

ПРОБЛЕМА НЕКОНТРАФАКТНОСТИ Д. ПАРФИТА

Х. ХОДАДАДИ¹⁾¹⁾Манитобский университет, Канцелярский круг, 66, R3T 2N2, г. Виннипег, Канада

Долгосрочной проблемой, беспокоящей многих философов, является ответственность человека перед будущими поколениями. Д. Парфит выдвинул один из философских аргументов, согласно которому настоящие люди не могут быть привлечены к ответственности за вред, причиненный их действиями. Будущие люди, пока они не родились, не могут жаловаться на возможную катастрофическую ситуацию, возникшую из-за общества, которое живет сейчас, потому что субъект-субъектные долговые отношения могут быть только между определенными и существующими людьми. Контринтуитивная идея Д. Парфита была оспорена философами. Э. Ригли предпринял попытку предложить решение проблемы неконтрафактности, опираясь на метафизику модальности Д. Льюиса. Аргументировано, почему предложение Э. Ригли не может решить проблемы о несуществующих людях, выдвинутые Д. Парфитом.

Ключевые слова: Д. Парфит; Д. Льюис; модальность; идентичность; неидентичность.

D. PARFIT'S NON-IDENTITY PROBLEM

H. KHODADADI^a^aUniversity of Manitoba, 66 Chancellors Circle, Winnipeg R3T 2N2, Canada

One of the longstanding issues that haunted the minds of many philosophers is our responsibility toward future generations. D. Parfit put forward one of the philosophical arguments that real people cannot be held accountable for the harm caused by their actions. Future people, as long as they have a decent life, cannot complain about a possible catastrophic situation created by the society that lives now, because subject-subject debt relationship can only exist between certain and existing people. D. Parfit's counterintuitive idea has been challenged by philosophers. In recent literature A. Wrigley sets out to provide a solution to the problem of nonidentity drawing on the D. Lewis's metaphysics of modality. It is reasoned why the proposal of A. Wrigley cannot solve the problems about non-existent people advanced by D. Parfit.

Keywords: D. Parfit; D. Lewis; modality; identity; non-identity.

Introduction

One of the longstanding issues that haunted the minds of many philosophers is our responsibility toward future generations. This problem concerns the duties that a certain individual has towards other people that hasn't been born yet but whenever they come into existence they would be affected by our actions that are done in advance. In this case, the outcomes of the action keep influencing subsequent generations whether the

original person is alive or dead in the time as long as the action continues exerting its impact on future people.

However, our crude intuition tells us that we owe many tasks toward next generations, this seemingly obvious common-sense view has been disputed seriously and now is a matter of controversy. On the one hand, this view can be questioned based on the assumption that the object of right is missing in the future and

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Автор:

Хоссейн Ходадади – аспирант кафедры философии факультета философии. Научный руководитель – кандидат философских и религиозных наук, доцент Р. Ардакани.

Author:

Hossein Khodadadi, postgraduate student at the department of philosophy, faculty of philosophy. khodadah@myumanitoba.ca

consequently the rights of future people for the resources that are no longer existent is unjustifiable because this right can in no way be satisfied. On the other hand, sometimes the nonexistence of right-holder at the time of doing an action is the reason for our suspicion as to his rightfulness.

Among others, one of the philosophical arguments that most forcefully challenged the intuitively accepted responsibility toward nonexistent people has been developed by D. Parfit [1]. According to this argument, the presently existent people cannot be held responsible for harms that are caused by their actions. The reason that future people, so long as they have a life worth living, are not morally allowed to complain about their disastrous situation to harmdoer is that right-duty relation can hold merely between determinate and existent people. D. Parfit offers the following scenario to shed the light on his argument: «Wilma learns that if she conceives right away, her child is going to be born with an incurable disease. The disease would render his life just barely worth living. Wilma also learns that if she takes a pill each day for two months before conceiving, then her child will be perfectly healthy and have a much happier life. Wilma considers that option a bit too inconvenient, and conceives right away» [2, p. 825].

D. Parfit interrogates this scenario carefully and comes to the conclusion that in cases in which someone like parents is both responsible for the existence and harming their children, their children are not permitted to complain to their parents about the harm. Simply put, he thinks that what is bad must be bad for someone [1, p. 363] and indeterminacy of the affected person does not satisfy this condition. His argument is briefly organised in three stages:

- if we define harm as an action that makes someone worse off than they otherwise would have been, Wilma has not harmed her child and as a result her baby has not wronged his child either;
- if Wilma's action does not wrong anyone, then it is morally permissible;
- Wilma's action is morally permissible.

