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MARY ANNE WARREN

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Do Potential People Have Moral Rights?

MARY ANNE WARREN, California State College, Sonoma, and San Francisco State University

By a potential person I shall mean an entity which is not now a person but which is capable of developing into a person, given certain biologically and/or technologically possible conditions. This is admittedly a narrower sense than some would attach to the term 'potential'. After all, people of the twenty-fifth century, if such there will be, are in some sense potential people now, even though the specific biological entities from which they will develop, i.e. the particular gametes or concepti, do not yet exist. For there do exist, in the reproductive capacities of people now living and in the earth’s resources, conditions adequate to produce these future people eventually, provided of course that various possible catastrophes are avoided. Indeed, in some sense of ‘potential’ there have been countless billions of potential people from the beginning of time. But I am concerned not with such remote potentialities but with currently existing entities that are capable of developing into people. The question I want to ask is whether or not the fact that an entity is a potential person is, in itself, grounds for ascribing moral rights to that entity, in particular the right to be permitted or enabled to become a person.

It is worth noting that potential people need not be genetically human, though all those which we know of at present obviously are. If a serum were invented which would cause kitten embryos to develop into intelligent, self-aware, language-using beings, as in Michael Tooley’s example,¹ then kitten embryos would have become potential

people. True, the actualization of that potentiality would be dependent upon technological intervention in a way in which that of a normal human fetus is not, but it would not be a less genuine potentiality for that reason, any more than a human fetus which will survive only if its mother is given a drug to prevent miscarriage is therefore not a potential person. Potential personhood is the capacity to become a person, regardless of whether that capacity is likely to be realized. On the other hand, when I speak of merely potential people, I shall mean those which, though they have that capacity, will in fact never become people.

Now the concept of a person is fuzzy enough that it is notoriously difficult to say just when in the development of a human organism it becomes a person. I believe that a human being does not become a person until sometime after its birth, but I will not need to assume here that this claim is true. If human beings become people sometime after conception but before birth, as many people believe, then my question is relevant to the moral status of abortion before but not after that time. The question is surely relevant to the moral status of abortion at some stages of pregnancy, since it is clear that a person is not present from the moment of conception; for the very least one must be able to say of a person is that it is a sentient being, which a conceptus in the first few weeks of its existence is not.

Almost as difficult as the question of when a potential person becomes a person is that of when it becomes appropriate to speak of there being even a potential person. There is at least a potential person from conception onward, but what about before conception? Is a male or female gamete a potential person? By itself, I think not, though it might be if we were able to reproduce parthenogenetically. But I see no reason why a viable sexually mixed pair of gametes should not be considered a potential person. For, as R. M. Hare points out, it does not seem to make a crucial conceptual difference that before conception the genetic material capable of becoming a person is in two locations, whereas afterwards it is in one.

Hare has recently argued, in effect, that potential people do have a prima facie right to be permitted to become people, although he prefers to express this claim by saying that it is morally wrong, other things being equal, to prevent potential people from becoming

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3 R. M. Hare, “Abortion and the Golden Rule,” Philosophy and Public Affairs 4 (1975), p. 212. All further page references not otherwise identified are to this article.
actual. He follows Tooley, and I will follow him, in calling this claim the potentiality principle. Because he believes that gametes are already potential people, and that fetuses are still only potential people, Hare concludes that the truth of the potentiality principle means that not just abortion, but contraception, and even the decision not to procreate at all, are all prima facie immoral (p. 212).

This sounds like a rather drastic conclusion; but Hare goes on to explain that it is less sweeping in its practical moral consequences than one might suppose, since the prima facie obligation to permit potential people to become actual can be overridden in any of a large number of ways. For example, he would accept as reasons adequate to justify abortion, that the pregnancy endangers the woman’s health or fertility, that the abortion would permit the occurrence of another pregnancy with a better chance of resulting in a normal child, or that the parents already have as many children as they can adequately care for (p. 218). Hence, although the potentiality principle would imply that abortion, contraception and total abstinence are all “prima facie and in general wrong in default of sufficient countervailing reasons” (p. 221), it would not prevent them from being justified in a wide range of circumstances.

