

Sexism and human enhancement

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Abstract:

In this paper, I respond to recent criticisms, by Paula Casal, of my arguments about the implications of John Harris and Julian Savulescu's influential arguments for human enhancement for sex selection. I argue that, despite her protestations, her paper relies upon the idea that parents have a moral obligation to have children that will serve the interests of the nation. Casal's use of dubious claims about inherent psychological differences between men and women to make her hypothetical case for moral enhancement and her troubling references to "evolved humans" only exacerbate the political dangers involved in the argument for human enhancement.

Keywords: bioethics, human enhancement, moral enhancement, Casal, ethics, Sparrow.

Sexism and human enhancement

Given the morally disastrous history of eugenics, one might have thought that contemporary advocates of genetic human enhancement would be especially mindful of the historical resonances of the arguments they put forward. Two aspects of Paula Casal's defence of enhancement against my recent criticisms of the project are therefore more than a little surprising.[1]ⁱ First, her hypothetical case for sex selection for "moral enhancement" relies on claims drawn from sociobiology and evolutionary psychology, which represent the worst sorts of pseudo-scientific rationalisations for contemporary social prejudices. Second, despite her protestations, her fundamental objection to my original point — that advocates of enhancement were committed by the logic of their argument to the conclusion that parents should choose girl children — relies upon the idea that parents have a moral obligation to have children that will serve the interests of the nation rather than will have the best expected welfare. Not only is this a long way from Savulescu's original argument for "procreative beneficence" [2] but it also opens the door to a whole series of politically dangerous arguments for a Brave New World.

Clarifications, qualifications, and rebuttals

I will expand on these observations below. Let me begin, however, with some necessary clarifications and qualifications of the argument that Casal takes herself to be criticising and by offering rebuttals to four of her minor claims.

I was not setting out, in the papers to which Casal is responding, to defend the therapy/enhancement distinction because I thought it was an unproblematic notion. I am well aware of the many difficulties with drawing the line between therapy and enhancement and — perhaps more importantly — explaining why it has any moral significance. I simply pointed out that abandoning the therapy/enhancement distinction has unanticipated and counter-intuitive consequences when it comes to sex selection. Given the longer life expectancy of women — and the intuition that parents should bracket concerns about the effects of social injustice in making decisions about what sort of children to have — there is a *prima facie* case that parents who wish to have the child with the highest expected welfare (the best child possible) should choose a girl child [3].

Nor did I take myself to be offering a knockdown objection to enhancement *per se*. My argument was explicitly directed against those, such as John Harris [4] and Julian Savulescu [2], who have argued for the use of technologies of genetic selection for enhancement on the basis of a concern for the welfare of the child and who have embraced the idea that we should *maximise* expected welfare. The fact that decisions about which children to bring into existence are not "person affecting", as Parfit [5] would have it, plays a crucial role in the larger argument of my papers, which Casal seems to have missed — and to which I will return below. Those who think that we have only an obligation to enhance particular individuals — and no obligation to bring those individuals into existence who would have the best expected welfare — need not (yet) worry about whether it is better for a child to be born a boy or a girl.ⁱⁱ Similarly, it is possible that those who advocate only a requirement to enhance up to some level rather than an obligation to maximise, or who believe that we are morally required only to provide enhancements that result in major improvements in welfare, may avoid the conclusion that we are obligated to sex select. Of course, if we are only

obligated to enhance up to the level of the expected welfare of male embryos, then presumably we are not obligated to enhance at all. And if the provision of the capacity to become pregnant and bring new life into the world plus an extra five years of life does not count as a “major” enhancement, then any purported obligation to enhance is likely to remain moot for the foreseeable future, as few, if any, of the genes that we are likely to be able to select for will generate improvements greater than this. Moreover, as Savulescu [2] and Harris [4] have argued forcefully, once we embark on the project of enhancement it is difficult to justify doing anything *other* than maximising expected welfare.

