

# Can we Overcome Parfit's Non-Identity Problem?

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## **Abstract**

Derek Parfit's non-identity problem defies our intuitions in thinking intergenerational justice. It seems as though we can no longer justify conservation and instead our moral duty is to deplete our resources and live for the present. In this essay I offer a critique of the non-identity problem by targeting its consequentialist outcomes. I conclude by suggesting that the non-identity problem does not stand up in the face of deontological questioning and that we do in fact have a duty to conserve for future generations.

**Keywords:** Non-Identity Problem, Derek Parfit

## **Essay**

In this essay I will examine Parfit's non-identity problem (NIP) and its relevance in modern political discourse on trans-generational justice. Firstly, I will detail Parfit's own thoughts on the matter. Following this, I shall criticise Parfit's conclusions with reference to James Woodward and Rahul Kumar in particular, and argue that we can overcome the NIP, though not for the reasons Parfit suggests.

The NIP suggests that decisions we make with the intention of benefitting future generations instead harms future generations. Parfit (1984) explains the NIP with the example of a 14 year-old girl. In this example, a 14 year old girl decides to have a child, and is told that by having the child

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now she is giving the child a worse start in life than if she waits to have the child when she is older and more capable of looking after it. The NIP suggests that we cannot claim that by delaying the pregnancy the girl in question is improving the life of the child. This is because the child she would have at 14 and the child she would have if she waited are not the same person. It will be a different egg and a different sperm that create the two children. We cannot say that by waiting until she is older the girl ensures a better life for the child she was going to have at 14. Rather, that by waiting, she causes the child not to exist. Parfit summarizes this neatly when he says, "We cannot claim that this girl's decision (to have the child at 14) was worse for her child... in the different outcomes, different people would be born" (Parfit, 1984, p. 359). When faced with the options of not existing versus a worse start in life we cannot say that the girl has made the worse decision for her child by choosing the latter (by having the child at 14 rather than waiting). In short the NIP is the suggestion that, when making decisions designed to benefit future generations, we are causing those we intended to benefit not to exist and thus are harming them rather than helping them.

Parfit (1984) illustrates the relevance of the NIP with his principle of depletion vs principle of conservation example. Society must choose between two principles. This choice is one between the principles of depletion, where we use up all the fossil fuels and have a high quality of life but once the fuel runs out (after 200 years) the quality of life drops considerably, or the principle of conservation, where we ensure the preservation of fossil fuels so that they are available for longer in the future. As a result, the quality of life remains consistently good for longer under the principle of conservation, though marginally lower than during the initial two-hundred years or so under the principle of depletion. The principle of conservation ensures that the quality of life remains consistently good after the 200 year mark whereas the principle of depletion ensures that after the 200 year mark the quality of life falls disproportionately. The obvious choice here seems to be the principle of conservation because millions of people would be better off in the future, whereas under the principle of depletion millions will live poor lives in the future once the fuel runs out.

This view is challenged by the NIP. If we choose the principle of conservation our decision will completely alter the lives of the people in the present and as such they would find different times to procreate than they would under depletion, which would mean two different generations under the principle of depletion and the principle of conservation (Parfit, 1984). For example, if we choose

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the principle of conservation then Joe must walk home instead of drive, he gets home 30 minutes later than he would under depletion. As a result he procreates with his wife 30 minutes later than he would have under depletion. This creates a completely different child from the one who would have lived under depletion. The choice of the principle of conservation results in the non-existence of many, who, under the principle of depletion, would have existed and benefitted from the higher, though shorter-term, quality of life. It is true that the principle of depletion would mean a hard life for millions of people but "since it would be different people who would later live, these policies would not be worse for any of these people" (Parfit, 2011, p. 218). Thus understood, in our attempts to benefit future generations we are actually harming them by causing them not to exist at all.

Parfit's (1984) solution to the NIP is the "no difference view". He argues that regardless of who lives in the future it's not desirable to create a world in which they have worse lives than they could have, moreover if we have the opportunity to enhance others' lives we should do so. The no difference view is that it does not matter who lives in the future, what matters is that the actions we take in the present do effect whomever may come to be in the future (Parfit, 2011). This means that matters of justice across generations are not affected by the NIP. That is, it is irrelevant who eventually is born, we must strive to give them a good life. Parfit introduces the idea of a general person, who, he explains, "is a large group of possible people, one of whom will be actual." (Parfit, 2011, p. 220) In the example of the 14 year old girl the child in question is a "general person". Under the no difference view we have a simple choice which is to let that "general" child become a real person with a compromised start or a real person with a relatively uncompromised start. As a result we should advise against early pregnancy. All we care about is the fact that a child will be worse off if the girl gives birth at 14.

This logic applies to the principle of depletion vs principle of conservation argument. The no difference view suggests that we should conserve because we have a choice to create a society in which the "general people" become real people who have good lives (conserve) or poor lives (depletion). We do not favour a world in which they have worse lives than they could have. Instead we recognise that we have the opportunity to improve the lives of future generations by choosing the principle of conservation. However, I do not believe that the no difference view overcomes the NIP because it works within the consequentialist parameters established by the NIP.

