

## Justice Within a Life

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Prudence--the maximization of one's own welfare irrespective of temporal propinquity--seems to many obviously rational. Special, controversial, and often difficult argument seems necessary to show that an equivalent concern with the welfare of others is rational. But Henry Sidgwick asked an important question about this distribution of the burden of proof:

I do not see why the axiom of Prudence should not be questioned, when it conflicts with present inclination, on a ground similar to that on which Egoists refuse to admit the axiom of Rational Benevolence. If the Utilitarian has to answer the question, 'Why should I sacrifice my own happiness for the greater happiness of another?' it must surely be permissible to ask the Egoist, 'Why should I sacrifice a present pleasure for a greater one in the future? Why should I concern myself about my own future feelings any more than about the feelings of other persons?'<sup>1</sup>

Thomas Nagel and Derek Parfit have gone on to argue that the rationality of prudence may in fact require the rationality of the generalized benevolence favored by Sidgwick and other utilitarians.<sup>2</sup>

Sidgwick, Nagel, and Parfit are right to suggest that there is a close symmetry between the proper distribution and summation of good or well-being within individual lives and across distinct lives. But they are wrong to conclude on this basis that we should inflate prudential maximization within a life into utilitarian maximization which ignores the differences among lives. We should, rather, argue in the other direction. The kinds of distributional concerns which intuitively engage us when many lives are in question should also play a similar role within lives. Periods of individual lives--indeed short periods of lives--should receive the same sort of distributional concern which lives receive in recent discussions. Temporal segments of all our lives are the central and proper focus of moral and rational concern.

One prominent complaint against utilitarianism is that it attempts to extend principles of maximization of welfare traditionally thought appropriate within individual lives outward across people, and hence fails to properly respect the real distinctions between persons.<sup>3</sup> But both traditional utilitarianism and its contemporary competitors often fail to properly respect the real differences between periods of people's lives.

Weakly egalitarian principles are thought by many to properly govern distributions among equal people. The welfare of each should be of real and equal concern, it is generally thought, even if that will not in the end translate into equal welfare for all. And this equal concern, it is also generally thought, requires distributional sensitivity which is violated by maximizing utilitarianism. There is no detailed consensus, of course, about the exact nature of proper distributional sensitivity, about the fine print of proper weakly egalitarian principles. But, whatever the details, such principles must be extended inwards, to govern distribution within individual lives. Of course, in the end, the details matter. Someday, we will need to know exactly what periods matter, and in what way they matter, just as someday we will need to know exactly what real and equal concern in general requires.<sup>4</sup> But for the moment, it is possible to at least point in the right direction, towards the extension to periods of lives of the same rough kind of real and equal concern which general consensus now holds must be extended to individual lives. Call this an egalitarianism of periods.

An egalitarianism of periods may be the proper response to a variety of normative questions, and there are complex and controversial relations among those questions. There is a range of views about how the overall goodness of the world should affect moral decision-making. And there is range of views about how the well-being of malefactors is relevant to the overall value of the world. There is also a range of views about the relation of the rational and the moral. We will take questions of rationality as primary, and evade some normative controversies by this

strategy: Presume a situation in which the well-being of all people is equally salient to the overall value of the world, and in which the overall value of the world is of paramount rational significance. Then ask this question: How is the value of the whole affected by the distribution of well-being *within* the lives of individuals? Now presume a situation in which only one person's life is in question, say your own. Then ask how to rationally assess different distributions of well-being within that life. An egalitarianism of periods is the proper response to both these questions.

The central argument of this paper will traverse three steps. First, the temporal distribution of good or well-being within a life does matter in some ways and to some degree, as a matter of well-founded intuition. Second, there are various possible attempts to account for the normative importance of such distributions, especially by reference to the normative significance of temporal patterns of two sorts, objective and perspectival. Third, neither objective nor perspectival temporal patterns of these sorts are normatively significant, and hence neither can properly account for our well-founded intuitions about the significance of temporal distribution of good or well-being within lives. That will leave only an egalitarianism of periods to properly underwrite the real normative importance of distribution within a life.