Finally, in each of my papers discussing the implications of human enhancement for sex selection, I have acknowledged that reference to the aggregate consequences of parental decisions represents one way that advocates of enhancement might seek to escape the conclusion that parents are obligated to choose children of whichever sex is judged to have the best expected welfare. I will explain why this is a problematic strategy in the wider context of the literature on human enhancement below.

However, before moving to discuss what I have suggested are the more problematic aspects of Casal’s argument, I would observe that four of the other arguments she makes here fail for reasons that are also touched upon in my original series of papers.

Arguing that male children in fact have a higher expected-welfare than female children because the “welfare diminishing costs” of “undergoing menstruation, pregnancy, childbirth, menopause and the risk of unwanted or of normal pregnancies and miscarriages” and/or “dowry, patrilocality, and violence” outweigh the benefits of longer female life-expectancy does nothing to unsettle the deeper logic of my argument, which is that any case for enhancement based on an obligation to maximise expected welfare will struggle to explain how parents are not either obligated to choose children of one sex or obligated to choose children of the other sex.[6] Once we embark on the project of evaluating the expected welfare of children with different sets of capacities then children of one sex will turn out to have better average life prospects than children of the other sex at birth.ⁱⁱⁱ The chance that the expected welfare of male and female children at birth is exactly the same is vanishingly small. If it turns out that male children have higher expected welfare at birth, then fine, advocates of an obligation to choose the best child possible must conclude that parents are obligated to select male children. This is not any less problematic a conclusion of the argument for procreative beneficence.

Of course, another ground for denying that parents have an obligation to choose female children over male children (or indeed male children over female children) is to insist that the life prospects of male and female children are incommensurable. Perhaps there is simply no answer to the question as to which sex has the higher expected welfare?[8] Casal notes this possibility and her own assertion that “a womb will not enhance a male, any more than fur will enhance a whale” (p. 5) suggests that she herself believes something along these lines.^{iv}

The problem with this line of argument is that unless those who make it are prepared to concede that we have no obligation to use PGD to prevent the birth of children with even quite severe disabilities, it must make surreptitious reference to a notion of normal human capacities to explain why some differences in capacities are incommensurable and others are not.[9] If male and female lives are incommensurable, then why not, for example, the lives of those of hearing and deaf

individuals? After all, a recurring trope in the writings of the culturally Deaf is that being born deaf is not worse than being born hearing but rather represents a “merely different” way of being.[10] Indeed, this claim is made by the more radical of disability critics with regard to other bodily variations as well.[11] Advocates of enhancement are typically very quick to dismiss these claims as the result of adaptive preferences and to insist that deafness and other impairments are objectively bad for those who suffer them.[12] But then why isn’t it worse not to have a womb? True, perhaps few men admit their womb envy, but this might equally be the result of their having got used to their unfortunate condition and hardly settles the question of whether their lot would have been improved by being born with one.

Insisting that “a womb will not enhance a male, any more than fur will enhance a whale” only emphasises the way in which our intuitions about what is good or bad for someone depends upon what is normal for their sex.[7] Presumably providing a womb to a woman who didn’t have one *would* benefit her — why else are surgeons researching and performing womb transplants?[13-14] So why would providing a womb to a man not benefit him? The answer can only be because it’s not normal for a man to have a womb.[15] Casal is here surreptitiously relying on the very distinction between therapy and enhancement that she derides elsewhere in her paper.

