

# From Liberal Eugenics to Political Biology

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As its title suggests, Agar's essay is an attempt to defend gene editing and preimplantation genetic diagnosis (PGD) as eugenics. Although he seeks to distinguish between this essay and his previous efforts,<sup>1</sup> this article continues a program of work that began with his 1998 paper *Liberal Eugenics*.<sup>2</sup> One reason why eugenic interventions—as commonly understood—are objectionable is that they require intolerable infringements on reproductive freedom. Agar's thinking is that if a liberal approach is taken—meaning that parents should be allowed to choose whether to enhance their children in accordance with their values<sup>3</sup>—then at least some things that might rightly be termed eugenic (in his idiosyncratically broad conception of “liberal eugenics”)—cease to be morally objectionable.

However, in contrast to his earlier work, Agar's current essay takes “eugenics as the attempt to improve population health by selecting or modifying hereditary influences.”<sup>4</sup> As such, this conception of “public health eugenics” is “a closer match with Francis Galton's original formulation”<sup>5</sup> than his earlier idea of “liberal eugenics,” or so he suggests.<sup>6</sup> Yet this can still be achieved without morally intolerable state mandated interference with reproduction. Indeed, Agar zooms in on PGD as an example of a current practice of eugenics that does not violate reproductive rights, given that “there is no current society in which intending parents deemed to be at risk of passing on a genetic disease are required to use PGD.”<sup>7</sup>

As Stephen Wilkinson has pointed out, the term eugenics is often seen as unhelpful and something that can stand in the way of proper moral debate. His analysis suggests that, with few exceptions, it is best to avoid the term.<sup>8</sup> Given that Agar continues to view eugenics as an “essentially morally problematic” domain, it would be misguided to suggest that he wants to reclaim the term. Nevertheless, one could be forgiven in thinking that he is trying to remove or lessen its morally emotive connotations. In our response to his essay, we wish to suggest that offering an ethical defense of specific interventions or biomedical technologies *as eugenics* is a flawed strategy. It would be better if they were considered on their own merits.

However, whilst we believe the technologies under consideration ought to be considered on their own ethical merits, and not as “eugenic,” we also maintain that a supra-ethical or political analysis is important. In pursuing this point, we first raise questions about the term “eugenics” and the way it is understood. Wilkinson points out that, for some, eugenics entails interventions mandated by an authoritarian state whilst others, including Agar, maintain that the notion can encompass interventions that are “freely chosen” within a liberal political context. However, Maurizio Meloni's historical analysis of the “eugenic ethos” suggests that it is defined by four elements: “radical biologism, utopian social engineering, unlimited empowerment of scientific experts, and primacy of race over individual.”<sup>9</sup> These do not appear to apply to Agar's liberal eugenics or to his public health eugenics. Furthermore, Meloni also points out that eugenics entails “the construal of reproduction as a political problem that could not be solved by individuals.”<sup>10</sup> This means exerting some form of rationalized collective control over reproduction, something that is often subject to the irrational inclination of human beings and the arationality of natural selection.

We might then question if Agar's proposals are in fact eugenic. It may be that, insofar as it relies on the choices of individuals and not the rationalizations of a collective or governmental enterprise, there can be no such thing as a "liberal eugenics." However, rather than taking a governmental enterprise to be a state program that mandates reproductive interventions, we might think in broader terms and focus on the biopolitical concept of governmentality. This notion encompasses processes that shape the choices we make and, in so doing, exhibit the potential to responsabilize us for them. Consider the way in which we are presently discouraged from unhealthy choices and behaviors, such as smoking, drinking immoderately, having a poor diet, or failing to exercise, and the concomitant discourse that penalizes individuals for their "lifestyle decisions."<sup>11</sup> Thus, whilst we may be free to make reproductive choices in accordance with our values, there may be consequences if we make the "wrong" decision.