The three steps of this argument will occupy sections 2, 3, and 4. The argument is preceded by one section providing necessary background, and followed by another noting some possible extensions.

## 1

Traditional prudence is familiar, and hence may seem for that very reason more antecedently plausible than an egalitarianism of periods. But the first piece of necessary background for our argument is that common sense itself is not as determinate on these questions as our tradition pretends. We can see this by considering five specific points.

First point: Our normative intuitions reflect our common practice, and our common

practice is not necessarily in accord with traditional philosophers' conceptions of individual rationality. For instance, we don't really engage in much expected utility calculation about the satisfaction of our own preferences even in our selfish evaluations of our own future lives. Rather, we think imaginatively about various possible future outcomes and give special attention to specially bad or painful or troubling outcomes which we act to avoid, or on the other hand to specially tempting positive outcomes which we pursue. Damasio has argued that most of our practical reasoning takes something like this form.<sup>5</sup> And Fredrickson and Kahneman have found that there is a general tendency to evaluate aversive experiences by regard to their peaks and ends, and to relatively neglect the durations of aversive experiences.<sup>6</sup> It is also very clear that people do in fact at least sometimes act so as to discount the future and favor their immediate pleasures more than the traditional philosophers' conception of rationality allows. People certainly need to be trained into the kinds of long-term thinking which the supposedly intuitive traditional prudential evaluation of lives requires, and that training is far from completely successful despite its long and venerable pedigree.

The second point is that it is far from clear that our normative intuitions, even when we can see that they do diverge from common practice, support the sort of evaluation of lives which traditional prudence suggests. People in old age sometimes seem remarkably distant from those same people in youth, to the degree that intuitions that happiness at one age can make up for unhappiness at another become unclear. And many people even coolly and reflectively discount future suffering in favor of present gain.

The third point is that normative intuitions, and for that matter features of our actual practice, which do favor or reflect prudence are schooled and hence perhaps corrupted. They do not represent common sense in its pristine state. At least since Plato, philosophers have been engaged in an attempt to sell to recalcitrant and flighty common sense the thought that we should

act prudently to maximize our happiness over our lives, and then to somehow commit to moral treatment of others on the basis of that reformation of our naturally imprudent selves. Attempts to bribe us to morality by promises of salvation have reinforced this. Intuitions favoring traditional prudence certainly aren't natural and inevitable, but are the result of a long tradition of teaching and training which may of course be corrected.

The fourth point is that we should be wary of a tendency to discount the testimony of common sense in bad circumstances over its testimony in good circumstances, as we need to be wary of discounting the testimony of those who are badly off in general. As Ahab has his gangrenous leg sawed off by a ship's surgeon, without anesthetic, he may cry out, "This is so painful that I'd rather die". As a surgeon, we would likely ignore such cries as best we could, expecting that Ahab would thank us in the morning. And if he did, we might think that proved we did the right thing. But would it? Any judgment that, for instance, his later pleasure in life is or is not worth the pain of the surgery is essentially comparative, and neither Ahab during the operation nor Ahab on the morning after concurrently experiences both of the values which are being compared. It really isn't clear that Ahab on the morning after has greater comparative authority. For one thing, we are happily adept at forgetting the intensity of past pains. Maybe only Ahab as he is experiencing the pain really knows what it is worth.<sup>7</sup> His cries are, after all, commonsense testimony, and maybe the only such testimony which is suitably and fully confronted with the single most relevant fact.

All this is not meant to suggest that traditional prudence does not enjoy some initial intuitive advantages over an egalitarianism of periods. But the fifth point is that some of these advantages do not lie at a helpful spot for opponents of that egalitarianism. Individual lives, as opposed to periods of lives, matter most to our normative intuitions when we consider goods considered to be rewards for desert. And this isn't the kind of distribution of well-being or good

with which we are immediately concerned here, the kind of distribution which we consider when we make judgments about how well lives go.

