

Is Moral Enhancement a Right, or a Threat to Rights?

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Abstract

Enhancements for morality could become technologically practical at the expense of becoming unethical and uncivil. A mode of moral enhancement intensifying a person's imposition of conformity upon others, labeled here as "moral righteousness", is particularly problematic. Moral energies contrary to expansions of civil rights and liberties can drown out reasoned justifications for equality and freedom, delaying social progress. The technological capacity of moral righteousness in the hands of a majority could impose puritanical conformities and override some rights and liberties. Fortunately, there cannot be a human right or a civil right to access righteous moral enhancement, and governments would be prudent to forbid such technology for moral righteousness. From an enlarged perspective, less righteousness could lead to a more just society. Going further, if a neurological intervention for moral righteousness could be invented, so too could moral de-enhancement, here labeled as "moral toleration". Perhaps moral toleration deserves as much commendation as so-called moral enhancement. Justice with less delay can be justice enhanced.

1. Introduction

The moral conviction demanding respect for a civil right or a civil liberty is often a powerful social and political force. Moral convictions in opposition can be just as powerful. Those threatening a violation of familiar categories, traditional statuses, and regular roles are accused of disrupting the social order, claiming an unearned privilege, or inflicting harms on others. Showing that the social order will adapt well, new equalities can elevate everyone, and sure benefits outweigh exaggerated harms, are all morally relevant ways to supply reasoned responses. Convictions do not promptly yield the floor for that rational debate, though. Instead, shrilly moralistic alarms are sounded, tribalistic sides take defensive postures, and fronts of potent resistance are raised. "Only those in the right should be heard", each side declares. Cultural discourse seizes up with symbolic posturing and then crystallises into slogans. Decades soon pass, and successive generations wait for progress.

Faulting morality itself is understandably counter-intuitive. We write our histories after more rights and more equality have been

secured, crediting the morally inspired and righteously energised victors. (Conservatives, no less morally energised, are clearly wrong only in hindsight.) Those post-victory narratives are accurate enough, considering the moralistic resistance which had to be repeatedly overcome. Less moralistic grounds for social change are not known for arousing fervent support. But those good grounds do not arouse intense opposition either, so long as inequalities and injustices are not worsened by social change. If the eagerness to impose one's moral stance on the lives of others could be diminished across a population, the overall re-balancing of moral energies with mundane reasonings might shift society towards faster expansions and surer protections of civil rights and liberties. The likelihood of such a shift can appear counter-intuitive, especially to partisan political camps (liberal and conservative alike) who are proud of their devotion to civil rights and liberties. And those camps perennially beg the public to be just as morally passionate about the next struggles to come.

Moral psychologists, thanks in part to neuroscience, are discerning cognitive-affective processes connected to moral conviction and action. Proposals for experimental adjustments to people's moral judgements and energies have been aired. If lack of moral passion and social action from the public is at fault, morality enhancement can look like an appealing remedy. This essay argues to the contrary. The sort of moralistic enhancement conducive to partisan victory is not the right solution; no-one has a right to it, and government would be right to suppress it. Moral enhancement need not be the continuation of culture wars by other means. A society may be wiser for encouraging the opposite of moral enhancement where rights and liberties are concerned.

2. Morality Enhancement and Moral Righteousness

Let morality enhancement be defined as a technological intervention that alters neural functioning which happens to improve one's exhibition of moral conduct. For the purposes of this discussion, in order to be a morality enhancer, of whatever contrivance – pharmacological, modulatory, cybernetic, and so on – the intervention demonstrably works. If it does not work by adjusting actual moral conduct in some positive and objective manner, it is not a morality enhancer. (And if it alters other behaviours too, then it is still a morality enhancer, though of dubious value and potentially immoral character.) By “objective”, empirical accessibility to behaviour is meant, not other senses of “valid” or “true”.

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A person can truly come to sense or understand moral concerns differently over time, and feel validly enhanced in the process. Moral philosophies consider subjective matters supposedly intrinsic to morality (willful freedom, intending good, empathy, dutifulness, right reasoning, and so on), but moral psychology co-ordinates them with behaviours. Morality enhancement, as defined here, does not target anything purely subjective that leaves behaviour entirely unaltered (if that were even possible). A person who continues to act precisely the same manner as before, but acts for clarified motives, is someone with a fresh ethical perspective, not a new moral capacity. The enhancement of morality will not be delayed by inconclusive ethical theorising about internal criteria essential to morality. Besides, those demanding “ethical enhancement” satisfying internal criteria must explain how any alleged subjective improvement would be confirmable in moral conduct.

An agnostic stance is further recommended in regard to ethical theorising looking for the lone “true” morality, and just as much agnosticism towards abandoning that quest as well. The enhancement of morality will not be dispelled as impossible upon the challenge, “By which morality?” The appropriate answer is obvious: “Our morality”. What is relative or multiform can still be naturally real. What people can regard as moral provides the only meaning to morality that any human beings in the real world are capable of discussing. That is why the enhancement of morality, like the improvement of anything we do as humans, can only happen in actual human settings. This must never be forgotten. Anyone speaking of moral enhancement takes the risk of inflating transhumanist optimism, encouraging partisan radicalism, or purveying idiosyncratic moralism. These risks accompany “moral enhancement” in the abstract by ignoring key contexts: (a) the diversity to cultural traditions that instill differing sets of moral norms; (b) the varying social conditions that warrant decisions about moral priorities; and (c) the individual characters that balance moral virtues in distinctive ways. For example, could the enhancement of trust be a moral enhancement? Some cultures emphasise trust as a moral duty, while others do not; some groups should not enjoy dutiful trusting from their members; and generous trust is often unwise for people with naïvely helpful characters. For anything that comes to mind as assuredly moral for anyone, it could be immoral, unjust, and/or harmful when intensified in someone chosen at random from around the world.