Casal also suggests that the provision of therapy in the context of sexual dimorphism may also generate some of the same dilemmas that I identify arising out of an obligation to enhance children. She is, of course, correct that the clash between a concern for the welfare of individuals and for the social good may arise in the case of therapy. The ethics of vaccination, wherein the best thing for individuals is to free ride on the herd immunity established by vaccination of the rest of the population, is the most obvious case here. Perhaps if a therapy, which cured a previously unrecognised condition that reduced the life expectancy of men relative to women, and had the side-effects of sterilisation, were being widely adopted, concern for the future of the species *would* provide a case to legislate against provision of the therapy. Note, however, that these sorts of public health justifications for sacrificing the interests of individuals are among some of the most controversial arguments in health care ethics. As I will discuss further below, they are properly much more controversial when parents’ reproductive liberty is implicated. Note also that, for this counter-example to be relevant, the condition does have to be a disorder. That is, it has to represent a harmful deviation from species-typical functioning.^v While it might *perhaps* be possible to argue that some hitherto unacknowledged organism or environmental hazard was reducing the life expectancy of all males now living from species-typical functioning, replacing male embryos with female embryos could not be a therapy.^{vi} A concern for therapy does not raise the prospect of species extinction in the context of the primary focus of my criticisms of the logic of enhancement, which is sex selection.

Finally, Casal’s suggestion that we might eliminate dimorphic traits without eliminating sexual dimorphism is puzzling. Whatever value sexual difference has, it has it because the sexes are different. A sex that makes no difference to the experience and structure of the life course of individuals is no sex at all. Setting out to make men more like women, or — as would be more likely to happen in patriarchal societies — women more like men, effectively concedes that one sex or the other has at least some superior capacities and fails to explain why and where this process should stop. If there is any difference between the sexes, then those who believe in maximising welfare must confront the dilemma I have outlined. This is indeed why in one of the early versions of the

argument I suggested that the logic of enhancement leads to the conclusion that all children should be engineered to be born hermaphrodites.[16]

Sex selection and moral enhancement

While Casal wrongly, as I have shown here, suggests that the case for sex selection for welfare-enhancement is weak, she believes a stronger case could be made for selecting female embryos for moral enhancement. Her discussion of “male brains” and “female brains” and her “glandular” theory of crime, which traces all crime either directly or indirectly to the effects of testosterone, rely on a farrago of claims from sociobiology and evolutionary psychology, which have been thoroughly discredited in earlier debates about the significance of differences between the sexes [17-18] and the “natural history” of rape.[19] Indeed, so retrograde is her argument that men are programmed by evolution to rape and maim that I find it somewhat of an embarrassment that a journal of the stature of *JME* is publishing it.

Despite my reluctance to lend intellectual credibility to this line of argument by responding to it, I will hazard three observations about this section of her paper.

First, Casal’s account of men as naturally sexually preoccupied, aggressive, risk taking, and insensitive, and women as naturally altruistic, empathic, and self-denying both draws upon and reinforces the worst sort of sexist stereotypes. This section of the paper reads as though the last 50 years of work in feminist philosophy, anthropology, and sociology had never happened.

Second, as is typical of attempts to provide biological accounts of human behaviour, Casal systematically neglects the cultural dimensions of the phenomena she purports to be explaining. Thus, she fails to consider alternative explanations for the difference between rates of homicide by men and women, which might emphasise the different cultural expectations of individuals of each sex. Paying attention to the cultural dimensions of human action might also have alerted Casal to the ways in which the “male” violence she deplores is also often “altruistic” and has little, if any, relation to the presence or absence of aggressive traits in individuals or their reproductive success. When US troops went to war in Iraq to rescue the Iraqi people from the predations of Saddam Hussein (or, more realistically, to secure US access to oil and military bases in the Middle East), they were risking their own lives for the sake of a benefit to others; when George Bush ordered them into war he was not angry, nor was he hoping to mate with Saddam’s wives. Indeed, without reference to the cultural dimension of human action we will struggle even to identify many actions as violent or gentle, aggressive or peaceful, or altruistic or selfish, as the nature of the action is a function of its meaning, which is in turn a function of its cultural context.