Still, there is some distance between real tendencies in our current normative intuition and an egalitarianism of periods. That is why the main argumentative strategy of this paper will be to put commonsense intuition under the pressure of confrontation with certain unacknowledged possibilities, and argue that the properly reflective and revised common sense which results would support that view.

But there are two more pieces of background which are necessary before we can traverse that argument. The first can be quickly sketched. Our central argument will incorporate a foil, The Traditional View. That is one obvious expression of the traditional conception of prudence. It is the view that one's rational individual self-interest is served by the maximization of one's good or well-being over one's life, where that good is the additive sum of one's good in each period of one's life, irrespective of the temporal order of those periods or the distribution of that good among them.<sup>8</sup>

Our argument will evaluate The Traditional View relative to more plausible competitors by considering certain cases. Three assumptions must govern our treatment of these cases. These three assumptions are the last piece of necessary background.

First assumption: To engage The Traditional View and some alternative views, we will need sometimes to assume, for argument's sake, that we can speak meaningfully of the sum of the well-being or good in a life. This assumption is questionable. But it will allow proper interaction of our discussion and relevant extant literatures, and charitably allow for the coherence of some of the competitor positions which are in play.

Second assumption: To achieve proper understanding of the key issues involved here, we will need to presume that we can somehow control for the uncertainty of the future, and for

secondary effects occasioned by the pains and pleasures of anticipation and memory. With the literature, we will presume that we can talk about certain choices between arbitrary patterns of the distribution of well-being or good among relevant periods of a life. If the effects of anticipation and memory matter, they are somehow subsumed into that well-being. We will also presume with the literature that these very hypothetical features of our cases will not disable our intuition.

The third assumption is a related though somewhat subtler point, and will itself require some background. The issue ultimately in question for us is the traditional normative issue of how alternatives are to be properly and rationally assessed, in particular when the outcomes involve the distribution of well-being within lives. That means that what is in question here is the rationally proper way to distribute well-being or good to maximize the quality of a life.

But talk about the proper way to distribute well-being and to assess the weight of that distribution within a life may invite objections. Someone may worry that there are all sorts of preferences about the shape of one's life, about how well-being is best distributed in that life, which it isn't irrational to have. None of these preferences may seem rationally privileged over the others. For any given person, the distribution of good across their life is better, it may seem, if it more closely mirrors their preferences, whatever they are. Or, perhaps it may seem, while certain preferences for the shape of one's life seem irrational and hence properly ignored, not many are.<sup>9</sup>

The correct response to this objection involves two key aspects. The first aspect is precision about the questions at issue here. Our ultimate goal is to determine the proper and rational way in which the distribution of well-being determines the overall value of outcomes or single lives. But note that "rational" in one sense of the word, the sense mostly invoked by the objection, is weaker than "rational" in the sense invoked by our goal. "Rational" in one sense means simply not wildly irrational. If preferences are not wildly irrational, they may still be

mistaken in the sense at issue here. And of course we are talking not about the distribution of ordinary goods like money or health but rather about the temporal distribution of well-being or basic normative good in lives.

The second aspect of the response is that the objection invokes preferences, but the relationship of preference-satisfaction and the well-being and good which is our immediate concern is complex in relevant ways. One standard view of well-being identifies it with desire-satisfaction. However, it is widely recognized that only the satisfaction of informed and corrected desires can plausibly be identified with well-being. Perhaps the success of The Traditional View suggests that some preferences for a shape of life do seem contrary to reason. And there is a special difficulty which would face any attempt to root judgments about the overall well-being of a life in individual preferences about the temporal shape of a life. According to the most straightforward desire-satisfaction accounts of individual well-being, a preference for the shape of a life would be a higher-order preference about the temporal order of the relative satisfaction of other, lower-order preferences. We are hence faced with the difficulty of balancing off the satisfaction of the higher-order and lower-order preferences. And even if we grant the higher-order preference complete dominance in determining well-being, or specify that lower-order well-being is not defined by reference to preference satisfaction, still it is important to see that not everyone has such a higher-order preference for the shape of their life, and that even when they do it will very likely change over time. It will very likely do that even if it is corrected. So we *cannot* properly assess the overall well-being of many lives, on the way to making an overall normative assessment of outcomes, by a simple appeal to individual preferences about the shape of one's life.