Recognising context is one step; acknowledging practicalities is the next. No intervention designed for morality enhancement exists today. Alterations to moral ability will more likely be discovered

by accident, while tinkering with one or more entwined functions: interpersonal sensitivity, social cognition, foresight salience, threat management, emotional moderation, impulse inhibition, motivational control, practical inference, and the like.¹ Current science has only modest clues about designing morality enhancement, or any sort of cognitive enhancement, but the many physiological and neurological obstacles to practical enhancement are not discussed here.² If a neurological intervention was to somehow influence moral ability, experimental detection and confirmation are further hurdles, but they are not insurmountable. Subjects can be tested for certain moral tendencies and preferences after specific moral contexts have been pre-arranged. So long as no-one imagines that “universal” moral abilities of “the human being” are thereby revealed, moral psychology can objectively measure alterations to moral performance.³

This essay has so far been talking about “morality enhancement” rather than “moral enhancement” to call initial attention to the way that any ideal moral enhancer could well be an immoral moral enhancer. “Moral enhancement” cannot automatically be moral just because “moral” was prefixed to “enhancement”. An imagined moral enhancer may lose its moral character when situated within a real-world context, it might turn out to be largely immoral in its overall effects, or its usage by many could lead to unjust social consequences. No “moral enhancement” should be tautologically defined as entirely moral or ethical. With that cautionary point in place, the rest of this essay returns to convention, with “moral enhancement” standing in for “morality enhancement”.

To demonstrate the efficacy of a putative moral enhancer, moral psychology would apply pre-set standards of moral ability, to

¹ Discussions of morally relevant capacities are offered by Thomas Douglas, ‘Moral Enhancement via Direct Emotion Modulation: A Reply to John Harris’, *Bioethics* 27:3 (2013), 160–168; Molly Crockett and Regina Rini, ‘Neuromodulators and the (In)stability of Moral Cognition’, in J. Decety and T. Wheatley (eds), *The Moral Brain: A Multidisciplinary Perspective* (Cambridge, MA: MIT Press), 221–235; and G. Owen Schaefer, ‘Direct vs. Indirect Moral Enhancement’, *Kennedy Institute of Ethics Journal* 25:3 (2015), 261–289.

² Consult John Shook and James Giordano, ‘Defining Contexts of Cognitive (Performance) Enhancements’, in F. Jotterand and V. Dubljevic (eds), *Cognitive Enhancement: Ethical and Policy Implications in International Perspectives* (Oxford: Oxford University Press, 2016), 76–98.

³ John R. Shook, ‘Neuroethics and the Possible Types of Moral Enhancement’, *AJOB Neuroscience* 3:4 (2012), 3–14.

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compare against the moral conduct of a subject receiving the intervention.⁴ What types of behaviours count as morally relevant, and morally right, must be chosen in advance in order to supply needed contexts. The confirmation that moral behaviour has been measurably altered (in whatever direction) in a subject then further permits researchers to realistically determine whether any novel moral behaviours (and possibly other anomalous behaviours), have been added to this subject's performance.

A "generic" moral enhancer by definition only improves the subject's ability to be the kind of moral person that the subject already tries to be. Let the target of moral enhancement be charity, to supply examples. A subject who believes that donating a large percentage of income to one's church will maintain that belief, and display moral enhancement by fulfilling that felt duty more regularly and/or more generously. By contrast, a "morphic" moral enhancer improves moral conduct by altering a subject's moral views, such as moral values or beliefs. A subject who had not thought that avoiding charity was a moral failing will reverse that belief, displaying this moral enhancement by fulfilling a newly acknowledged duty to give generously to charity. As for a theoretical third category, the "ethical" moral enhancer that adjusts morality towards what is truly moral (not simply what any number of people happen to think is moral), this chapter has nothing to say, because moral philosophy is not driving this essay's enquiry. These three goals for moral enhancement must be kept distinct, although philosophical debates over its merits have exhibited their conflation.

Morphic moral enhancement (if anything approaching that mode became technological feasible) is not this essay's focus, but it deserves two observations. First, few people would voluntarily undergo morphic moral enhancement. "There's nothing about wasting money on charities that seems moral to me – why shouldn't my family enjoy the wealth that I've earned?" "I'm pretty sure that killing someone threatening my home is my right – why should I become a defenseless wimp?" Pro-choice advocates will not accept "enhancement" of their baby-loving ability, and pro-life advocates will not accept "enhancement" of their women-respecting ability. If I do not think that a so-called "enhancement" is all that moral, I must regard its morphic application upon me as immoral, or oddly amoral, or just something to make me congenial to others. In the absence of peer pressure or coercion, a typical person will not

⁴ John Shook, 'My Brain Made Me Moral: Moral Performance Enhancement for Realists', *Neuroethics* 9:3 (2016), 199–211.

regard morphic enhancement as obligatory. Second, following from this, a society compelling morphic moral enhancement violates human rights and civil rights unless stringent criteria are satisfied, akin to justifications for mandatory mental treatment or imprisonment.