As to this argument, an explanatory remark is due. In second premise, the reason that Wilma does not harm anyone is that indeterminate being cannot be harmed. This view heavily draws on the assumption that there should be an actual correlation between right and responsibility and when such an actual correlation is lacking, there is no moral obligation. For example, when either side of this correlation is nonexistent, there is neither right nor responsibility. In other words, not only the currently existent person cannot be held responsible towards a contingent future guy, but also the future

person is not permitted to bring complaint against his predecessor (predecessors). Take note that in this position, the mere causal link between two individuals is not sufficient to maintain a moral relation between them and we need an actual correlation between them.

According to this argument Wilma's action and her avoiding to take a pill is justified because the identity of the child is indeterminate in pre-conception phase. But one may surmise that the child in question can be viewed as a *de dicto* entity rather than a *de re* one. In *de dicto* modality, necessity and contingency are attributes of propositions and in *de re* modality the thing that exemplifies necessity and contingency is of import. For example, the concept of «the president of the USA» is *de dicto* that can be filled by many references, but the concept of «Joe Biden» is used as *de re* and signifies a determinate person [3, p. 135].

Regarding someone in *de re* sense is a way that leads us to the problem of non-identity, however, when the child is considered as an entity than satisfies a role of child, i. e., in *de dicto* sense, the problem of non-identity seems to be avoidable. The reason is that Wilma should be held in principle responsible toward anyone who will fill the position of her child. In other words, the filler of the role of Wilma's child is worse off than he would have been if Wilma refuse to take the pill. But this revision makes the problem even worse as in this occasion the proposition is excessively binding and may bring about counterintuitive moral obligations. Consider following example. A parent, call it John, is going to adopt a child from orphanage. There are two possible children available for him to adopt. The first one is disabled and the second one is sound and healthy. For the first child there is no volunteer parent for adoption, but the second child is highly demanded. If John adopt the second child, he has made the first child worse off and has harmed him, noticing that the first child can fill the role of John's child as a *de dicto* entity but he has been left in the asylum alone. Therefore, the *de dicto* suggestion can help no better.

Solutions that were suggested for nonidentity problem are varied but a host of them target at the depersonalisation of the problem. For example, in many alternative expositions the right is attributed to social roles [4, p. 175] or type of humanity of which particular individuals are just tokens [5, p. 826]. They respond to nonidentity problem through removing persons as right-holders and substituting them with collective entities, which is different from the viewpoint that is adopted here. In the current essay, we are approaching the problem of nonidentity from a modal point of view and try to examine this solution from different aspects and discover its promises and pitfalls.

Modal solution to nonidentity problem

To begin, we should take note that D. Parfit's view rests on two presuppositions:

- the temporal claim: the timing of our conception was necessarily determinative of our personal identities as

they currently stand and we would therefore not exist had we not been conceived when we were actually conceived;

- the genetic claim: our exact genome is necessarily determinative of our personal identities and we

could therefore not exist possessing a different genome [6, p. 364–365].

The genetic claim draws heavily on Kripkean account of essentialism that ties the identity or essence of a person with the original ovum and sperm from which he has been developed. It seems that temporal constraint is also related to this basic claim as in every month woman's ovum is replaced with new one and the child that is conceived thereby would be different in periods more than a month. Thereupon if Wilma waits for one month or more and take the pill and then conceives, the child would have different identity. In this way, for D. Parfit, responsibility toward a nonexistent and non-actual individual is ruled out, as there is no way to determine the identity of right-holder (child to be born) and there is no way to attribute any right to indeterminate person. This account reflects Kripkean modal view that requires the person in question to have the exact same genetic origin in order to be deemed as an identical person.

In recent literature, A. Wrigley [7; 8] sets out to provide a solution to the problem of nonidentity drawing on the D. Lewis's metaphysics of modality¹. In this connection, the first step is to withdraw from genetic essentialism and embrace Lewisian modality that lies on objective similarity relations between counterparts [7, p. 512]. In previous model all persons in possible worlds have a same genetic constitution, but in the modal revision there are multiple counterparts for the person in many possible worlds that share some fundamental properties other than the exact genetic constitution. Thereupon first of all we should revise our view about what constitute human identity. This revision may help us to justifiably hold that the actually harmed and possibly unharmed child (or child to be born) are identical and the harmed children is rightful to raise complaint against his parents.