More complex desire-satisfaction accounts are, of course, possible. For instance, we might consider each of the hypothetical fully-informed preferences for distribution of goods

within life that an individual would have at each moment of their life if asked specifically about such distributions, and maximize the sum of the satisfaction of those higher-order hypothetical momentary preferences.<sup>10</sup> But such preferences are too abstract and hypothetical, and their summation too unfamiliar, to give such a controversial normative alternative an obvious intuitive advantage over alternative views on the simple ground that we need to respect people's preferences. Such preferences are too divorced from actual people's actual preferences.

All this is not to suggest that individual preferences for the shape of life should not matter at all in the evaluation of outcomes. And here we come back to the necessary third assumption of our central argument:

Just as we will presume that we can control for the effects of anticipation and memory by incorporating them into the well-being or good distributed within the life, so also the satisfaction or frustration of individual preferences for the shape of a life should play exactly the same role in determining the well-being or good of a period that any satisfied or frustrated preference of that period appropriately plays. If a life with a certain shape is for someone the most important thing at any particular time, then that will show in their relevant frustration or satisfaction at that time and hence their good at that time, at least, that is, if frustration and satisfaction of preferences are crucial to their well-being or good. And for those for whom such a shape isn't that important, frustration or satisfaction of such abstract temporal preferences won't significantly affect their well-being or good. *That* is proper respect for actual individual differences in preference.

## 2

With the necessary preliminaries in place, we can now traverse our central argument. It has three steps. The first step is the recognition that The Traditional View, concerned to maximize individual well-being irrespective of its temporal distribution, is intuitively wrong. Indeed, it is so obviously wrong that we can wonder if anyone ever really held it except on paper. Intuitively, the

distribution of good within a life matters some to the overall quality of that life.

The most obvious cases which reveal this involve equalized sums of well-being in two possible lives of equal duration, and reveal that distribution matters at least once the sum of well-being is fixed. For instance, it intuitively matters if two lives with equal sums of well-being involve respectively compensating moments of agony and bliss or simply an even keel. It matters if all the joy of a life is in youth or in some limited period of age, or spread about more evenly through the life.<sup>1</sup>

But we need to exercise necessary care. There are many related but distinct issues in play in such examples. For instance, cases of this sort may uncover individual preferences for one's own life, which may differ between people or even for a single person over time. But we need the cases to reveal intuitions about normative facts which support some individual preferences rather than others. Still, many do have the relevant intuitions. The dominant pattern of intuition seems to be that at least some concern for each reasonably long period of one's life is rationally required, that there is at least a floor beneath which, other things equal, each period shouldn't go, that there is at least that very weak egalitarianism of long periods present in commonsense intuition and uncovered by these cases. But for the moment rest with the weaker and less controversial claim that distribution intuitively matters some.

More interesting cases involve trade-offs between distribution and maximization. There are apparently well-founded intuitions which imply that distribution should matter even at some cost to the total sum of well-being in a life. John Mackie uncovered some:

Suppose that as a young adult one could look forward to a fairly long life, and had some rough idea of the various satisfactions and frustrations likely to be experienced as a result of each of several alternative choices of a plan of life. Suppose that one could also allow for probable changes in one's preferences and ideals as one grew older, and was able to detach

oneself from one's present youthful purposes and values and to look fairly at the alternative plans of life from the points of view of all one's future selves as well as the present one. Is it obvious that if a reasonable person were able to do all these things, he would opt for whatever plan of life promised the greatest aggregate utility? Or might he try to ensure that no substantial phase of his life was too miserable, even if very great satisfactions at other times were to compensate for this? . . . I am suggesting that looking after each substantial phase might be the sensible thing to opt for in its own right, not merely as a means to maximizing the aggregate.<sup>12</sup>

Distribution of good within a life intuitively matters even in this somewhat stronger way, whether we focus on our own lives or on the lives of others. And notice that it does so in a way which supports or reflects at least a weak egalitarianism of substantial periods in life. Notice this intuitive rationale hovering within Mackie's case. It seems that each substantial period of a life has a kind of equal normative standing of the sort which concerns us.