Consequently, one might suppose that in practice Hare’s position in support of the potentiality principle is not strikingly different from the theoretically opposing position, that potential people as such have no moral rights, but that there are good independent reasons for having children and trying to avoid having abortions. And one might wonder why, if the right of a potential person to be permitted to become a person is so easily overridden, it matters whether or not there is such a right. I shall argue that not only is the potentiality principle false, but this fact has important moral consequences. It means, among other things, that in most cases no moral justification at all is required for the decision to remain celibate, use contraceptives,

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4 Hare objects to the use of the term ‘moral right’ on the grounds that no philosopher has yet produced “a theory of rights which links the concept firmly to those of ‘right’, ‘wrong’, and ‘ought’—concepts whose logic is even now a little better understood” (p. 213). I see no especial difficulty, however, in analysing talk about rights, or translating it into talk about right and wrong and what we ought to do. As a rough first approximation it might be suggested that someone has a prima facie right to something if and only if other things being equal it would be wrong for anyone else to deprive that person of that thing. Insofar as one cannot sensibly say that someone has been deprived of something unless that thing is something which the person wants or has reason to want, it is clear the rights and desires are closely connected, though the nature of the connection is difficult to state precisely. (See Tooley, pp. 60-4, for an exploration of this connection.)
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or to have an abortion. This conclusion makes a difference to the way we ought to treat women seeking abortions, men or women seeking contraceptives or sterilization, and people who choose to remain permanently childless. Furthermore, the failure of the potentiality principle has an important bearing upon our long-term population policies and upon the moral status of the practice of raising animals for slaughter. Properly understood, however, it does not in any way lessen our moral obligations to future generations of human beings, whose rights, I shall argue, do not depend upon their present existence as potential people.

The argument that originally persuaded me that the potentiality principle is false is an intuitive one, and runs as follows. Imagine that you are approached by alien scientists, who propose to create billions of replicas of you, that is billions of new people with your genetic code, by separating the cells of your body and using each to clone a new individual. Being moral, the aliens first ask your permission for this operation, assuring you that all these new people will be given the chance to lead reasonably happy lives on some distant planet where they will not contribute to the earth’s overpopulation problems. My intuition is that you would have absolutely no moral obligation to agree to such a proposal at the cost of your own life; and indeed I think that you would not be obligated to agree even if they were to promise eventually to reconstitute you as good as new. Hence I think that any right to life which a potential person as such might have is at least billions of times as weak as that of an actual person.5

Unfortunately, arguments of this sort, which appeal to our intuitions regarding unusual or bizarre situations, are never conclusive. Proponents of the potentiality principle may well have intuitions different from my own, and even if they do not the case is still not closed, since our intuitions about such cases, while they may serve to clarify (the consequences of) our existing moral convictions, cannot establish what our moral convictions ought to be. The potentiality principle, like any specific moral claim, must ultimately be defended or refuted on the basis of some overall conception of the nature of morality.

In what follows I will try to explain why the potentiality principle cannot be true. In part 1, I will examine Hare’s argument for the principle, which is based on his interpretation of the Golden Rule, but

5 Tooley uses the kitten example to present another intuitive argument against the potentiality principle. He argues that the “possibility of transforming kittens into persons will not make it any more wrong to kill newborn kittens than it is now” p. 76, and that therefore potential personhood does not entail a right to life.
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which I will argue rests upon a confusion. In parts 2 and 3 I will consider whether it is possible to argue for the potentiality principle in some way which does not involve this confusion, and present a very brief sketch of the type of moral theory which rules out such an argument. And in part 4 I will explore a few of the moral consequences of the failure of the potentiality principle and warn against one apparent consequence that in fact does not follow.

