

# Can we benefit in non-identity cases?

by Charlotte Unruh

Many people believe that we have a moral reason to benefit others. However, this reason is commonly thought to be weaker than the reason against harming others. This might explain why relatively little attention has been paid to the morality of benefiting in non-identity cases. My aim is to convince you, in the next few paragraphs, that this is a decisive oversight. The non-identity problem arises in cases of harming and in cases of benefiting alike. It is therefore broader in scope than is often acknowledged. The most promising solutions of the non-identity problem are harm-based, but such solutions will need to provide suitable accounts of both harming and benefiting.

In his classic “Risky Policy” case, Derek Parfit describes a community that has to decide between two policies.<sup>1</sup> They choose the risky policy, which is cheaper in the short term, but likely to result in a future catastrophe. The choice of policy influences who will be born. Therefore, the victims of the future catastrophe would not have lived, and thus not be better off, had the other policy been chosen. The non-identity problem is the challenge to explain the intuitive verdict that we should nonetheless not choose the risky policy.

Now, consider the following variant:

(Beneficial Policy) As a community, we can choose between two policies. Both policies do not significantly impact the wellbeing of the next few generations, but one policy will provide certain benefits for those living in the further future. If we choose the Beneficial Policy, the standard of living would be a tiny bit lower over the next few centuries. We do not choose this policy. As a result, the people in the further future do not have access to the benefits.

Assume (in analogy to Risky Policy) that which policy we choose affects who will live in the future. If we choose the beneficial policy, then one set of people will exist. Let’s call them the Lucky People. If we do not choose the beneficial policy, then a different set of people will exist. Let’s call them the Unlucky People.

This assumption is plausible, or at any rate, it is just as plausible as it is in Risky Policy. Some of our policies potentially affect those living in the far future. Investments in technology development and medical research, usage of scarce resources, or disarmament policies might have significant long-term effects without (necessarily) making much of a difference for those who currently exist. One might object that if a choice is changing people’s lives significantly (and is therefore identity-affecting), it is likely to be costly, as people have to adapt to new ways of life. However, this need not be the case. It is at least conceivable that this might be outweighed, e.g. by people’s satisfaction from seeing sustainable policies put in place, or small benefits that show already earlier.

Here is another plausible assumption: we benefit people by mak-

ing them better off than they would otherwise have been. If this assumption is true, then the Unlucky People can’t complain about our choice based on our obligations to benefit. After all, they would never have existed, and therefore not been benefited, had we chosen the beneficial policy. In other words, it is not the case that obligations to benefit entail that we ought to choose the beneficial policy. Let’s call this the positive non-identity argument.

The conclusion of the positive non-identity argument is – while less devastating than that of Risky Policy (at least it doesn’t end in a catastrophe!) – still disturbing. If you share its premises, then you end up with the view that we cannot benefit people in those cases or prevent harm to them. This challenges the view that we have a moral reason, if not an obligation, to choose the beneficial policy.

It seems to me that we should choose the beneficial policy. It also seems clear to me that we should do so *because* this would benefit future people. The most natural explanation of intuitions in Risky Policy is that choosing the risky policy risks harm to future people. This has motivated harm-based solutions to the non-identity problem (e.g. Shiffrin 1999; Harman 2009; Gardner 2015).<sup>2</sup> Similarly, the most natural explanation of intuitions in Beneficial Policy is that choosing the beneficial policy benefits future people. Therefore, I believe that the most plausible solution to the non-identity problem will not only rely on an understanding of harming that explains how, and to what extent, the people in Risky Policy are harmed. It will also explain how, and to what extent, we fail to benefit the people in Beneficial Policy.

In Risky Policy and Beneficial Policy, our decision indirectly influences the identity of future populations. In contrast, in some cases in reproductive ethics, decisions such as whether to implant one embryo rather than another directly and necessarily influence who will be born. As Jörg Tremmel has argued,<sup>3</sup> and as Jasmine Nedevska, and Michael Rose argue in their contributions to this volume, there might be reason to doubt that the scope of the non-identity problem extends beyond reproduction cases. It is therefore worth pointing out that my argument applies to reproduction cases as well. To illustrate, consider Parfit’s case of the 14-year-old girl who decides to get pregnant, despite knowing that because of her age, she will not be able to give her child a good start in life.<sup>4</sup> A variant of this case is:

(18-year-old woman) A young woman contemplates whether to have a child now or later. On a whim, she decides to have a child now. She gives her child an adequate start in life. If she had waited, she would have had a different child, to whom she would have given a much better start in life.

It seems to me that the woman has at least a good reason to postpone conception. The most natural explanation is that doing so would benefit her future child.

I conclude that if we accept any version of the non-identity prob-

lem, we should also accept its positive counterpart: we are challenged to explain why we ought to behave in ways that prevent harm to, or benefit, people, even though doing so does not make *their* lives go any better.

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#### Notes

1 Parfit, D. (2010): Energy Policy and the Further Future. In: Gardiner, S. M. et al. (eds.): *Climate Ethics – Essential Readings*. Oxford: Oxford University Press, 112-121, here 112.

2 Shiffrin, S. V. (1999): Wrongful Life, Procreative Responsibility, and the Significance of Harm. In: *Legal Theory*, 5 (2), 117-148; Harman, E. (2009): Harming as Causing Harm. In: Roberts, M. / Wassermann, D. T. (eds.): *Harming Future Persons. Ethics, Genetics and the Nonidentity Problem*. Dordrecht: Springer, 137-154; Gardner, M. (2015): A Harm-Based Solution to the Non-Identity Problem. In: *Ergo*, 2 (17).

3 Tremmel, J. (2018): Fact-insensitive thought experiments in climate ethics – Exemplified by Parfit's non-identity problem. In: Jafry, T. (ed.): *The Routledge Handbook of Climate Justice*. London: Routledge, 42-56.

4 Parfit 2010, 117 (see footnote 1).