### 3

The second step in our central argument is to notice that there are a number of different ways in which temporal distribution might matter, or, perhaps it is more accurate to say, a number of different explanations of how and why it does matter. So perhaps the appearance of an intuitive egalitarian rationale which Mackie provides is misleading. There are three discernible classes of possible views about the proper distribution of well-being through life.

The first class, which we will call Timeless views, have perhaps the greatest abstract similarity to The Traditional View, and reflect the rationale which Mackie invokes. On a Timeless view, the contribution of the well-being within a period of life to the goodness of the life doesn't depend on when in life that particular period occurs.

Egalitarian treatments of periods are such views. They endorse the thought that each

period has a moral status, independent of its temporal place in a life, comparable to the moral status which individual people are customarily granted in familiar normative theories, whatever their spatial position in the world.

But notice that if a period matters just because it is a period of a life, we may be unable to resist the claim that any noticeable period matters. There is no obvious reason why one length of period would be salient but a shorter period would not. Years or days, youth or age, seem quite arbitrary periods. This not to say that we do not treat different periods differently. Someone might be willing to have a horrible two weeks to gain a later but somewhat greater benefit, but not a horrible five years for a correspondingly larger benefit. But there may be no coherent rationale for such differences. And we can closely approximate a five year horror with a succession of two week horrors separated by days off. So if periods matter, we should be prepared for the real possibility that all periods will matter. An egalitarianism of periods slides quite naturally towards the distributional significance of relatively short periods, against Mackie's perhaps more intuitive claims about substantial periods. For this reason, as well as for reasons of familiarity from the literature, it is natural to first consider two alternative classes of distributional conceptions.

Both essentially involve time, but in different ways. They involve what we will call either objective or perspectival temporal patterning. Temporal patterning in general occurs when the proper valuation of a life depends on the temporal pattern, for instance the temporal order, of the well-being in that life. Objective temporal patterning, which the views which we will call Objective hold salient, is perhaps the most obvious and familiar sort. Objective temporal patterns in a life don't vary as now varies. 2003 objectively precedes 2004. But it won't always be now 2003, nor will 2004 always be in the future. Objective temporal patterns are patterns which a life can maintain throughout and beyond its own history and which don't themselves change when now moves on. Perhaps the best way to understand this is to consider notable examples.

Michael Slote and David Velleman are proponents of Objective views.<sup>13</sup> Both suggest that a life which gets better is, other things equal, better than a life which gets worse.<sup>14</sup> An alternative Objective view might be that what happens in the prime of life and not in last days of decrepitude is specially relevant to its evaluation. Ed Diener reports a paradoxical “James Dean Effect”, in which people rate a wonderful life that ends abruptly as better than one with additional mildly pleasant years;<sup>15</sup> this also is an Objective view. After a life is over, it either will or will not have these temporal patterns, from the point of view of the universe. Before or during a life, as long as we assume that there are determinate facts about the future, it will be such that it is either going to have these patterns or not. The relevant patterns are in that sense objective; they do not change with now.

Some interesting difficulties attend Objective views. First, while objective patterns have some intuitive salience, still, as previously noted, different people have different preferences for the temporal pattern of their life, and they may well not have stable preferences for that pattern over time. And of course there are familiar reasons to be wary of accounts of individual good which rest in uncorrected and unrefined individual preference, anyway. The James Dean Effect may be another reason of just this sort. So there would be some art in delivering a plausible Objective account which at all closely respected individual preferences, even granting that we must discount some individual preferences as irrational. A non-egalitarian Objective view would more seriously conflict with many individual preferences than would a Timeless egalitarianism. A second difficulty is the plausible suggestion of Derek Parfit and Frances Kamm that temporal patterning of this sort may be more intuitively salient for some goods than for others, for instance more salient for achievements than for pleasures.<sup>16</sup>

But, on the other hand, there are other ways in which objective temporal patterning seems

intuitively to matter to morality, and this may seem to lend indirect support to Objective views.