Another distinction by moral psychology is needed next, to distinguish “judgemental” moral enhancement from “performative” and “corrective” moral enhancement. Confirming one mode in an enhancer is not automatically a confirmation of the others. A judgemental moral enhancer improves the subject’s ability to make accurate assessments of moral situations and correctly judge what is right more reliably. Expressing judgements upon hypotheticals without participating in actual problematic situations is one way for a subject to reveal aspects of moral capacity. Participation is a second way. A performative moral enhancer improves the subject’s ability to judge what is morally right (it fulfils the judgemental mode) and also the subject’s ability to do more morally right actions while participating in real-world situations.⁵ Scrutinising the behaviour of others goes well beyond attending to one’s own behaviour, providing a third target for moral enhancers. A corrective moral enhancer not only improves the subject’s own moral performance (it fulfils the judgemental and performative modes), but additionally improves the subject’s corrective efforts against wrongs by others.⁶ For example, a subject receiving a moral enhancement against theft will duly regard stealing as more morally wrong and also seek harsher punishment for thieves than the subject had approved before enhancement. Corrective efforts against wrongs could take any number of concrete forms, such as voting, donating money, civic activism, social nonco-operation, public unrest, and the like – amounting to material support for group and third-party activities, and not necessarily personal retribution.

This judgemental-performative-corrective distinction agrees that proven moral enhancers will likely manifest multiple modes simultaneously, since their underlying psychological factors are

⁵ Kathryn Francis, et al., ‘Virtual Morality: Transitioning From Moral Judgment to Moral Action?’, *PLoS ONE* **11** (2015), e0164374.

⁶ The role for punishing in the development of morality is discussed by Robert Kurzban, Maxwell Burton-Chellew, and Stuart West, ‘The Evolution of Altruism in Humans’, *Annual Review of Psychology* **66**:3 (2015), 575–599. Determining conditions where people regard harms as moral punishment is the subject of research by Kimmo Eriksson, Pontus Strimling, and Per Andersson, ‘Costly Punishment in the Ultimatum Game Evokes Moral Concern, in Particular When Framed as Payoff Reduction’, *Journal of Experimental Social Psychology* **69** (2017), 59–64.

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interrelated. Enhancers affecting psychological factors in isolation would not be helpful. An enhancer that only improves morality in the judgemental mode would produce subjects sounding like self-assured moralisers who are not more moral themselves. An enhancer that improves moral performance, while leaving subjects unsure why they are so good, would be quite disorienting. Busily correcting the behaviour of others while resting content with one's own morality would expose a subject to the charge of hypocrisy. Moralising, self-doubt, and hypocrisy would render a subject's moral life incoherent and incapacitated. By contrast, a moral enhancer significantly elevating all three modes would make a subject noticeably more "righteous" in attitude and action.

This essay now proceeds by considering a singular type of moral enhancement that improves morality through the final "corrective" mode in the generous "generic" direction. We shall label this type of intervention Moral Righteousness. A morally righteous person, we agree to say, is not merely generous with stern moralistic judgements, but also takes concrete action to exemplify them personally and have those judgements enforced on others. Any partisan side to a controversy over rights would be keenly interested in attracting the energies aroused by moral righteousness.

The invention of corrective moral enhancement, if its neurological mechanisms were understood to some degree, could be paired with its counterpart, moral enhancement reduction. Before examining the possible benefits of preventing and reducing moral righteousness for the purpose of promoting civil rights, the next sections first consider whether moral enhancement holds the moral high ground as a human right or a civil liberty.

3. The Morality of Moral Righteousness

If every sort of moral enhancement were treated (wrongly, in my view) as just a non-therapeutic procedure for beneficial self-improvement, then many questions might be easily answered. Respecting the liberty of people to access such a procedure, absent safety or efficacy concerns, is consistent with modern liberal societies and non-intrusive governments. Governments are nevertheless capable of excessive regulation, especially when something new offers lifestyle alternatives disturbing to conventional opinion, or offends mainstream moral sensibilities.⁷ Government should at least respect the liberty

⁷ Matt Lamkin, 'Regulating Identity: Medical Regulation as Social Control', *BYU Law Review* 2 (2016), 501-573.

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of competent adults to refuse a procedure unconnected with public health and safety.⁸ If government can refrain from indulging popular prejudices and maintain respect for individual liberties, then moral enhancement would be treated much like an innocuous lifestyle choice, akin to a health regimen. The right of people to accept or decline moral enhancement has secure political grounds if it is classified as non-therapeutic self-improvement.

In truth, morality is not just another option for self-improvement. A right to Moral Righteousness has firmer grounds in morality itself, rendering moral enhancement more obligatory. If morality is the repository for whatever we can understand as worthy and right, then morality itself must truly be worthy and right. As morality directs us to unfailingly pursue what is worthy and right, then people have a moral duty to become more moral. That superior duty is indifferent to individual preferences and lifestyle choices. To leave vital moral virtues and values in an underdeveloped and unappreciated condition is practically as immoral as violating them. A basic argument can be constructed favouring the enhancement of all morality to any extreme.

People have a moral duty to accept safe moral enhancement.
(Moral Growth)

Moral Growth is always good for one's self and others. (Moral
Beneficence)

So, people always have a moral duty to consent to safe moral
enhancement. (Moral Perfectionism)

Moral Perfectionism is not comfortable with people freely accepting or declining moral enhancement: it is only right for people to be morally enhanced, and it is never right to avoid moral enhancement.

As far as morality can see, Moral Perfectionism is compatible with corrective moral enhancement, and it even encourages corrective measures.

Moral Perfectionism strengthens one's commitments to moral
values. (by definition)

⁸ Moral enhancement could be linked to questionable therapeutic goals; see Harris Wiseman, *The Myth of the Moral Brain: The Limits of Moral Enhancement* (Cambridge, MA: MIT Press, 2016), chap. 8; and Sarah Carter, 'Could Moral Enhancement Interventions Be Medically Indicated?' *Health Care Analysis* 25:4 (2017), 338–353.

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Strong commitment to moral values is consistent with motivations to ensure that others must conform or be corrected. (premised)

Hence, Moral Perfectionism approves motivations to ensure conformity through corrections.