Third, the move from welfare enhancement to moral enhancement involves a shift from a concern for particular individuals to a concern for the welfare of members of a collective. Making one’s child “more moral” does not necessarily improve their welfare — especially when the notion of “moral” is essentially a placeholder for “pro social”. Being a sheep in a world full of wolves may be disastrous. Absent an extremely controversial argument, following Plato, that the lives of the just always go better than those of the unjust, making my child more moral may simply be setting her up for being taken advantage of by those who are more willing to pursue their self-interest at the expense of

others. Thus, perhaps the most interesting thing about Casal's paper is that it highlights just how much the project of moral enhancement is committed to a utopian project of *social* reform.

Aggregate consequences and parental obligations

Casal's fundamental objection to the argument that advocates of enhancement are committed to selecting female embryos is that the negative externalities associated with sex selection are sufficient to ensure that parents have an obligation not to sex select for enhancement. As noted above — and as Casal herself acknowledges — I agree that the aggregate consequences of individual choices regarding enhancement via sex selection are likely to be problematic and that this fact would justify legislation to prohibit sex selection were it to become widely used for enhancement. The difference between us therefore concerns two questions. First, is it plausible to hold that these negative externalities are sufficient to determine what parents are obligated to do? Second, does the need to build a concern for social consequences into the legislative framework surrounding human enhancement open the door to eugenic programs that are more obviously problematic?

To buttress her claim that parents are obligated to accept a 50% chance that their child will be born with a (approximately) five year shorter life-expectancy than another child they might have had in order to avoid making a vanishingly small contribution to shifting sex ratios, Casal points to the intuition that we are obligated to avoid contributing to climate change and also to the existence of a philosophical literature in support of the latter intuition.

However, there is a significant disanalogy between the case of climate change and the pursuit of enhancement. In decisions about our own greenhouse gas emissions (as in many of the scenarios where the uncoordinated actions of individuals lead to bad aggregate consequences despite each individual making only a marginal contribution), the motivation for choosing the "antisocial" course of action is self-interest. If there is an argument for human enhancement, it is a *moral* argument: the reason why parents should choose a child of whatever sex is expected to have the superior life prospects is a concern for the well-being of the child.[2] Thus, even if parents do have some obligation not to impose negative externalities on others, in these cases there is a moral reason weighing on *both* sides of the decision. Nor is it obvious how one should apply the conclusions of the philosophical literature to which Casal refers to this case. I don't impose costs on others simply by having a daughter — otherwise it would be immoral to have children of either sex. While it is true that if *everyone* chose (via sex selection) to do so, the outcome might be thought to be bad, *this* fact can't be enough to make it wrong — because almost all of the choices we make would lead to disastrous aggregate consequences, were everyone to do the same thing. Finally, even where there *is* a danger that everyone else will choose to have daughters, parents must make their own choice in conditions of great uncertainty: if most couples choose girls, refraining from selecting a girl will make no difference; if few couples select girls, selecting a girl will make no difference; thus, in the absence of information as to which situation is likely to obtain it seems that it would be permissible to choose a girl. In this context, then, it is much less plausible to insist that the prospect of making a vanishingly small contribution to some bad aggregate outcome should weigh more heavily than the moral reasons we have to promote the interests of our own child.

Where I have argued that justifying social policy with regard to enhancement by reference to the aggregate consequences of parental decisions is problematic in the opening the door to Brave New

World type scenarios in which individual well-being is sacrificed to promote the social good, Casal thinks that it's possible to draw a line between an obligation based on the desire to avoid extinction and an obligation to maximise social welfare.

Perhaps it will be, but it is striking that Casal herself provides no grounds to do so. She objects to my suggestion that Harris should be willing to countenance the birth of children with lives barely worth living if it could be shown that doing so would increase aggregate social welfare, by insisting that it is "morally repugnant". I am inclined to agree that it is... but the question remains how a consistent advocate of enhancement can object to it given that the repugnant policy would not be person-affecting and would therefore not harm anyone nor (arguably) would it violate anyone's rights.