Kamm, in her treatment of mortality, has revealed a number of these.<sup>17</sup> Hedonistic value theories traditionally follow Lucretius into the claim that death is no special harm that having been born is not. But Kamm more closely tracks our commonsense intuitions. She presumes that death is a special evil, asymmetrical with having been born, and asks why. Certainly death deprives us of familiar goods like more life, happiness, pleasure, or desire satisfaction. But so does not having existed prior to the moment of our births, since if our lives had stretched infinitely into the past we would have had infinitely greater opportunities for happiness, pleasure, and desire satisfaction. The most natural explanations of this asymmetry in our attitudes towards birth and death, if we accept these attitudes as normatively probative at even the deepest level, involve objective temporal patterning. Kamm suggests as relevant in particular an Insult Factor, whereby death involves a loss of goods to a person who already exists, and an Extinction Factor, whereby death ends permanently all significant portions of a life. Objective temporal patterning might also explain why we think that the satisfaction of desires after death may at least reasonably be supposed relevant to well-being in a way that their satisfaction prior to one's existence is not. So objective temporal patterning is not an isolated phenomenon in commonsense morality.

The third class of views about the normative salience of the distribution of good or well-being within a life also involve temporal patterning, but of a different sort. These views, Perspectival views, hold that perspectival temporal patterning is relevant, temporal patterning which is dependent on when now is and hence which changes with time. Parfit has developed some classic cases, cases which may also undercut the traditional conception of prudence, which serve to reveal the most intuitive forms of Perspectival views:

I am in some hospital, to have some kind of surgery [,] . . . completely safe, and always successful. . . . The surgery may be brief, or it may instead take a long time. Because I have to co-operate with the surgeon, I cannot have anaesthetics. I have had this surgery

once before, and I can remember how painful it is. Under a new policy, because the operation is so painful, patients are now afterwards made to forget it. . . . I have just woken up. I cannot remember going to sleep. I ask my nurse if has been decided when my operation is to be, and how long it must take. She says that she knows the facts about both me and another patient, but that she cannot remember which facts apply to whom. She can tell me only that the following is true. I may be the patient who had his operation yesterday. In that case, my operation was the longest ever performed, lasting ten hours. I may instead be the patient who is to have a short operation later today. It is either true that I did suffer for ten hours, or true that I shall suffer for one hour.

I ask the nurse to find out which is true. While she is away, it is clear to me which I prefer to be true. If I learn that the first is true, I shall be greatly relieved.<sup>18</sup>

There are complications which attend this case. For instance, some people follow Locke into the claim that amnesia interrupts personal identity over time. So Parfit presents an alternative case without amnesia but with fuzzy memory instead.<sup>19</sup> Also, one reason some may want to have an operation in the past is so their life always gets better. But with greater specification of Parfit's case we could assure that the overall pattern of improvement in the life as a whole is steadily upward in any relevant sense, however the local trouble about the operation is resolved. Despite these complexities, for our purposes the key point is Parfit's conclusion, which is that the preference elicited by these cases, which most of us share, is not irrational even though it is in conflict with the traditional maximizing conception of prudence,<sup>20</sup> and is a perspectival preference.

There are some alternative explanations of our intuitive response to this case which if available could eliminate the conflict between The Traditional View and this response. For

instance, it might be that the past is unreal, indeed more unreal than the future, or that desires cannot work backwards. But no such explanation is sufficiently convincing or widely held. If The Traditional View is incorrect because of these cases, then that suggests a corresponding Perspectival view, according to which the normatively relevant quality of one's life turns on whether one's suffering is in the past or the future.

## 4

The three classes of views which might explain our firm sense that temporal distribution of well-being within a life is normatively significant are now on the table. The third step of our central argument will involve two sub-arguments, which conclude that Objective and Perspectival views are incorrect. This will force us, since distribution within a life does matter, to Timeless views like an egalitarianism of periods.

