whatever makes life worth living in possible people's lives can ground an impersonal reason to procreate. In section 1.5 of chapter 1 and chapter 2, we have seen that there is no good reason to assume that there is an impersonal reason to procreate. Thus, since the concern of possible people cannot directly constitute a person-affecting nor indirectly constitute an impersonal reason to procreate, the Asymmetry can not only be explained but justified.

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