1. The Argument from the Golden Rule

Hare argues that we can derive a proof of the potentiality principle, that it is wrong, other things being equal, to prevent a potential person from becoming an actual person, from a natural extension of one version of the Golden Rule, i.e., that we should do to others as we wish them to do to us. “It is,” he says, “a logical extension of this form of argument to say that we should do to others what we are glad was done to us” (p. 212). As it happens, most of us are glad that the pregnancy which resulted in our own birth was not terminated by abortion. We are also, presumably, glad that our parents met, copulated, and conceived us in the first place. Hence, he concludes, it is a consequence of this extended Golden Rule that we have a prima facie obligation not to terminate any pregnancy which would otherwise result in the birth of a person who will be like us in being glad she or he was not aborted, and also a duty not to use contraceptives or to refrain entirely from procreating (p. 212).

I would argue, however, that even if we accept the Golden Rule as a sound moral principle, we cannot extend it to establish that we have even a very weak obligation to treat potential people in the way in which we are glad that the ones which eventually became ourselves were treated. For the extended Golden Rule, which prescribes that we behave toward others in ways in which we are glad that others once behaved toward us, is either irrelevant to the treatment of potential people, or—if it is so interpreted as to include them—incoherent.

As it stands, the principle that, other things being equal, we should treat others as we are glad that we were treated appears to be irrelevant to the treatment of potential people. For personal pronouns like ‘we’ refer to people; we are essentially people if we are essentially anything at all. Therefore, if fetuses and gametes are not people, then we were never fetuses or gametes, though one might say that we emerged from them. The fetus which later became you was not you because you did not exist at that time. It was not you for the same reason that your dead body will not, or that your living body with the cognitive and perceptual centers of the brain permanently destroyed
would not be you, namely, that you are a particular person, not just a particular human organism regardless of its stage of development or degeneration. So if it had been aborted nothing whatever would have been done to you, since you would never have existed. You cannot coherently be glad that you were not aborted, since in order for there to be a you at all, you cannot possibly have been. And therefore the Golden Rule as Hare extends it does not proscribe abortion, much less contraception or celibacy.

But perhaps this is a problem which could be solved by a little rewording. Might not Hare just as well have extended the Golden Rule to cover what you are glad was done to the potential person from which you emerged? If the first extension is logical, might not this one be equally acceptable? I think not, at least not if the duties, obligations and wrongs associated with this principle are meant to be duties or obligations toward or wrongs done to potential people. For potential people, as such, are not the sort of entity toward which it is possible to have moral obligations. The very notion of acting wrongly toward a merely potential person, that is, one which will never become a person, is incoherent. For who it is that is being wronged when a potential person is prevented from becoming a person? Absolutely no one. To maintain otherwise is to misunderstand grotesquely what a merely potential person is.

Merely potential people, or rather the people they might have become, are not, just as possible worlds are not, things that exist alongside the actual world in, as it were, a super-space that includes not only the actual but the possible. Or at any rate we have absolutely no reason to think that they are. They are just things that might have existed, that is, that at some time were empirically possible, but which in fact do not, never did, and never will exist. And what does not exist and never will cannot be harmed or wronged or have its rights violated.

Why is this? Because harming someone, behaving wrongly towards someone, and violating someone's rights are all extensional rather than intentional concepts. I can think about Pegasus, but I cannot catch him, beat him, be unfair to him, or violate his rights. Mythical entities, which never did, do not now and never will exist, have no rights to be violated, and we have no duties or obligations toward such entities, simply because such entities cannot be acted upon in any way whatever, other than illusorily, through the intentional medium of thought.

Now Hare maintains that this sort of objection, i.e., any attempt to show that for one conceptual reason or another (he mentions the individuation problem) merely potential people cannot be the victims of moral wrongdoing, cannot be correct, because:
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It would be strange if there were an act whose very performance made it impossible for it to be wrong. But if the objection were correct, the act of aborting a possible person would be such an act; by preventing the existence of the object of the wrongdoing, it would remove its wrongness. This seems to easy a way of avoiding wrongdoing. (p. 219)