We will begin with Perspectival views. Certainly the pattern of preference and intuition which Parfit has uncovered is deep and real. But it is also relevant that Perspectival views are in conflict with traditional philosophical conceptions of normative rationality in a striking way, conceptions which encompass both The Traditional View and also Timeless views.

It has generally seemed to philosophers that a preference for goods rooted simply in their relation to now is a paradigm of irrationality. This very traditional and standard conception is correct. The preferences or intuitions which Parfit has uncovered are not intuitively rational in the strong normative sense of that word, though perhaps we all have them to one degree or another and hence they are not wildly irrational. This is for exactly the reasons the tradition would have offered, and indeed which Mackie's case invokes, that they treat the relevantly alike differently.

But Parfit's cases may disturb our traditional certainty on this issue. For one thing, we may wonder if there *can be* universally shared preferences of this general sort which are not fully rational.

But in fact we already know that there can be. Perspectival temporal patterning of the sort

which Parfit has uncovered, a preference for future good just because it is future, seems very likely to have an evolutionary explanation. It is quite plausible that we have evolved to be more concerned about harms and goods to come than harms and goods gone by. In the common--and hence most evolutionarily salient--case, we can affect by our action and choice only harms and goods which are to come, and not harms and goods gone by. Still, it would be wrong to conclude quickly that because evolution makes these tendencies inevitable in us it also makes them normatively probative. Some things for which we have plausibly evolved tendencies, for instance certain forms of sexual jealousy or vengeful anger, are not by that very reason feelings that morality must endorse, as even socio-biologists and evolutionary psychologists are usually quick to admit. And certainly we aren't ineluctably forced to act in accord with these tendencies, or those which Parfit has uncovered. Evolution is not in itself an adequate rationale. And tradition does offer the plausible and intuitive rationale for thinking these tendencies are irrational.

Still, consider possible resistance. Evolution may seem to provide more rationale than this admits. If there is an evolutionary explanation for the preferences in question, it may seem, then it must be that we have such preferences because, other things equal, our ancestors were more likely to survive, thrive, and leave offspring than human beings who lacked such preferences. So it would seem that such preferences are generally in human interest.

But the resistance is mistaken. Individual interests often come apart from evolutionary interests. People can choose on grounds of self-interest to have no genetic descendants, and to ignore the descendants of their kin. People retain their interests once they can no longer breed, and even once they are no longer much use to their genetic descendants. And the pain felt by children is contrary to their interests even if they grow out of it and it never interferes with the descent of their genes. Evolution is not enough.

Even in light of traditional rationales, and even if evolution is insufficient rationale, we

still may feel uncertain in the face of Parfit's cases. The best way to undergird the traditional charge against Perspectival views is to consider analogous hypothetical cases, in which our intuition will not be tempted by familiarity into thinking a phenomenon is inevitable and natural in some normatively relevant way.

So imagine a set of creatures who evolved to have a tendency to favor benefits received on their right sides, as we favor benefits to come. And imagine we are distributing benefits to one of these creatures. How should we do it?

Perhaps we would begin by taking their tendencies or preferences seriously. But we have already discussed some of the problems this presents. Bare uncorrected preference, we know, is not normatively probative, and may differ over an individual's life.<sup>21</sup> And it is important to remember that cases we use to test our intuitions about the relevance of these spatial distributions of well-being must incorporate in the relevant well-being any necessary corrections for the effects of anticipation and memory, and also for effects of frustration felt if particular desires for spatial patterns aren't met. We must presume that the benefit we are distributing to our creature is some sort of basic normative good, and we must choose between a pattern which fits their chiral preference and another with an equal or greater sum of good.<sup>22</sup> With those corrections introduced, their preferences seem not so clearly decisive, and indeed to be irrational. Good is not more normatively significant if it is on the right. There are few things of which we have greater normative certainty than that.