Corrective moral enhancement efficiently heightens motivations to ensure conformity through corrections. (by definition)

Therefore, Moral Perfectionism approves corrective moral enhancement.

Finally, since Moral Perfectionism's approval of corrective moral enhancement practically amounts to an approval of Moral Righteousness, the moral duty of people to consent to moral enhancement extends to a duty to become Morally Righteous. So long as Moral Growth and Moral Beneficence are acceptable, a final conclusion seems to follow: everyone has a moral duty to become more Morally Righteous.

The Morally Righteous themselves would not endorse that general conclusion, because generic moral enhancement is involved here. No Morally Righteous person would approve of the enhancement of values that he or she views as immoral. For a population displaying ample disagreement over moral values and how to prioritise them, generic moral enhancement generously distributed throughout a society would deepen those divides. Each Morally Righteous person would vastly prefer selectively generic moral enhancement for those already in agreement (and morphic moral enhancement for those who are not in agreement). Readers who have been thinking, "Just let people who are right get moral enhancement for righteousness, and forbid that 'enhancement' to those who are wrong", already understand what these Morally Righteous people must think.

The typical Morally Righteous person would in effect be a Moral Puritan, let us say, convinced that others should conform to righteous moral values (which are always this Puritan's own values). "Puritanism" is a term with religious connotations that play no role here; Moral Puritanism for this essay's purposes is simply driven by moral conviction to devote resources to increasing social conformity, irrespective of any association with a religious or secular worldview. No-one wants the label of "Puritan" attached to them, of course. Purveyors of "ethical enhancement" would doubtless inform us how to distinguish the truly Righteous from the misguided Puritan – every Puritan movement has its ethical apologists.

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Because this essay takes no stand on moral philosophy, it remains agnostic about where righteous morality can always be found. We shall have to leave the Morally Righteous to their moral cacophony, as they criminalise what they can agree upon, and tolerate what they cannot. Are they so different from us in our societies today? Perhaps not. As we imagine a hypothetical future society in which most people have become Morally Righteous, we could be forgiven for hoping that our society does not become more like theirs. Our world already has plenty of moral disagreement and social fractiousness, convulsing many countries with civic tensions and the occasional civil war.

Morally Righteous people are not insensitive to civil strife. Indeed, a remedying proposal occurs to them. If only more people were morally righteous, they would think, then a majority of morally righteous people would emerge, and the law could enforce conformity with that moral majority. Moral groups in the minority can quarrel with that outcome, of course. Yet they would have no right to complain about the illegality of their way of life, as far as the Morally Righteous can see, since those moral minorities are neither righteous nor right. Where civil strife is due to moral conflict between large sectors of society, a dominant moral majority is a blunt but practical remedy. However, until a Morally Righteous majority is well-established, as far as society as a whole can tell, any would-be moral majority is neither so moral nor a majority.

4. A Right to Righteousness?

Undeterred by their status as a moral majority only in name, a group of common-minded Moral Puritans would encourage people of lesser conviction to join them in Moral Righteousness. Those unsure about a moral issue would not use Moral Righteousness to learn what is right. Still, there may already be enough morally agreeable people who only lack strong commitment. Generic moral enhancement for them would amount to a conversion into Moral Righteousness and membership among the Moral Puritans. Moral Puritans have this argument to advance:

People have a moral duty to accept safe moral enhancement of their stable moral values. (Moral Growth)

Moral Growth is always good for one's self and others. (Moral Beneficence)

People cannot be denied a liberty right to access moral and beneficial resources. (Right to Morality)

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Therefore, People have a right to freely pursue moral enhancement. (Right to Righteousness)

Moral Puritans would vastly prefer that only people who are already morally agreeable take advantage of accessible righteousness. Nevertheless, unable to regulate access to moral enhancement (yet), Moral Puritans could at least support a broad Right to Righteousness, in the hopes that they could eventually win an enhancement race by attaining majority status. With a Right to Righteousness securely recognised, society cannot obstruct the growth of the Morally Righteous towards a hoped-for Puritan Majority.

By this reasoning, a typical Puritan-minded group would approve of a legally recognised right to moral enhancement, especially if that group was already a significant segment of society. As for the rest of society, with Puritanical efforts approaching effective levels, moral enhancement may be a good idea for everyone.

Puritanical moral determination is best countered by determined moral opposition. (Moral Counterpoise)

So, the safeguard against Puritanical social “reform” is general moral enhancement. (Moral Standoff)

Therefore, all people have a right to freely pursue moral enhancement. (Right to Righteousness)

Two arguments now stand favouring a general Right to Righteousness, representing both Puritanical and non-Puritanical interests. This right is general, the moral enhancement is generic, and the degree of enhancement is left indefinite.

Anyone has the right, by these arguments, to enhance any moral stance to any (available) degree. Only efficacious limitations will slow someone’s moral ambitions, if wisdom cannot. The neural interventions making moral enhancement possible will not know when to stop working when “good enough” morals have been attained. We may not be able to tell when morality is still being enhanced. The ambiguities to “enhancement” come to the fore as we try to classify conduct transcending familiar normalities.⁹ Under which special circumstances would peculiar conduct still count as moral? What “posthumans”, *übermensch*, or angels must do will surpass our

⁹ John Shook and James Giordano, ‘Neuroethics Beyond Normal: Performance Enablement and Self-Transformative Technologies’, *Cambridge Quarterly of Health Care Ethics* 25:1 (2016), 121–140.

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understanding. Either improved morals are still answerable to our moral judgement (so those morals cannot advance very far), or we must surrender judgement to whomever claims moral superiority (so our morals cannot be so good). Any sufficiently “advanced” morality may be indistinguishable from indecency or evil.¹⁰

It seems wiser to rely on what we do understand about morality. Can present-day society figure out where to place boundaries on access to moral enhancement?