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The NIP considers justice to be consequential in nature. That is, I have acted unjustly if my action ends with someone being harmed in some way. I shall argue that this is the wrong way to think about justice. Instead, I believe that the act of doing something unjust is enough for said act to be labelled unjust regardless of whether the outcome you produce is better or worse for whomever you have acted against. As noted, Parfit's no difference view works within the consequentialist parameters and, as a result, I find it unconvincing because it fails to properly consider more deontological views of justice.

James Woodward (1986) criticises the consequentialist thinking behind the NIP. Instead he champions two specific lines of thought. The first concerns a deontological approach to justice, in which he argues that actions are just as important as the final state of affairs when we talk about issues of justice. It is not always acceptable to say that because we achieved a positive end state we have acted justly. The second concerns particularism, in that people have specific interests and it is not acceptable to override these interests in order to pursue a more common good.

Woodward's (1986) airliner example is a good illustration of the failings of consequentialism in the NIP. Imagine you try to board a plane but the airliner refuses you entry due to your ethnicity. You later find out that the plane you wanted to board crashed and all the passengers died. Despite the fact that the airliner's racist action has saved your life, the airliner has still acted unjustly. Woodward argues this is because the airliner has infringed on your basic expectations about rights (specifically the right not to be discriminated against based on one's ethnicity). An action that does so is unjust regardless of the outcome.

In choosing the principle of depletion, the rights of those who will live 200 years later are being infringed. We have a right to an existence in which we have access to key resources like fossil fuels. I agree with Woodward that the infringing of this right is not overruled by the argument that they are actually better off under the principle of depletion because they exist. In the same way as the discriminatory airline employee acted unjustly towards the would-be passenger, despite saving their life, the choice of the principle of depletion wrongs the future generations even if it causes them to exist. When dealing with justice, the actions, not just the consequences, must be

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considered. If the actions infringe on our rights then they are not just, regardless of the outcome. The fact that the NIP ignores this point and instead places too much emphasis on the consequentialist features of justice represents a major flaw in the NIP's logic.

Rahul Kumar presents similar objections. Kumar (2003, p. 111) argues that there are "types" of people who are entitled to expect things of other "types" of people depending on the "type of situation". A "type" of person is not a real person; it is merely a set of characteristics that could be applied to a person. The same is true of a "type of situation" in that it's a set of characteristics that can be applied to a specific situation. Kumar gives the example of a student (James) who has an appointment with his teacher (Peter). The teacher has made this commitment but is tired, and is trying to think of a way in which it is permissible to go home. In this case the "type" of person is a student and a teacher while the "type of situation" is an interaction between a student and a teacher. The expectation here is what the student can expect from the teacher rather than what James can expect from Peter.

We fit into a "type" if we have the relevant characteristics of the type in question. This is important because, as Kumar (2003, p. 110) suggests that what people can expect of each other is based on "both (a) what expectations can in fact be defended on the basis of the relevant principle, and (b) the relevant type descriptions that happen to fit her and her circumstances at that time." Wrongdoing is about violating the actions that can be reasonably expected between the "types" of people involved. The consequences are not as important as the NIP would suggest. For example, we can say that a drunk driver has not met the simple expectation not to drive drunk and thus wronged an individual if they drive near the individual. Even if the driver does not hit the individual they have still wronged them because they have failed to live up to what the individual could reasonably expect of them, to not endanger other lives by drink driving.

The NIP suggests that one cannot complain of harm due to poor decisions by previous generations as they exist as a result of the decisions. Kumar (2003) suggests that one can complain of harm on the basis that the previous generations did not do what could reasonably have been expected of them. In the case of the 14 year-old girl, it is reasonable to expect her to wait to ensure her child has a better life. If she has the child at 14 the child could complain as her mother has not provided

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the sort of start to life that could be reasonably expected from a mother "type" to a child "type". Furthermore, those born into the principle of depletion could argue that they were wronged because previous generations did not provide a standard of living that could be reasonably expected from the present people "type" to the future people "type". The NIP would suggest that neither the child nor the 'principle of depletion generation' could complain but I agree with Kumar that the importance of failing to meet reasonable expectations would allow them to complain. This is something that the NIP just does not consider and as a result I believe Kumar's argument nullifies the NIP.

To conclude, I believe that we can overcome Parfit's NIP. However, I do not believe Parfit's solution, the no difference view, is valid because it allows the NIP to describe justice as intrinsically consequentialist. Instead I believe that an action can be unjust even if the end result is positive. Consequently, I am sympathetic to Woodward's argument, which promotes a deontological view of justice, and Kumar's argument that the breaking of expectations is in itself wrong regardless of the consequences. Both these critics highlight the consequentialist flaws of the NIP and prove that we can overcome it by embracing a deontological view of justice. Kumar's deontological view successfully challenges the assertions of consequentialist thinking that are prevalent in the NIP. Instead, Kumar's argument for what we can reasonably expect from past generations successfully challenges the NIP by arguing that future generations would have legitimate reasons to complain if previous generations had failed to do what can be reasonably expected from them. He can therefore be seen to provide strong and compelling reasons to choose the principle of conservation over the principle of depletion, in overcoming the non-identity problem.

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