It is clear that the language in this passage is prejudicial, since if abortion is not prima facie wrong then it is inappropriate to speak of removing the wrongness. But more importantly, I think that there is a simple but fatal confusion behind the notion that one can act wrongly toward a merely potential person. Why does it tend to seem "too easy" to say that to abort a potential person cannot be to act wrongly toward someone because it prevents the very existence of the person supposedly wronged? I suggest it is because we tend to make an error not unlike the one which Bishop Berkeley made when he argued that it is impossible to conceive of an object existing without being conceived by anyone, since to (try to) conceive of such an object is still to conceive of an object which is conceived of by someone, viz. you.6

The error is that of illegitimately smuggling ourselves, the conceivers, into our conceptions of states of affairs which by definition exclude us. Berkeley's Hylas could not imagine a state of affairs consisting of there being an object of which no one conceives, because he could not imagine himself as not being part of the picture. He tried to conceive of an unconceived object, but succeeded only in conceiving of himself conceiving of an object, which then of course was not unconceived at all. Similarly, I think that when we try to imagine the state of affairs consisting of our never having existed at all, what we in fact tend to imagine is rather that we, the existing people that we are, are suddenly to have our very existence snatched away from us, as in the science fiction plot in which a time traveler "eliminates" someone by seeing to it that the person's parents never meet each other.

I will leave it to the reader to decide whether or not this science fiction scenario represents a logically possible occurrence. If it does, then no doubt this sort of total eradication of an actual person's past, present and future existence would be a terrible thing to inflict upon someone. But obviously nothing of the sort occurs in a normal case of abortion, which takes place without benefit of meddling time travelers. In the ordinary case nothing is inflicted upon anyone since there is no one for anything to be inflicted upon. If we find this hard to

accept, it is because when we try to imagine our own non-existence our imaginations tend to falter. The same thing often happens when we try to imagine what it would be like to be dead. We tend to think that it would be like being shut up in a dark and silent room, with nothing there but ourselves, even though the reality of death is just the opposite: everything will go on much as before except ourselves.

Once this persistent confusion is eliminated, it becomes clear that it is neither meaningful nor coherent to claim, as Hare does, that God or our fathers would have done less than their moral best by us if they had not caused us to exist (p. 221). If a wrong is done when a potential person is prevented from becoming a person, it is not done to the person who might have been, since that person is a purely mythical being. And it is not done to the merely potential person, i.e., the non-sentient stuff which might have developed into a person, either, since non-sentient stuff cannot be wronged any more than nonexistent people can. Hence the Golden Rule cannot be extended to prove that we have duties toward merely potential people.

2. The Quantity of Happiness Problem

However, we cannot yet conclude that it is not prima facie wrong to prevent a potential person that would otherwise have become a happy person from doing so. For it might be argued that even though no one's rights are violated when a potential happy person is aborted, or never conceived, the action is still prima facie wrong because it constitutes a failure to produce a certain quantity of happiness which it is in the agent's capacity to produce, or at least not prevent. Certainly on any moral theory that counts happiness per se as a moral good, or that makes maximizing the total quantity of happiness a duty, we would have to say that other things being equal it is morally better to create a person who turns out to be happy than not to.

Another way to illustrate this possible defense of the potentiality principle is to consider the following question: Which world would God deserve more credit for creating, one containing fifty happy people, or one containing fifty million people who are no more and no less happy? Many people would be inclined to say that God would deserve more moral credit for creating the more populous world, even though in creating the less populous world (s)he would not have violated anyone's right.

I think that the claim that, other things being equal it is better to create happy people than to create no one, can be refuted. Creating happiness for people is morally good, but creating people for happiness is morally neutral. Granted, it is wrong to create people one
knows will be unhappy, and worse than creating no one. But creating people one knows will be happy is not necessarily right; its moral status must be determined on the basis of the predictable effects that the existence of these new people will have on other people. To explain why I think that this is so will require an examination of some basic convictions about the nature of morality. Any extensive defense of these convictions would be beyond the scope of this paper. But at least we will be able to see that the rejection of the potentiality principle is required by a certain view of the proper function of morality, one which has a good deal of plausibility.