Motivations for limiting or denying a right to moral enhancement are not difficult to imagine. Privileged classes of society could not be indifferent about Moral Righteousness for aggrieved classes, to begin with. And Moral Righteousness can alarm the many, as well as the few. The majority of society could deny a right to enhance certain moral views on the grounds that they cause behaviours widely deemed too immoral, perverse, or dangerous. Similarly, if resulting conduct due to enhancing certain moral views (immoral views, for the majority) encourages criminality, denying a right to such enhancement would be expected. The majority could also deny a right to enhance morality on the grounds that resulting conduct would impede or contravene an established right. Furthermore, the majority could deny a right to enhance particular moral views if the righteously enhanced would obstruct or delay the establishment of a new right favoured by many.

Defending a Right to Righteousness from an entrenched majority opinion or established legal system might resort to the strategy of portraying this putative right as a human right. Compared against other rights, what is the measure of the importance for a Right to Righteousness?

Over the past three centuries, declarations and constitutions have offered lists of essential rights. Peter Baehr recounts the culmination of those endeavours:

The Universal Declaration of Human Rights was adopted by the UN General Assembly as a resolution. Such resolutions have the legal status of recommendation, which means that they are not legally binding. However, it is by now commonly accepted that the so-called “core rights” in the Universal Declaration have acquired the status of (binding) international customary law. Core rights are rights that are indispensable for an existence in

¹⁰ This point, familiar to theologians, exposes incoherencies to speculation about creating morally superior beings. Consider Vojin Rakić, ‘We Must Create Beings with Moral Standing Superior to Our Own’, *Cambridge Quarterly of Health Care Ethics* 24:1 (2015), 58–65.

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human dignity and therefore need absolute protection. They include the right to life and the right to the inviolability of the human person, including the prohibition of slavery, serfdom, and torture, wrongful detention, discrimination and other acts that violate human dignity. In addition, the right to freedom of religion is often mentioned in this list.¹¹

A Right to Righteousness cannot rank among these core rights. It is not essential to the freedom of thought and expression of moral views: it is not necessary for living according to one's moral conscience, associating with those in moral agreement, or urging others to agree. The generic enhancement of moral righteousness is not to be confused with the basic ability to be a morally conscientious person. A Right to Righteousness goes far beyond a right to live morally, by affecting the moral lives of others. A right to one's moral conscience is vulnerable to oppression and surely deserves legal protection. Protection from the zealous righteousness of others must not be left to chance. Protecting a Right to Righteousness, which presupposes moral conscience, could not take precedence over the ability of everyone to freely possess a moral conscience.

Describing moral righteousness as a potential threat to moral conscience can sound like a contradiction in terms. If a conscience is truly moral, righteousness would respect it. But what is truly moral?

The Morally Righteous do esteem *moral* conscience in anyone, but they see far less value in anyone's immoral *conscience*. Psychologically, this is true of any of us. A warning against a Puritan majority's inability to respect the consciences of smaller groups serves equally well as a warning against any majority righteously concerned with immorality. Sociologically, that is true of any majority. Pretending that society need only be concerned with criminality while mere immorality falls short of social sanction keeps up the pretense that society's laws are not connected to society's moral views. How is a Puritan majority so different from any social majority? If social majorities have the right to enforce important moral norms by law, so long as human rights remain respected, then a Puritan majority has that right, and its Moral Righteousness only threatens serious immorality. Philosophically, this is true if every morality deserves enforcement. Puritans acquire their distasteful reputations while they are in the minority; they retain that reputation as majorities only from an external standpoint. All the same, no Righteous majority needs a Right to

¹¹ Peter Baehr, *Human Rights: Universality in Practice* (Berlin: Springer, 2016), 4.

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Righteousness to uphold civic morals, and no small Righteous group requires a Right to Righteousness to find moral society for company. Ethically, this is true regardless of whether the Righteous know what is truly moral or not. Whether in the company of the majority or not, each conscience at least counts as something not to be overpowered or overruled without due moral consideration.

All things considered, enhancement for Moral Righteousness does not hold the moral, civic, or political high ground. Society may therefore prohibit access to Moral Righteousness enhancement if it inspires conduct attempting to impede or deny a human right, or any right needed for upholding a human right.

5. Moral Righteousness as a Civil Liberty

The conclusion of the previous section suggests that the freedom of adults to obtain Moral Righteousness should not be infringed, so long as one can conduct oneself civilly. Access to civil Moral Righteousness may amount to a civil liberty, in the sense that it pertains to the civic life of a citizen and it is worthy of protection from government infringement.¹² A government able to prohibit access to civil Moral Righteousness would be a government able to infringe upon access to conventional means of arousing moral indignation, inspiring moral idealism, and activating moral energies. That government is on a collision course with freedom of conscience, freedom of speech, freedom of expression, freedom of association, and freedom of religion. Furthermore, because righteous social action translates easily into the sphere of political action, denying access to civil Moral Righteousness without compelling justification amounts to unequal treatment and a violation of civil rights. There are compelling justifications, however. First and foremost, a government would be justified in scrutinising and regulating neurotechnological moral enhancement to ensure its safety, efficacy, and consistency with civil conduct and civil order.

Second, additional government control over moral righteousness is probably warranted. Imagining a society in which access to civil Moral Righteousness is largely unfettered returns us to that

¹² There are analogous civil liberties. Citizens already access ordinary means of moral improvement, to the point of righteous social action and corrective civic activism, and they should have the liberty to do so without obstructive government scrutiny or regulation. Many organisations, secular and religious, offer principled exhortations to recruit people for community activism projects and political action agendas.