In the metaphysics of possible worlds, the question is to specify the necessary and possible properties of a man in a way that they are dependent on the man's status in every possible world. Necessary properties consist of those which are attributed to the child in all possible worlds where he exists and possible properties consist of those which are attributed to the child in at least one possible world where he exists. Apart from this, in modality all the possible worlds are actually existent in the present. To say, possible worlds represent different ways that the world can be actual and all of them are literally actual but in their own way. A. Hashemi notes: «Lewisian possible worlds are totally isolated and non-overlapping. At first glance, it seems that Lewis's theory is unable to explain the truth and falsity of de re modal sentences accurately because no individual exists in more than one world, as there is no spatiotemporal relation between the worlds; furthermore, all the denizens of

these worlds are world-bound. Lewisian account of a de re claim, however, does not require that things have to travel across worlds, but rather, that there are counterparts of actual individuals in other possible worlds that bear the burden of de re modalities. An object is someone or something's counterpart if it is conspicuously similar to it. Thus, in Lewisian terms, saying Socrates is contingently a philosopher means that there is a possible world (W1) in which Socrates' counterpart – the most similar person to Socrates in W1 – is not a philosopher» [3, p. 22].

This being said, one could ask: «Could I legitimately make the claim that I might never have had a congenital condition that causes deafness (assuming I actually have such a condition)?» [8, p. 511]. Wrigley thinks that instead of defining essence of human in terms of sperm and ovum, we can define identity of an individual according to the multiple counterparts in different possible worlds that share a possible maximum of their properties: «One can expect the context to be such that the relevant counterparts are those who have parents who are counterparts to one's actual parents. We may further restrict our context to range across only those possible worlds where there are smaller and smaller variations in genetic heritage, for example same parents, same egg, same timing of conception, but sperm differing by some minor chromosome change» [7, p. 515]

The counterparts differ in some minor chromosomes and what is considered a harm is initiated from genetic disorder which is the foreseen or intended result of a deliberate selection of genetic material². This harm can be properly avoided by selecting a different set of gametes and consequently there is a possible world where the counterpart of actual child is similar to him in all respects except that he has no genetic disorder [8, p. 516–517].

In this version of modal account, the comparison of the disabled child with the case in which he would be medically treated in pre-conception phase is smoothly legitimate and he can lay charges against his parents for the preventable genetic disorder. Put differently, there is a conceivable species-typical range that determines the normal level of welfare for every newborn child. If a child falls below this threshold, his parents are responsible for those congenital genetic illnesses that could be resolved if the parents take a measure to modify child's genetic traits.

It may contend that Wilma's child may be worse off in other possible worlds because of other disorders that make him far more disabled than his current status as a blind child. In other words, the average species-typical range that determines the normal level of welfare in all the possible worlds is determined based on the counterparts³ who can be inflicted by diversity of disorders

¹For detail review of D. Lewis's account of modality and counterpart theory see in [3, p. 2].

²A. Wrigley has changed D. Parfit's scenario a little bit and instead of dealing with taking the pill, talks mainly about genetic modification. According to the author of this article, this change makes no difference to nonidentity problem.

³This issue will be discussed in detail in the third critique of modal account.

that are more harmful than blindness. According to the author of this article, this critique is valid because the only way to define the minimum of core properties that a person is rightful to have, is an induction from all possible worlds and forming a concept of normal person that can perform some basic functions lead to a form of essentialism that goes against modality.

Another ostensible flaw of modal solution, that is visible at first sight, is its wide scope that can accommodate many insignificant afflictions as harm. For exam-

ple, one person can lay charges against his parents for not manipulating his genetic constitution so that he would be a genius scientist or an exceptionally beautiful actress. A. Wrigley averts this critique by making a distinction between harm and failure to benefit. The aim of pre-selection of genetic traits is not turning an ordinary man to a superhuman with abilities that are remarkably above normal people, rather to keep him within the species-typical range of biological functioning [8, p. 520].