3. Sentience as the Basis of Moral Rights

The view to which I refer is simply that morality is or ought to be a system designed to promote the interests of sentient beings. Which sentient beings? Ideally, all there are and all there ever will be. Sentience is the ultimate source of all moral rights; a being that has experiences and that prefers experiences of some sorts to those of other sorts, has on that basis alone a prima facie right that those preferences be respected by beings that have the intelligence to comprehend this fact. On the other hand, a being that lacks the capacity to have experiences, and/or to prefer some experiences to others, cannot coherently be said to have moral rights, because it has no interests to be respected.

It should not, but perhaps does need to be pointed out that there is a difference between sentient beings and things that are only potentially capable of sentience. Francis Wade's is one of the most recent attempts to break down this distinction. Wade argues that a human fetus is in one significant sense already a personal being, already possessed of the capacities, including sentience, which are definitive of personhood, because, "its whole natural thrust is to become a functioning person." But however true this may be it is still one thing to be sentient now and quite another to be the sort of thing which may become sentient at a later time.

It is also crucial to distinguish between a purely potential capacity for sentience and a present but temporarily inoperative capacity, as in the case of a person who is asleep or unconscious. Some might argue that this distinction is untenable, and that to whatever degree a fetus is

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merely potentially sentient so too a person who is not conscious at the moment is only potentially sentient. Wade points out, correctly, that:

The potentiality of the fetus...is an active natural potentiality or tendency, which is a guarantee of the future as far as the agent is concerned.8

And, it might be argued, this is as much as can be said about a person in a state of unconsciousness, however certain his or her eventual awakening may be. But it is a mistake to speak of an unconscious person as merely a potential sentient being. Such a person is an actual, developed sentient being who is in a temporary state of quiescence, just as an automobile which is out of gasoline is not a potential automobile but an actual one which just is not operating at the moment.

Thus, Tristram Engelhardt's remarks on the difference between the potential sentience of a fetus and that of an unconscious person, while correct, do not go far enough. He says,

the potentiality of the sleeping person is concrete and real in the sense of being based upon the past development of a full-blown human person.9

But for this very reason it is more accurate to say that an unconscious person is not merely a being that is potentially capable of sentience, but one that has an actual and present capacity for sentience, even though this capacity is not and possibly cannot be exercised at present.

My claim, then, is that sentience is a necessary and sufficient condition for the possession of moral rights. It does not follow from this that all sentient beings deserve to have their interests given equal weight in moral considerations. All people have equal moral rights, but it is only people who have full moral rights. We need not value the lives of the bugs that bite us as highly as our own. Nevertheless, any degree of sentience entitles its bearer to some moral consideration. For instance, I would argue that the mere capacity to feel pain, which is one form or aspect of sentience, endows its possessor with the prima facie right not to have pain inflicted upon it. And to the extent that people have rights that other organisms do not it is because their sentience is, so to speak, of a higher order; that is, they not only have experiences, but know that they have them, think about them, use

8 Ibid, p. 245. (Wade is here using 'agent' to mean anything which causes a change in itself or in something else, not necessarily a conscious agent.)

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them in the formulation of theories, and so on. Needless to say, most human moral systems are designed to promote the interests of only a small subset of sentient beings; but this only shows that we have a long way to go in becoming completely moral.

That actions are right or wrong insofar as they promote or interfere with the interests of (at least certain) sentient beings is an insight which has been elaborated and defended in various teleological and contractualist moral theories. For instance, it is very much in the spirit of utilitarianism to say that the good is what promotes the interests of sentient beings. Most of the things identified as intrinsic moral goods by the different forms of utilitarianism, e.g. happiness, pleasure, the avoidance of unnecessary pain, and the satisfaction of rational and informed desires, are things that are usually, though not always, in the interest of the being that experiences them.

But utilitarians have often risked losing sight of this central insight by speaking loosely of “maximizing happiness” as the goal of morality, as though the point were to increase the number of “units” of happiness, without regard for how thinly or unevenly they might be distributed. This is a mistake. Maximizing the extent to which people’s interests are promoted does not mean—thought in some cases it may be achieved by—increasing the number of people that exist and have interests to be promoted. Rather, the prima facie aim of morality should be to maximize the extent to which each actual—present or future—person’s interests are promoted. This means maximizing not just the average extent of interest-promotion, although that matters, but also the equality of the consideration given to each person. Each person’s interests must be given prima facie equal weight; but it is only people and other sentient beings, that is those who do or will exist, who can possibly have interests to be weighed. For it is only they who care, or will care, or have reason for caring, what does or does not happen.