As a result, one might understand Agar's liberal eugenics as connected to what might now be termed his proposal for "public health eugenics." Doing so means thinking that the eugenic ends of "better" population health would be served by the individual decisions made under the umbrella of a liberal eugenics. That this is the case seems undeniable and, at least to us, would seem to be a more or less implicit rationale for introducing "eugenic" biotechnologies, albeit in a manner constrained by liberalism. Nevertheless, if we take eugenics to involve the open pursuit of a utopian biopolitical ideology then whilst there may be no such thing as a liberal eugenics, this is not to suggest that Agar's proposals are apolitical. As a result, we should remain attuned to the possibility that our liberal contexts can be understood as having a distinctive "political biology" of their own.<sup>12</sup> This is a point we return to below. First, we suggest that defending the ethics of gene editing and PGD as eugenics is misguided, not least because Agar's "political problem" is not that of reproduction *per se*. Rather, it is with the way the state might make particular reproductive technologies ethically available for individuals to use within a liberal political context and, as a function of doing so, shape its constitutive population at a statistical level.

### **Why Francis Galton, Why Eugenics?**

It is not unusual for an author to try and comprehend emerging phenomena through the lens of what has gone before. Thus, Agar argues "that it is important that we not forget the moral lessons taught by eugenics." Furthermore, he suggests that we "best learn these lessons when we acknowledge many of the uses that are proposed for gene editing as eugenic."<sup>13</sup> Agar starts his analysis by focusing on Francis Galton's scientifically problematic and morally troublesome account of eugenics as "the science of improving stock, which is by no means confined to questions of judicious mating, but which, especially in the case of man, takes cognizance of all influences that tend, in however remote a degree, to give to the more suitable races or strains of blood a better chance of prevailing speedily over the less suitable."<sup>14</sup> Agar then contends that eugenic interventions have two pivotal traits: (1) the measure of their success is the positive impact on population health, and (2) they focus on inherited influences. It is unclear at this stage to what extent Agar's introduction of these two features in this paper is still in harmony with Galton's understanding of eugenics. Later on, Agar advances "a non-Galtonian eugenics program," which is based on respect for reproductive freedoms and a contemporary understanding

of heredity. Agar is particularly critical of two aspects of Galtonian eugenics: the obsolete and factually mistaken understanding of genetics and heredity and the top-down management of human reproduction and the resulting violation of reproductive freedom.

It is of course understandable that Agar moves away from the scientifically outdated and morally despicable Galtonian account in the course of his paper. It is less clear, though, why his analysis commences with Galton in the first place, or why he introduces the concept of eugenics at all. Would it not have been easier simply to focus on the ethical analysis of a particular set of interventions that he seems to be really interested in, i.e., 1) interventions in inherited influences, 2) interventions aimed at enhancing population health, 3) interventions based on modern science, and 4) interventions that respect reproductive freedom. Why should these interventions be branded as “eugenics” at all? Agar’s rationale seems to lie in the moral lessons to be learned from eugenics. So what are those lessons?

### “Essentially Morally Problematic”

Agar maintains that the practice of eugenics is “morally problematic,” meaning that the set of interventions referred to by the term “eugenics” includes both morally wrong and morally right ones. Everybody knows there are plenty of historic examples of morally wrong practices that can be characterized as eugenic or have been justified by referring to the “insights” of eugenics. Besides, Agar claims there are also eugenic interventions that are morally right, amongst others certain eugenic uses of PGD and gene editing.<sup>15</sup> In addition to being morally problematic, Agar contends that eugenics is *essentially* morally problematic, which means he expects that eugenics will always comprise both morally wrong and right interventions.

It is not immediately clear what is gained by this way of characterizing eugenics. If one is interested in the moral assessment of a certain use of PGD or gene editing, it is difficult to fathom what insights can be gained by subsuming this intervention under a broader category of interventions that will permanently comprise both morally wrong and right exemplars. Let us distinguish three epistemic situations: (1) One already knows that a particular PGD or gene editing intervention is morally right. (2) One already knows that it is not. (3) One does not yet know whether it is morally right or wrong. In none of these epistemic scenarios does the knowledge that the intervention at hand belongs to a broader category containing both right and wrong interventions seem to have any value.

By the same token, one could subsume interventions using PGD and gene editing under the term “actions” as the broader class. After all, every use of PGD and gene editing can be regarded as an action. Similarly, actions can be seen as “essentially morally problematic,” i.e., it is expected there will forever occur both morally wrong and morally right actions. This is all self-obviously true. Yet it does not seem to help one bit in the moral assessment of a particular use of PGD and gene editing to know that it belongs to a broader class of “actions”—or “eugenic interventions” for that matter—that can be either morally right or morally wrong.