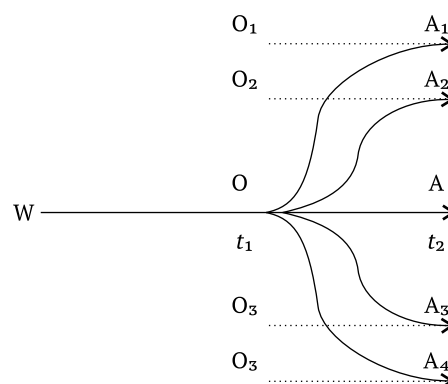
First critique of modal account

A. Wrigley's response to D. Parfit was in its own turn countered by A. S. Campos [9]. His critical remark on modal view hinges chiefly on the right of possible future persons in present world. To illustrate his view, the following definitions are used: O – duty, A – right holder, B – duty bearer, R – right.

Based on this, B is supposed to perform X (the object of R) at one time (t_1) and A at another point in time (t_2) is entitled to holding a right whose object is similar to X. Owing to asynchrony of A and B, we are faced with the following problem: «In cases in which B does not exist at t_2 and in which A does not exist at t_1 , can R exist at t_1 and, if so, is it actually the same right held by A at t_2 ?» [9, p. 630]. In the A. Wrigley's modal account R exists similarly at t_1 and t_2 , but A is conditional at t_1 and actual at t_2 .

In the modal account there is a correlation between duty and right at t_1 and t_2 . But A. S. Campos invites us to imagine a case in which there's no overlap between A and B, that is, at t_1 , A is only possible whereas at t_2 , B is non-existent. At t_1 O's correlative is a right R_1 , and at t_2 the right-holder A has a right R_2 . A. S. Campos contends that at t_1 , R_2 cannot be satisfied and at t_2 , R_1 cannot be satisfied, therefore the identity of R_1 and R_2 is undermined and B cannot satisfy A's right at t_1 [9, p. 632].

Drawing on this observation, A. S. Campos argues against A. Wrigley's attempt to avoid nonidentity problem. He is inclined to offer a modal reconstruction of D. Parfit's problem in terms of future and persons living in future. Assuming modal framework, at t_1 we have actual world and there are several possible future worlds at t_2 . In one of these possible worlds, A exists at t_2 and in the remaining other possible worlds, counterparts of A (A_1, A_2, A_3 and A_4) exist at t_2 . In this way the nonexistence that lies at the bottom of nonidentity problem is overcome.



Several possible worlds with different futures

As we can see, in the time interval between t_1 and t_2 there are several possible worlds with different future and past. Supposing that t_1 is the time when Wilma is hesitating for making a decision about conceiving her child and t_2 is the time when the child is born. Each of these conceivable children, that are counterparts of actual child, have a right and there is a correlative duty that the parent B owe to her child in that possible world. Therefore, there are rights R_1, R_2, R_3 and R_4 with their respective duties O_1, O_2, O_3 and O_4 . These duties and rights do not exist in the same present world but in counterpart worlds and this hampers the comparison between actual world and possible worlds in terms of rights and duties. In other words, each possible world has its own duty-right correlation which is dependent on the context of possible world in which counterparts of A appear and «it makes no sense to compare existent future rights whose correlative duties do not belong to the same world» [9, p. 635]. This conclusion frustrates any attempt to hold parents responsible toward their possible future children.

Second critique of modal account

According to the author of this article, modal responses to nonidentity problem can also be countered via a classic challenge of modality known as Humphrey objection. This objection revolves around counterpart theory and declares that modality ends up with accepting the truth-conditions of statements that are about possible individuals and this is plainly counterintui-

tive. Suppose the following scenario which is framed by S. A. Kripke: «Thus if we say “Humphrey might have won the election (if only he had done such-and-such)”, we are not talking about something that might have happened to Humphrey but to someone else, a “counterpart”. Probably, however, Humphrey could not care less whether someone else, no matter how much

resembling him, would have been victorious in another possible world. Thus, Lewis's view seems to me even more bizarre than the usual notions of transworld identification that it replaces» [10, p. 45].