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hypothetical scenario in which much of society is undergoing moral enhancement to run in a righteousness race that no-one can win. Perhaps moral stalemates and political stand-offs will permit an uneasy but stable equilibrium. But perhaps not. Society as a whole may be the loser in the long run. Two concerns for social welfare and civic life are paramount.

First, morally righteous groups have large incentives to not only assist members with access to moral enhancement, but to additionally pressure members into undergoing moral enhancement. It requires no stretch of the imagination to foresee how the Morally Righteous would be motivated to compel moral enhancement as a condition of membership and eligibility for status within the group. If moral enhancement is always an unadulterated good, where is the clear line to show people where enough is enough? Unable to see anything but the beaconing light of moral perfection, the Morally Righteous might be the least likely to know when or how to stop. The eventual consequences could be deleterious for both in-group members and out-group targets of righteous indignation, as the liberty to morally enhance slowly morphs into the confinement of mental cages. This is not a path towards ethical sensitivity or human enlightenment.

Second, many morally righteous groups, all accelerating their momentum simultaneously, must find themselves on a collision course with each other. The erosion of public discourse and the rise of social tensions can only result from highly energised organisations eager and willing to criminalise each other out of existence. Utopian plans about general moral enhancement leading everyone towards a new ethical age of harmony and peace are entertaining but unrealistic. What that utopian actually wants is plenty of morphic moral enhancement in uniformity with his or her own ethical ideals. Unfettered generic moral enhancement will only strengthen moral antagonisms, and weaken civic bonds in the long run. Civil Moral Righteousness is only civil up to point when it is not anymore, and by then it may be too late. This could not be a civil liberty that is truly worth risking the loss of civic solidarity and security.

Even worse outcomes are foreseeable. A privileged class with sufficient political power could enforce moral righteousness for social behaviours conducive to civic conformity and complacency. A Morally Righteous majority may also look to moral enhancement, both generic and morphic, as useful tools. Generic moral enhancement for those already morally agreeable, and morphic moral enhancement for immoral deviants, will appear on the political agenda. Allowing general moral enhancement will no longer be on

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the agenda, and that civil liberty may be taken away by a sufficiently Puritanical majority. Indeed, the corresponding civil liberty to refuse moral enhancement may be taken away. After all, that Puritanical majority will think, only a moral degenerate would refuse the opportunity to become more morally normal, and such moral degeneracy deserves no respect or toleration. Avoiding proper moral enhancement could be criminalised by a Morally Righteous majority.

The notion of mandatory moral enhancement seems improbable at present because experimental neurological interventions, medical therapies, and non-therapeutic procedures all require informed consent. But we are contemplating a powerful privileged class, or a puritanically principled regime, wielding proven moral enhancement and ample motivation to use it. It does appear that any government has justifications for severely restricting access to civil Moral Righteousness. The drive for perfection behind Moral Righteousness cannot be as good as they seem.

6. The Wrongs of Righteousness

Moral Perfectionism should be deeply questioned. It observes no distinction between remedying moral deficiencies and surpassing moral normalcy. Moral Perfectionism does not consult society's expectations about sufficiently moral conduct. Furthermore, it overrides a person's own judgement about appropriate devotion to moral matters. For Moral Perfectionism, no matter how moral a person may already be, a duty to undergo more moral enhancement awaits.

If Moral Perfectionism is rejected, then its supporting premises, Moral Growth and Moral Beneficence, must be questioned.

Moral Growth: People have a moral duty to accept safe moral enhancement.

Moral Beneficence: Moral Growth is always good for one's self and others.

It is not easy to question Moral Growth. Common sense says that morality must be a very good thing, surely as good as anything else in life, and probably needed for any genuine good to come from life. All the same, common sense also says that uncommon moral zeal is rarely so pure and beneficent.

There is no duty to pursue any of our moral values to extremes. Wisdom cautions that a moderate and balanced commitment to central virtues and values is more congenial to our enterprises and

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relationships over the course of a lifetime.¹³ Must moral duty compel more and more moral ability? If we are speaking in generalities, perhaps, but no neurological enhancement will demonstrably improve just “moral ability” in general or in the abstract. No “essence” to morality could represent a practical goal, either. Platitudes about caring, sharing, sacrificing, protecting, loving (and so on) are ethical ideals, to which no actual moral enhancer will correspond with any specificity. Sainly figures exemplifying one key virtue must be partly mythical – we are instructed to become more like many of them, not to become one of them.

Cautionary principles apply once again. An actual moral enhancer will at best partially modify one or another aspect of human conduct having certain moral ramifications along with other non-moral implications. For any specific moral capacity, distorting its role to the point of domination over, or distraction from, one’s moral life is a course that hardly seems advisable, much less dutiful. Replacing these two idealised premises about moral growth and beneficence yields a realistic aim for moral improvement:

People have a prevailing duty to attain and maintain social standards for morality, which are (almost) always good for one’s self and others. (Moral Adequacy)

Alternatively, one’s prevailing duty could aspire to a critically minimal level:

People have a prevailing duty to attain and maintain respect for core human rights and important corollary rights and liberties. (Moral Decency)

Arguments justifying moral enhancement to the point of satisfying Moral Decency could be advanced at this stage, but this essay will not digress into that issue.¹⁴

Moral Righteousness is clearly in tension with both Moral Adequacy and Moral Decency. General and generic Moral Righteousness will not closely follow pre-existing social standards, since multifarious moral enhancement will somewhere and somehow exceed whatever counts as moral normalcy in a society. Moral Righteousness can even lead to violations of Moral Decency. Someone’s moral convictions, sufficiently

¹³ William Kabasenche, ‘Moral Formation and Moral Enhancement’, *AJOB Neuroscience* 7:2 (2016), 130–131.