Morality, then, should be concerned with how happy each individual is or will be, not with how many individuals exist and are happy. (Being happy is not always quite the same thing as having what is in your interest, but it will do as an approximation for present purposes.) This means, for example, that other things being equal it is better to have one child who is very happy than two who are 51% as happy, even though in the latter case one might say that a greater quantity of happiness had been produced. It also means that a decision to have or not to have a child must be evaluated on the basis of its predictable effects upon people, and possibly other sentient beings, that do or will exist, given the outcome of the decision.

This is why failing to have a child, even when you could have had a happy one, is neither right nor wrong, so long as it is considered apart from its effects upon people other than the merely potential child. But
the same cannot be said of having a child, since in this case the action results in the existence of a new person whose interests must be taken into account. Having a child under conditions that should enable one to predict that it will be very unhappy is morally objectionable, not because it violates the rights of a presently existing potential person, but because it results in the frustration of the interests of an actual person in the future. There is all the difference in the world between so acting as to cause needless misery to real but future people and refraining from bringing people into existence. In the first instance one creates unhappiness and frustration, thus violating the moral rights of real sentient beings who are no less worthy of our consideration just because they do not exist yet. In the second instance, no one is harmed, no one’s interests are disregarded, and hence no moral wrong is done.

4. Consequences

If I am right about this, then the use of contraceptives or abstinence to avoid parenthood are, insofar as they affect merely potential people, without moral significance. And the same is true of abortion, provided that unborn humans are only potential people. We have absolutely no obligation to our potential children to have them. However, once we do decide to have children then we are obligated to begin taking their interests into account, and this process may even lead to a reversal of that decision.

If this were more widely recognized it might prevent a good deal of suffering from unwarranted guilt feelings. Women who have abortions and people who perform or arrange for them often suffer from the persistent suspicion that they are wronging the potential people whose development they are bringing to an end. And people who deliberately remain childless often feel or are made to feel that this is a selfish decision on their part. Such feelings are misguided. It may be that at one time having children could have reasonably been regarded as a service to society as a whole; but that reason for having them is gone, probably forever, and indeed the reverse is probably the case now. Not only do we not have a duty to reproduce ourselves, we may even have a prima facie duty not to.

Another consequence of the failure of the potentiality principle is that we have no obligation to try to maximize the total number of human beings, a fact which makes a tremendous difference to what our long-term population policies ought to be. Granted, the earth is finite, and hence we will be forced to limit population growth at some point even if we do recognize such a prima facie obligation. However,
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if we believe that potential people have a right to life, even a very slight one, then we cannot avoid advocating a greater population expansion that we could otherwise justify. For if potential people have no right to life then it is clear that the expansion ought to be—or have been—halted or reversed as soon as it becomes the case that continued growth will have an overall negative impact upon people who do or will exist.

On the other hand, if potential people do have a right to life then we are morally obligated to tolerate some overall negative impact upon actual people in order to reach a just compromise between their rights and those of potential people. But this would be a serious moral error. If we populate the world to the point that our descendants will lead less satisfactory lives then they otherwise could have, then we will have done less than our best by them.

Furthermore, if we ever become capable of colonizing the habitable planets of other stars then our attitude toward the potentiality principle will make a difference to whether or not we make a point of doing so, and at what cost. If we believe that potential people have a right to life then we must conclude that we have a prima facie obligation to cover every humanly habitable planet with human inhabitants, as many as can be fitted in without undue crowding. Nor will we, in all probability, consider ourselves obligated to colonize only those planets that have no natives who object to our doing so. For the rights of natives will have to be weighed against those of the potential human beings who could live happily on their planet, and once again some compromise will have to be made.