### Horrors of the Past

In a second go at justifying the use of the term “eugenics,” Agar argues that “there is value in persisting with a term that presents the use of genetic technologies as

not only morally problematic but as potentially morally wrong in an especially dangerous way."<sup>16</sup> Our awareness of past moral errors should help us avoid repeating them. That is the reason why it is important to use the term "eugenics" to classify (certain parts of) the modern practice of PGD and the future practice of gene editing.

Rather than insisting that an intervention is not eugenics and therefore raises none of the issues raised by eugenic interventions in human heredity, we acknowledge that, as a eugenic intervention, it raises familiar problems about the selection and manipulation of human hereditary material.<sup>17</sup>

The reasoning in the first half of Agar's claim appears flawed. Beating someone up in a bar cannot be classified as waging a war. Yet both phenomena can raise the issue of disproportionate use of violence. So the sheer fact that A cannot be classified as an instance of B does not imply that A "raises none of the issues raised by" B. We can be concerned about excessive violence of a bar fight without recourse to the concept of war. The same goes for PGD and gene editing. We can ponder the ethical aspects of both without subsuming them under the same heading with the eugenic horror programs of the past.

The second half of the claim quoted above seems incoherent with Agar's idea that eugenics is morally problematic, i.e., that next to eugenic interventions that are morally wrong, there are those that are morally right, amongst them certain eugenic "uses of preimplantation genetic diagnosis (PGD) and some hypothesized human applications of gene editing."<sup>18</sup> Indeed, if there are such examples, how can they raise the same or similar problems as morally wrong instances of eugenic interventions? There must be a dissimilarity in the issues they trigger that justifies the differential moral assessment.

### **The Political Biology of Public Health**

Near the end of the paper, Agar briefly turns to public health. He argues that additional moral lessons may be learned in relation to the ethics of eugenic versions of PGD and gene editing if they are seen as analogous to public health interventions that, like any other public health intervention, seek to improve population health. Certainly, they differ insofar as public health interventions improve population health "by intervening in environmental influences"<sup>19</sup> rather than seeking "to eliminate some genetic contributors to disease."<sup>20</sup> Nevertheless, they have a common aim—improving the health of the population.

Whilst we have argued that a recourse to eugenics confuses rather than elucidates matters, we hold that the analogy with public health is even more promising than Agar perhaps realizes. It is, we would suggest, something that can be used to identify some potential biopolitical concerns regarding PGD and gene editing. Whilst many public health initiatives are not matters for individual consent—examples include fluoridation, the taxation of cigarettes, and the mandated use of seatbelts in motor vehicles—this is not true of all such endeavors. In particular one might think of vaccination and various screening programs. Furthermore, in many cases individuals are at liberty to vary their response to certain public health initiatives. Consider, for example, recommendations regarding the units of alcohol

that should not be exceeded on a daily or weekly basis. Some may elect to follow these guidelines to the letter, whilst others might ignore them entirely. However, in all likelihood, the majority who are cognizant of the recommendations use them to consider their alcohol consumption from a broad perspective, over a period of time.

Arguably then, whilst there are some public health interventions about which we have no individual choice and others about which we may exercise choice, there is a large middle ground within which we may make a variety of choices that are neither completely “free” nor entirely unconstrained. They are, of course, shaped and otherwise structured by the social, cultural, and political contexts in which we are all embedded. In the context of discussions about PGD and gene editing, we might consider the impact of ultrasound, amniocentesis, and, imminently, noninvasive prenatal testing.<sup>21</sup> They can be understood as raising ethical questions with which bioethicists grapple but, from a phenomenological perspective, they can also be understood as mediating and shaping the moral agency of patients.<sup>22</sup> Furthermore, something similar can be said of the role of healthcare professionals in this area; consider Charles Bosk’s research, which indicates that genetic counselling is not—and cannot be—as “nondirective” as one might imagine or wish.<sup>23</sup> It seems clear that PGD and gene editing will raise similar issues regarding what is considered an appropriate response by patients; no doubt certain responses will be seen as medically indicated and socially, which is to say politically, expected or sanctioned. Such insights not only represent a challenge to the way in which we understand our decision-making; they also raise questions about our procreative liberty.