It's also worth noting that a number of advocates of human enhancement have recently begun arguing that parents are indeed obligated to make reproductive choices at least in part with reference to what would maximise social welfare and/or would be good for the species.[23-25]^{vii} These papers postulate that such an obligation exists in addition to the obligation to promote the welfare of the future child. To my knowledge, no one has yet embraced the idea that parents should solely seek to maximise social welfare. However, importantly, none of these papers have solved the problem of how to weigh these two purported obligations against each other. Despite Casal's optimism, I remain worried that the consequential foundations of the argument for enhancement offer the few grounds for resisting the idea that the concern for social welfare should triumph even in repugnant scenarios of the sort I have suggested.[26]

Conclusion

Given that — other than sex selection — technologies of genetic human enhancement are currently largely imaginary, I'm increasingly convinced that the main issue actually at stake in debates about genetic human enhancement is how we think about contemporary social issues.[27] The argument for a "new eugenics" has emerged alongside of a decline of the social movements that held that it was possible both to improve human welfare through education and social, economic, and political reform. Meanwhile, talking about human enhancement allows philosophers to pretend that they are interested in making the world a better place without having to engage in any of the messy and intellectually unsatisfying realities of politics. Yet this intellectual conversation is not without its risks, for even if philosophers aren't paying attention to politics, politics may be paying attention to them. If the argument that parents should be required to have the baby that would promote a utopian program of social or moral reform becomes politically respectable again, it may matter little that the sophisticated technologies about which bioethicists are pontificating are not in fact available. The traditional eugenic practices of forced abortion and sterilisation of those judged to have undesirable genes remain available to those who want to blame the poor and the marginalised for society's ills. The re-emergence of dubious arguments about inherent psychological differences between men and women and troubling references to "evolved humans", in the philosophical debate about enhancement, only exacerbates these dangers. Thus, while I am grateful to Casal for the attention she has paid my arguments, I can't help wondering whether it might have been better if this exchange had not been published at all.^{viii}

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ⁱ All page numbers in text refer to this paper unless otherwise noted.

ⁱⁱ However, if there is in fact an answer to the question as to whether it's better to be born with a womb or not then one might well wonder why parents do not have an obligation to transplant a womb into a male child or remove one from a female child?[7] Until a safe, effective, and reliable method of successfully changing the sex of infants is developed, though, Casal is correct that my argument about sex selection is not directly relevant to person-affecting enhancements.

ⁱⁱⁱ This is not to claim that every child of the “better” sex will have better life prospects than every child of the “worse” sex. If parents have access to all the genetic information about two embryos they may well have reason to choose an embryo that happens to be male. Nevertheless, given the difference in average life expectancy between men and women parents can significantly enhance their children by choosing on the basis of sex alone. Moreover, this information is much more readily available than other genetic information.

^{iv} Interestingly, Casal thinks that being bigger and stronger (more like men!) *would* benefit women.

^v I must admit that I am myself increasingly nervous about the adequacy of the influential account of health and disease, developed by Christopher Boorse, which I rely upon here.[20-21] For a recent and powerful critique, see [22]. Note that the issue that is the focus of Kingma's criticisms — the justification of the choice of reference classes within Boorse's account — is also central to the question of the plausibility of Casal's various counter-examples here (*Equalia, Dimorphia*, et cetera). Nevertheless, my fundamental argument remains that *without* an account of the normal capacities of male and female human beings, and the claim that these norms are morally significant, we cannot avoid the conclusion that one sex or the other should be acknowledged to have inferior capacities unless we are willing to embrace equally problematic conclusions elsewhere in contemporary bioethical debates.

^{vi} Again, the extent to which it is plausible to distinguish “species-typical function” from that observed in statistically normal members of the species in any given environment is a key question in debates surrounding the adequacy of Boorse's account of health.

^{vii} Indeed, as noted above, the argument for moral enhancement itself almost certainly requires the welfare of children to be sacrificed for the social good.

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