

# Office Hours: Disability

Thanks for connecting with us in office hours!

»»» One of the highlights of this week was getting to listen in on course discussions [on Reddit](#).

Students chimed in on **disability simulations**, **autism and neurodiversity**, **deaf communities**, and more. Questions raised there were addressed by people from those communities or lived experiences themselves: those with autism or on the spectrum, who identify as culturally Deaf, who are themselves disabled or live or work with those who are.

We can offer no better recommendation for continuing the conversation about some of these more personal issues in disability ethics than by taking a look at (and joining!) those discussions.

»»» We also encountered some questions about the **paradox of harm** laid out in Rebecca's lectures.

The Paradox of Harm is a highly philosophical, very difficult issue that raises problems for a variety of positions and arguments in reproductive ethics. In fact, once you understand it, you will likely see it rear its difficult head in a variety of discussions throughout the course. So let's take a few minutes here to explain it once again, in slightly different language, to see if we can make it stick for you.

Rebecca raises the paradox initially because she is considering the possibility, advocated by some, that PGD is morally right **because it protects the health of the fetus**. The problem with this suggestion is that PGD *doesn't* protect the health of the fetus, which is what the Paradox of Harm shows.

Consider: a common way to understand 'harm' is the taking of a person from a better state to a worse state. So, on this intuitive view, Kelly harms Travis if she punches him in the nose, since she takes him from a state of having a pain-free nose to a state of having a rather sore nose. But now notice that this understanding of harm requires that the subject being harmed existed before the harming action—that is, Kelly only harmed Travis because he was hanging out, in relative good health, until she walked along and socked him.

You likely see where this is going: a fetus *didn't have a situation* prior to conception. The transition from non-existence to existence cannot constitute a harm, unless we take non-existence to *be a situation*. But that is hard to understand, and may even be incoherent. About the only way we can make sense of harming someone through creation is if one creates a person whose life would be **not worth living**, which we might think means that it would be **worse than non-existence**. So perhaps, creating a child who will have Tay-Sachs constitutes harming that child; but it certainly doesn't harm a child to create her deaf, or blind, or disabled in many other common ways. So long as the person's life is worth living, it seems *conceptually confused* to entertain the possibility that we might have harmed that person by creating her.

So let's return to Rebecca's example: why is it that PGD can't protect a fetus? Well, because protection seems to imply **protection from harm**—that we might prevent the child from being born with a disability. But the Paradox of Harm tells us that we can't do that. So long as a potential child would have a life worth living, creating that child does not make the child worse off, and so does not harm her. Identifying such embryos and preventing them from being implanted does not protect them; after all, failing to come into existence does not make one better off!

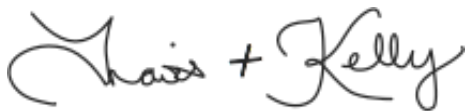
At least one of you on the discussion board objected to the Paradox of Harm that it seemed to leave us unable to condemn one who chooses to create a child whose life would be worse than another child she could have chosen to create. And indeed, this is precisely the conclusion of a related philosophical puzzle called the **non-identity problem**. If the child I want to create will be disabled, but will have a life worth living, then I do not harm her in creating her; and if you were to respond that I should have taken measures to select a healthy embryo, then the non-identity problem points out that doing so would have resulted in the existence *of a different person*. So when our choice is between implanting one embryo, which will develop into a healthy person, and implanting another embryo, which will develop into a disabled person, it is unclear on what grounds we can say that one ought to implant the healthy embryo. Doing so doesn't 'make one's child' better off, as the identity of the child is dependent on the choice. Further, neither choice constitutes a harm to the child.

These are very difficult puzzles in reproductive ethics, and there is no clear, single solution to them. However, it is worth noting that some philosophers disagree that there is a 'paradox' of harm, or that we cannot condemn the creation of a disabled child when one could have created a healthy child. Philosopher Seanna Schiffrin, for instance, argues that in addition to there being the **relative harm** outlined above, there is also **non-relative harm**. And on this view, it is possible to harm someone without making them worse off.

Other philosophers believe that the non-identity problem can be solved by appealing to general consequences: we ought to choose to create the healthier child, not because it is 'in the child's interest', but because one ought to bring about the better state of affairs. Or, as philosopher Julian Savulescu has argued, perhaps the non-identity problem reveals that we endorse something like a principle of **Procreative Beneficence**, according to which one ought to create the best child possible.

Clearly, these are difficult issues. For any of you who would like to pursue the issue further, we've provided a brief bibliography of philosophical work that engages with these puzzles in procreative ethics.

We'll see you again in about a week!



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## References

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