Furthermore, it reveals the political component of both Agar’s concept of eugenics as advanced in his current essay and his earlier concept of “liberal eugenics.” Here the constraints on procreative liberty are not direct or state mandated; they are indirect. But, for all that, they may exert an equally powerful form of governmentality. Consider the virtual absence of babies born with Down syndrome in Iceland, something that is clearly connected to ultrasound, amniocentesis and, now, noninvasive prenatal testing.<sup>24</sup> There seems little need to mandate reproductive choices when it is virtually guaranteed that individuals will make that same choice for themselves. In this context, one might suggest that defending PGD and gene editing as a form of eugenics is less than helpful. A revivification of eugenics is not required. Rather, we should pursue a fuller exploration of our contemporary political biology, such that the manifold and subtle constraints that are placed on our reproductive autonomy can be examined. When based on the procreative liberty of consenting individuals, thinking that interventions like PGD and gene editing are matters of public health is to acknowledge that our reproductive decisions are shaped by biomedical, biotechnological, and biopolitical forces that go beyond the scope of the merely eugenic. Today’s political biology is not just a matter of a government’s reproductive policies but of the broader social and cultural work done by—and with—biological, biomedical and, for that matter, bioethical knowledge.

## Notes

1. Agar N. Why we should defend gene editing as eugenics. *Cambridge Quarterly of Healthcare Ethics* 2018; this issue. fn.3
2. Agar N. Liberal eugenics. *Public Affairs Quarterly* 1998;12(2):137–55.
3. See note 2, Agar 1998.

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4. See note 1, Agar 2018.
5. See note 1, Agar 2018.
6. See note 1, Agar 2018, note 3.
7. See note 1, Agar 2018. It is worth noting that Agar's argument is that if a eugenic intervention is to be ethical, other necessary conditions must be fulfilled as well as the absence of state compulsion. For example, it must be based on sound science.
8. Wilkinson S. 'Eugenics talk' and the language of bioethics. *Journal of Medical Ethics* 2008; 34(6):467–71.
9. Meloni M. *Political Biology: Science and Social Values in Human Heredity From Eugenics to Epigenetics*. Basingstoke, Hampshire: Palgrave Macmillan; 2016:92.
10. See note 9, Meloni 2016,72.
11. Mayes C. *The Biopolitics of Lifestyle: Foucault, Ethics and Healthy Choices*. New York: Routledge; 2015.
12. See note 9, Meloni 2016.
13. See note 1, Agar 2018.
14. Francis Galton, *Inquiries into Human Faculty and its Development* (London: Macmillan, 1883), p. 17, fn 1; cited in Agar 2018 (see note 1).
15. Agar suddenly introduces PGD into his analysis next to gene editing. As it turns out the paper is really more about PGD than gene editing.
16. See note 1, Agar 2018.
17. See note 1, Agar 2018.
18. See note 1, Agar 2018.
19. See note 1, Agar 2018.
20. See note 1, Agar 2018.
21. Nuffield Council on Bioethics Working Group. *Non-invasive Prenatal Testing: Ethical Issues*. London: Nuffield Council on Bioethics; 2017.
22. Rapp R. *Testing Women, Testing the Fetus: The Social Impact of Amniocentesis in America*. New York: Routledge; 1999; Verbeek P-P. Obstetric ultrasound and the technological mediation of morality: A postphenomenological analysis. *Human Studies* 2008;31(1):11–26; Verbeek P-P. *Moralizing Technology: Understanding and Designing the Morality of Things*. Chicago: University of Chicago Press; 2011.
23. Bosk CL. *All God's Mistakes: Genetic Counseling in a Pediatric Hospital*. Chicago: Chicago University Press; 1995.
24. <https://www.independent.co.uk/life-style/health-and-families/iceland-downs-syndrome-no-children-born-first-country-world-screening-a7895996.html> [Accessed 23/5/18]; <http://www.bbc.co.uk/news/magazine-37500189> [Accessed 23/5/18]