This too would be an error. The decision whether to increase the total number of human beings by expanding into a new environment should be made on the basis of its effects upon all the sentient beings whose interests are involved. But the fact that the people thereby brought into existence will be happy cannot justify bringing them into existence at the expense of even a small overall negative effect upon the rest. To maintain otherwise is to condemn ourselves, our descendants, and all the sentient beings whose living space they will crowd, to a progressive erosion of the quality of life, for the dubious purpose of creating more and more people who will be less and less happy.

There is one more consequence that seems worth noting. Peter Singer has recently pointed out that the moral status of the practice of raising other animals for slaughter is dubious at best.¹⁰ For animals are

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sentient beings, capable of pleasure and pain, and arguably even of thought and desire. They at least seem to all outward appearances to enjoy life, if given a chance, and to fear death and prefer to avoid it, just as we do. These seem to be powerful reasons for not killing them, except when there are sound countervailing reasons. Having no other way to nourish ourselves adequately is or would be one such sound reason. But just liking the taste of meat or the feel of a fur coat is not, since we can learn to enjoy other foods, and artificial furs, just as much.

Now one defense of the practice of raising animals for slaughter is that if we did not then we would raise far fewer of many domestic breeds. Whole species might be reduced to small fractions of their present numbers, or even become extinct. Should we respect the interests of individudal animals at the cost of virtually eliminating entire species? If the potentiality principle were true, then it could be argued that it is better to bring into being creatures which will be reasonably happy for some period of time, however short, than not to bring them into being at all; that, for instance, raising chickens and wringing their necks is really better, for the chickens, than not raising them at all. But this, as I have argued, is nonsense. It is incoherent to claim that animals, any more than humans, are better off with short lives than with no lives.

Finally, there is one apparent consequence of the failure of the potentiality principle that we have already touched upon, but which needs further elaboration. To say that merely potential people are not the sort of things which can possibly have moral rights is by no means to imply that we have no obligations toward people of future generations, or that they (will) have no rights that can be violated by things which we do now. We have many obligations toward the people who will exist after us, not least of which is the obligation not to overpopulate their world. If the human race were suddenly and deliberately to stop reproducing altogether no wrong would have been done to merely potential people, who cannot be wronged, or to people of future generations, since there would not be any. (Of course wrong would probably be done to those young or soon-to-be-born people who would be condemned to an old age devoid of younger companions; but that is another matter.) If, however, there are going to be people after us, then I think that morality requires that we respect their interests, insofar as this is possible, just as we should if they were our contemporaries.

This claim is in no way inconsistent with the claim that potential people as such have no moral rights. For there is a clear and crucial difference between actual but future people, i.e. those who do not yet but will exist, and present but merely potential people, i.e. things which could but will not become people in the future. The difference is that the former but not the latter will be sentient beings, with
Do Potential People Have Moral Rights?

interests and desires, susceptible to pleasure and pain, and therefore possessed of moral rights. Our obligations to the people of future generations is in no way based upon the present existence of identifiable objects from which they will develop, or even on the present existence of conditions sufficient to guarantee their existence. For no reasonable person would maintain that these obligations would be eliminated if people were to cease developing from potential people and instead spring into existence fully formed and without biological parents. It would be just as objectionable to act deliberately so as to lower the quality of life for such spontaneously generated people as to do so for future people generated in the normal way.

Furthermore, if future generations owed their claim to moral consideration on the part of people in the present to the present existence of potential people from whom they will develop, then only the next generation would have such a claim, since the genetic material from which more remote generations will spring is not yet in existence. But it would be wrong to confine our consideration for the people of the future to those who will be born within the next third of a century or so, as wrong as it is to respect the rights of only some subclass of existing people. People have moral rights not because of such accidental properties as age, race, sex, or the historical period in which they exist, but because they are sentient, self-aware beings with needs and desires. If we are to protect the interests of all such beings then we cannot allow the unfortunate ambiguity in the phrase 'potential people' to blind us to the morally relevant differences between the real people of the future, whose lives will be affected by what we do now, and the potential people of the present, which are not now, though they may later become, beings with moral rights.

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