The point that is raised by S. A. Kripke is that the possibility of winning is not tantamount to having a winning counterpart. In modal framework, when Humphrey worries about winning the election, he is actually worrying about some other person, a counterpart, not himself. In a similar vein, we can rule out the suggested modal solutions, because the judgments that were made about child's counterparts in other possible worlds are at the end of the day judgments about someone else, rather than the actual harmed child. In other words, the proposition that «Wilma's child could have been healthy» is made true by someone completely isolated from the deaf child and is albeit similar to him in most respects. Against this approach, S. A. Kripke holds that the health and the disability of counterparts are unrelated and counterparts should be treated as separate individuals.

According to the author of this article, in applying Humphrey objection to nonidentity problem we come to

a conclusion that is closely related to Campos' critique. That is because S. A. Kripke's point that the moral judgments cannot be applied to a right-holder and its counterparts in a same meaning is similar to A. S. Campos' view that the rights in different possible worlds are not the same. However, in S. A. Kripke the emphasis lies primarily on the essence of right-holder, while A. S. Campos is mainly concerned about the time interval between right-holder and duty-bearer and their correlation.

Briefly speaking, Kripkean objection implies that in modal response, the identity condition is not revised, but distorted in an odd way. For example, in A. Wrigley's paper, the identity is considered as a property which is shared among many counterparts and all of the counterparts are existent in their own way in different worlds. For sure, such a weird view about identity is hardly plausible. So, according to Kripkean essentialism, moral judgments cannot be attributed to counterparts equally and counterparts cannot be treated as one individual. Therefore, Wilma is not responsible for her inflicting harm on an indeterminate child.

Third critique of modal account

Lewisian modality is a way for reducing modal properties such as possibility and necessity to the ways a being can exist. A proposition is necessary if it is true in all possible worlds, and possible if it is true in at least one. In this way, all modifications of beings, regardless of their modal status, have existence. But when we are going to apply modal theory to evaluate a moral problem, we should take note of some further considerations besides metaphysical explanations.

In D. Parfit's scenario, the nonidentity problem emerges from the assumption that we can talk about harming or wronging someone if he exists and a nonexistent individual has no right to lay claim to those benefits that were withheld of him. In modal terms, only in those possible worlds where a person exists, things have value for him. However, the question of values gets more complicated in the modal framework: «What makes a property valuable for a person?» According to what was said, if someone exists in none of the possible worlds, nothing would be valuable for him. But if the person exists in one or more possible world (worlds), the states of affairs and properties are possibly valuable for him, but in spite of this, we cannot determine which property or state of affair is good or bad for him in modal term.

According to the appraisal of the author of this article, the normative framework should also be revised alongside the change of ontological framework to that of possible worlds. The problem with modal responses to D. Parfit is that they presuppose a same set of values that is agreed on in our actual world and extend it to the modal account. However, we cannot extend our moral valuations to possible counterparts in other pos-

sible worlds and say that in all possible worlds he has a right to benefit from same values that are necessary for his well-being in our actual world. This line of thought is untenable, because values that are considered necessary are derived from the actual world that proceeds in a regular order and for the most part is constant and this constancy and habitual order is the basis of our moral values. However, if we spouse modal realism and conceive of the world as if every possible property of it can exist otherwise in another world, our normative framework and values should be adapted to this new ontology.

Put differently, modal opponents of D. Parfit, arbitrarily keep some properties fixed and change others to explain the harm and benefit in possible worlds but do not give any reason for what makes a right necessary for the person in all possible worlds, considering lots of other possible ways of imagining the world that are overlooked in their account. The developers of modal response to D. Parfit consider a case in which the person in question exists in all possible worlds and all the states of affairs are kept fixed with the exception of the capacity of vision that is lacking for that person in one possible world. But depending on different scenarios in which some properties are fixed and some others are changed, there would be different concepts of harm and benefit. Therefore, modal realists are not allowed to borrow their moral valuations from intuitions that are drawn from ordinary ontology. To avoid moral relativity among multitude of worlds, they should give their own account of what makes an act morally necessary that should be appreciated as an essential right of human being in all possible worlds.

For example, in our actual setting, parents have a duty to vaccinate their newborn baby against Hepatitis B infection. Imagine that in another possible world the main causes of Hepatitis B infection, i. e. unprotected sex and sharing needles, are absent and the probability of getting infected by this virus is zero. When there is no pos-

sibility of getting harmed by parents' doing, the child's right has not been violated in the possible world in question. For this reason, the moral system for a set of possible worlds is more complex than positing moral rules for single actual world and we need to make revisions in our moral system to make it compatible with modal ontology.

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