

THE PERILS OF POST-PERSONS

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The willingness of some scientists, futurists... and now philosophers to contemplate — or even actively pursue — their own obsolescence is a source of genuine wonder. Writers such as Hans Moravec [1], Ray Kurzweil [2], and Nick Bostrom [3] blithely maintain that we will soon be outclassed by our own cybernetic creations as though this were a prospect that could only be celebrated and not feared. In this context one can only applaud Agar's clearheaded investigation [4] of the prospects for creating "post-persons" and his eminently sensible conclusion that there might be good reasons to avoid doing so. His discussion of the significance of the difference between "weak" and "strong" thresholds in moral status and his inductive argument to the existence of higher levels of moral status than humans currently possess constitute significant advances in the philosophical literature on this topic. In these largely sympathetic remarks I will, however, argue both that post-persons are more easily conceived of than Agar suggests and that the threat posed by post-persons, should they eventuate, is greater than Agar allows.

Agar's paper needs to be read in the context of Buchanan's discussion [5] of the implications of post-personhood, to which it is a response. Buchanan's discussion proceeds, for the most part, with reference to an essentially Kantian account of moral status as founded in the ability to engage in practical reasoning or practices of mutual accountability. Talk of "animals", "persons" and (the possibility of) "post-persons" encourages this understanding of moral status. However it is not the only one available. In particular, as Buchanan himself notes, the utilitarian tradition does not facilitate such a clear distinction between the moral status of (non-human) animals and persons, which in turn perversely suggests that it is much more plausible that post-persons would be justified in treating persons as we currently do animals. Buchanan thinks that interest-based accounts of moral status are implausible in so far as they do not allow us to mark a threshold between persons and non-persons. In fact, philosophers working in the utilitarian tradition [6, 7] have been able to partially rescue a distinction between some non-human animals and persons by pointing out that (adult, non-cognitively impaired) human beings are capable of entertaining certain higher-order desires — in particular, the desire to continue

existing – that many non-human animals typically are not. It is not that hard to imagine that post-persons might have capacities that human beings currently lack, which would create interests that we don't have, which would then establish a further threshold between persons and post-persons. Thus, for instance, if post-persons were telepathic, lived for hundreds of centuries, or could experience pleasures that were unimaginable to us, this would in all likelihood establish a new threshold between persons and post-persons. Nevertheless, Buchanan is correct when he observes that the consequence that hypothetical creatures with more, or more powerful, interests might be deserving of more moral status than adult human beings currently possess flows more-or-less straightforwardly from any interest-based account. Just how this is supposed to be a comfort to us, especially given the popularity of utilitarian accounts of moral status amongst contemporary philosophers and applied ethicists, remains somewhat mysterious.

Agar elides these possibilities in so far as he accepts Buchanan's essentially Kantian account of moral status. However, that a new threshold might emerge between persons and post-persons and threaten the moral status of mere persons also seems more likely on a Kantian account than Agar acknowledges. Our practices of practical reasoning and of mutual accountability are each conditioned by our form of life and by assumptions about certain basic human needs. That is to say, what counts as evidence of "practical reasoning" or as a justification that might be provided to another agent in the course of an argument is a function of what we currently think of as baseline capacities or paradigmatic examples in these areas. Buchanan actually prefigures this thought in his discussion of the possibility that a different framework of social cooperation might emerge amongst post-persons, which might effectively exclude mere persons from participation. Buchanan suggests that this might lead to post-persons coming to possess extra civil and political rights beyond those possessed by mere persons. However, he – as does Agar – neglects the possibility that this framework might become the arena within which practices of mutual accountability take place and the test for the possession of practical reason. Just as we currently deny children personhood even though they may possess a certain level of capacities for practical reason and reason giving, so may post-persons judge us below the threshold they hold to be necessary to possess these qualities to a meaningful degree. The creation of new entities with superior capacities to those of post-persons may justifiably cause post-persons to reassess the extent which we are members of the "kingdom of ends" at all. Again, one imagines creatures that live 100,000 years treating us as gadflies who cannot sustain a thought long enough to reason effectively, or creatures that communicate by direct neural interface struggling to understand us as making coherent moral claims.

Finally, the most important question when it comes to the wisdom of creating post-persons is not whether they would be *justified* in sacrificing our interests to theirs because of our lower moral status but whether they would be *likely* to do so. Agar assumes that the rights of persons will be respected by post-persons, perhaps in order to further distinguish his methodical treatment of the structure and nature of moral status and rights from more alarmist concerns about how we might be treated by post-persons. However, I would have thought an inductive argument from our (that is, "persons") treatment of those with less moral status than ourselves suggests that this is not especially likely. Not only do human beings abuse sentient non-human animals to a grotesque degree despite the moral weight of animals' interests in not suffering, we also exploit members of the animal kingdom – such as the "higher" primates — that have as much of a claim to be "persons" as many human beings. Indeed, worryingly, it may be the case

that the mistreatment – or at least the socially acknowledged vulnerability to mistreatment — of those with lesser moral status is actually part of what serves to socially delineate a class of those with higher moral status. We prioritise the interests of human infants over those of non-human animals with a better claim to be “persons” because in the real world of social cooperation – rather than philosophers’ idealised image there-of – what matters are “human beings” rather than persons. “The human” is then defined against “the animal”. We had better pray that any post-persons are more generous than we are when it comes to who they are willing to count as their equals.

If there is any realistic prospect of post-persons eventuating, Agar’s argument that it would be foolish to create them because they might be justified in sacrificing our interests to theirs is surely correct. Even if they wouldn’t be, we might still have grounds to hesitate.

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