¹⁴ See I. Glenn Cohen, ‘This Is Your Brain on Human Rights: Moral Enhancement and Human Rights’, *Law and Ethics of Human Rights* 9:1 (2015), 1–41.

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exaggerated and energised, can motivate a denial of someone else's human rights, civil rights, or important liberties. History is replete with illustrative examples too numerous to recount. Puritanical determination has accompanied pro and con sides to lengthy and torturous struggles over rights and liberties down to our own times. Shall we be resigned to such slow progress? Perhaps not.

In an earlier section, an argument was offered in favour of permitting Moral Righteousness which was premised on that resignation:

Puritanical moral determination is best countered by determined moral opposition. (Moral Counterpoise)

So, the safeguard against Puritanical social "reform" is general moral enhancement. (Moral Standoff)

Yet there is a proactive alternative available to society. Puritanical moral determination can be more effectively countered by preventing its intensification, suggesting that society may resort to denying access to general and generic Moral Enhancement.

There is no right to uncivil Moral Righteousness, and no right to Moral Righteousness conducive to the rise of a Puritanical majority. Why should there be a right to Moral Righteousness for sectors of society enabling them to delay the advancement of human and civil rights and liberties? Holding and expressing moral views, associating with like-minded advocates, and engaging in public protest and civil disobedience, is not at issue. What can be questioned is a right to a technology designed for moral zealotry and aggressive activism, so easily targeted against equal rights and expanded liberties for others.

7. The Righteousness of Conformity

Repressing retrograde Moral Righteousness need not be the first resort. If a majority of society is already persuaded of the urgency to enlarge or equalise a right, swift codification renders the opposition unable to access newly uncivil enhancement. However, if a resolute majority has not yet congealed, which partisan position is in the right to demand that others refrain from intensifying their resolve while righteously enhancing their own side?

The inattentive reader is naturally supposing that whoever is truly in the right must not be denied access to Moral Righteousness. The attentive reader is noticing the argumentative symmetry now threatening our deliberations. Did we already clarify who the morally righteous side will always be? We did say that no Puritanical majority should get the opportunity to righteously congeal and suppress its

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opposition. Of course, from the standpoint of the rest of society, a Righteous majority is the Puritanical majority. Lacking moral philosophy's final call, that moral standoff has returned in converse form:

Denying access to excessive moral enhancement safeguards against any Puritanical social reform. (Righteousness Prevention)

Righteousness Prevention recognises one argumentative symmetry, but a second symmetry awaits on another axis. We are unable to declare in advance who would have the moral high ground for future contests over new rights, having no finalised ethical theory in hand, and we cannot yet say whose moral improvement encroaches on dangerously righteous enhancement, either. Did we lay down that bright line where moral improvement intensifies beyond the level of Moral Decency and surpasses Moral Adequacy? From one righteous standpoint, an increase in moral ability still falls regrettably short; from another righteous standpoint, such "improvement" is too excessive or even a moral disablement. "Moral enhancement" was not defined from the outset as improvement above Moral Adequacy precisely in order to anticipate this local moral relativity. Nevertheless, a society could decide that promoting Moral Righteousness, up to the level of Moral Adequacy, would helpfully increase the number of satisfactorily moral people, who are also eager to promote the conformity of still more people.

For example, society could promote the prevention of theft with an enticement offered to everyone: if you sincerely believe that theft is immoral, accept an inexpensive procedure for Moral Righteousness with regard to stealing and receive a government incentive in return. Governments already subsidise and incentivise innumerable programmes to alter the public's behaviour for the general welfare. The degree of Moral Righteousness could be scientifically calibrated to ensure stricter conformity with Moral Adequacy without causing overzealous excesses. This voluntary programme seems both morally right (by definition – only what is right is promoted) and consistent with the liberty to accept or decline the programme.

Government can incentivise acceptance of Moral Righteousness to elevate conformity to common moral standards. (Righteousness Conformity)

No government pressure is necessary. "Those avoiding enhancement only confess their immorality", the masses will think.¹⁵ As the

¹⁵ 'Ethics is for bad guys!', as John Harris puts it, in *How to Be Good: The Possibility of Moral Enhancement* (Oxford: Oxford University Press, 2016), chap. 7.

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number of Righteous Conformers gradually increases, they will apply the usual peer pressures and social coercions in order to grow the number of conformists. Those who refuse enhancement will be understood as either expressing their doubt that theft could ever tempt them, or signaling their preference that stealing remains an option. Either way, trust is easily secured by acceding to enhancement. Proof of righteousness could be attached to housing and loan applications, employment criteria, promotion decisions, and even boardroom appointments.

In the long run, Righteous Conformists could conceivably become a vast majority of the population, enveloping even politicians and bureaucrats. As a permanent Righteous majority, they would enforce the common moral norms so rigidly, generation after generation, that any reform movement urging a novel deviation would be disparaged (if not criminalised). If establishing a moral government enforcing serious morality standards for a highly moral society is the goal, then voluntary Moral Righteousness towards near-total Righteous Conformity sounds like an efficient means. Righteous Conformity could also mean endless moral rigidity, accompanied by overall cultural stagnation. Which society really has the right to imprison future generations with whatever passes for moral adequacy nowadays? If authentic moral progress deserves a chance, then Righteous Conformity is not really right.

Moral Righteousness to elevate conformity to common moral standards should not have social approval or legal sanction.
(Moral Nonconformity)

Moral Nonconformity sounds illicit, but that retention of social flexibility preserves adaptability as well as liberty. There is little reason to allow society's current norms to rigidly set the bar for many people forever, as moral relativists and moral objectivists can agree. And society can agree, too. Ask anyone – disappointment with what passes for public morals is heard from plenty of people.

An appetite for moral improvement, at least for others if not oneself, is not scarce, but it is not uniform, either. Righteous Restraint at most offers a tenuous compromise, since little concrete meaning is assignable to “excessive” moral enhancement. Disagreement over what counts as excessive moral righteousness will only serve as a proxy fight over the underlying moral disagreement. Righteous standoffs again appear to be unavoidable, with access to Moral Righteousness at the center of the struggle.

The value of short-cut moral improvement must be seriously doubted. What seemed like a straight-forward means to moral

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progress has led straight into a roadblock. What was supposed to be lacking, moral conviction and determination, is what can always erupt in abundance. That explains why titanic struggles over modest progress in the name of rights must be fomented and endured practically every time.

8. The Case of Government v. Righteousness

Righteous crusades conflicting over a right typically delay compromise or resolution by disrupting regular political deliberations and sidelining cooler-headed debates. Previous sections have pointed out how access to Moral Righteousness can only exacerbate those delays. If the sort of moral enhancement permitting Moral Righteousness is invented, there are good reasons to discourage its use.

Prohibiting access to Moral Righteousness mitigates righteous crusades over rights. (Righteousness De-Escalation)

Moral disagreement should not be weeded out of society, but it need not grow to strangle society. Two prior guidelines can also provide assistance here:

Denying access to excessive moral enhancement safeguards against any Puritanical social reform. (Righteousness Prevention)

Moral Righteousness to elevate conformity to common moral standards should not have social approval or legal sanction. (Moral Nonconformity)

Combining all three, there is an imperative to discourage Righteous enhancement:

Access to Moral Righteousness should be tightly regulated and illegal for most people, excepting only for rare therapeutic cases. (Criminalised Righteousness)

Criminalised Righteousness should not be confused with government oppression of civil reform movements. No society could, or should, try to obstruct or crush civil crusades. The moral energies of the oppressed and the outraged propel the advancement of rights and liberties as much as anything.¹⁶ Limited moral enhancement

¹⁶ This essay is premised on rejecting liberalism's ideal of public debate proceeding without appeals to devoutly-held values. This essay's concerns

could be useful. The weaker modes – judgemental and performative enhancement – do not fall under as much suspicion as corrective moral enhancement. No society should be obliged to fracture the civic bonds for which civil rights exist. Countries torn by cultural struggles, or countries making progress on rights, might be interested in de-enhancing Righteousness as well as criminalising Righteousness.

9. The Morality of De-Enhancing Morality

Enhancing the advocacy and enshrinement of civil rights would be materially aided by forbidding Moral Righteousness enhancement. That goal could be pursued through encouraging Moral Righteousness *diminishment* as well. The diminishment of Moral Righteousness would be a technological intervention that alters neural functioning which happens to lessen interest in corrective measures taken against violators of the subject’s moral judgements, without affecting those judgements to a significant degree. For a label, let us call a workable intervention “Moral Toleration”.

Moral Toleration, as defined, does not alter a person’s self-conception of who they are as a person with moral dignity and rights, including the right to one’s own moral views and the liberty to express them in one’s lifestyle. Moral Toleration, accordingly, only tempers a person’s capacity to participate in, or lend support for, the prevention of others from pursuing those same rights and liberties. Nor is this hypothetical technique for tempering moralistic righteousness about weakening morality or inspiring moral relativism. Subjects of this technique, if successfully developed, would maintain the same moral convictions and pass the same moral judgements as before, and their own conduct would be unaffected. Other notions of tolerance, detached from moral psychology, may or may not imply the behavioural adjustment due to Moral Toleration, since the idea of toleration is complex and multifaceted for legal, political, and philosophical purposes. For ethical purposes, moral tolerance is far less worthy than mutual respect or communal solidarity. However, any abstract conception of tolerance should at least embrace the same aim as Moral Toleration to have any practical merit.

Although Moral Tolerance has delimited behavioural aims, could its widespread usage lead to unacceptably unjust results? Like any

about righteousness within politics presume an essential role for all citizens and their values.

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other sort of “enhancement”, it cannot automatically be good or just. We may envision a future reform movement, without resistance from a too-tolerant majority, inflicting undue harms on other social groups, rearranging statuses to the unfair detriment of many, or disrupting the social order beyond repair. However, Moral Tolerance does not diminish anyone’s concerns for regular social order, fairly distributed privileges, or harms to public welfare. These concerns, while less moralistically defended, would still matter to people and motivate them to the same degree, so unjust reforms would be criticised and reconsidered on those accounts.

With these provisions in mind, a government could tentatively promote the acceptance of Moral Tolerance in a society to promote the goal of increasing overall justice.

Government can incentivise acceptance of Moral Tolerance to de-escalate moral righteousness. (Tolerance Conformity)

This promotion of Moral Tolerance does not suffer from the problems inherent to Righteousness Conformity. Tolerance Conformity does not threaten any violation of human rights. Even if broad moral tolerance were to spread throughout a society, neither human rights nor established civil rights and liberties would suffer. Disruptions to the comfortable social order (especially to those feeling quite comfortable with their status and privilege) could ensue, but such discomforts would be more easily ameliorated if moral tolerance prevailed over moral righteousness.

What does the world need now? Lauding moral tolerance must sound as futuristically optimistic as the high hopes bestowed on moral enhancement. Neither will come into practical usage in the forms envisaged even by the most well-informed researchers, but the lures are potent and the ends are beckoning. The pursuit of justice and equality, in the form of enlarged civil rights and expanded civil liberties, has never been easy but need not be so hard. This pursuit might deserve Moral Righteousness, or it might require Moral Toleration. If one can be invented, so can the other – which does the world need more?

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