Still, the fan of evolution may resist. If these preferences in fact evolved, then it may seem that the preferences must be in the interests of the creatures in question. But this argument is no more decisive than before. By some odd twist of circumstance, only what happens on the right sides of these creatures is relevant to their breeding and their protection of their descendants, as only certain time intervals matter for us. The rest of such a creature hangs out unprotected by

evolutionary history on the left side. Still, what's on their left sides plausibly matters to their interests.

One way to bring out the relevant strangeness of these chiral preferences is this: Notice that if we distribute goods in accord with these tendencies, which we will assume are fixed over time, that will reveal some practical strain in those preferences and in our consequent action. As a single individual moves around and about, what is on the right largely becomes what is on the left.<sup>23</sup> A distribution which was correct no longer is correct; one which satisfied no longer satisfies. Perspectival temporal patterning, which pivots on the now, exhibits similar strains, since the now changes. While today you may wish that you had the longer operation yesterday rather than the shorter one tonight, tomorrow you may have a different and more objective view about what would have been best. And if you don't care about what happened in your past at all, still you may wish before any operation to have the shorter operation later, and yet retain the perspectival wishes which Parfit uncovered.

We need to be wary of arguments against normative theories rooted in practical self-defeat arguments,<sup>24</sup> though it may be relevant that Parfit himself favors certain arguments of this general class.<sup>25</sup> But the point in stressing these practical strains here, and also the analogy, is merely to generate a proper sense of the strangeness and surface irrationality of the preferences which Parfit's cases have uncovered in us.

Even if we have such preferences, which we do, and even if they evolved, which they did, that does not mean that they must be reflected in any proper normative theory. Nor does it mean that they are supported by a properly reflective normative intuition which has faced relevant facts. The fact that we have these preferences is aptly explained by evolution in a manner which is completely independent of their normative probity. And what relevant rationales we have rule against them. The very familiar and traditional argument that it is paradigmatically irrational to

treat likes differently without suitably differentiating reason shows that Perspectival accounts of well-being are problematic, and this is reinforced by practical self-defeat arguments and our analogy, which show that they are strange. The traditional intuitive pull of Timeless views or The Traditional View, which remains even in the face of these cases, is one reflection of these facts. Suitably reflective and informed commonsense intuition certainly does not rule in favor of Perspectival views, and on balance rules against them.

What about Objective views, which endorse objective temporal patterning which does not pivot on the now? First, distinguish between Objective views which are temporally symmetrical, for instance which hold that what matters is what happens in the temporal center of life, and those which are temporally asymmetrical, for instance in which a life which improves is better than a life which declines at the same rate. Then consider cases, similar to those which we recently discussed, which uncover our views about analogous spatial asymmetries.

Imagine a creature who has evolved tendencies to pursue an arrangement of things A, and hence a world, which is an exact objective mirror inversion of another possible arrangement B, with everything switched on an east-west axis running through, say, its place of birth, even when B is available to it much more easily, certainly, and at less cost. The creature likes good things to be piled up in the east. If one hand hurts, it strives to keep it in the west. Again, presume this is for evolutionary reasons. Such a tendency or preference, even if evolved, like a preference for a world just like this one but displaced three feet towards Polaris in absolute space, seems a paradigm of irrationality. Indeed it seems to be of roughly the same sort of paradigmatic irrationality captured by Parfit's famous cases of intrinsically irrational desires. For instance, there is Future-Tuesday Indifference, in which one prefers agony on Tuesday to mild pain on any other day.<sup>26</sup> (Parfit's Within-a-Mile Altruism, which leads one to care greatly about the well-being of all those within a mile but not at all about those who are a mile and quarter away, is

perhaps analogous to Perspectival views, since what's within a mile changes as one moves around.)

We can imagine someone with these tendencies; we can imagine someone evolved to be like that. But that seems insufficient to provide such tendencies intuitive probity. They do not suffer from the same kind of practical incoherence as the chiral preferences we previously discussed, since what is in the east doesn't shift as we move around in the way in which what is to the right can shift. For this reason, not Within-a-Mile Altruism but rather Within-a-Mile-of-Cleveland Altruism is a proper analogue of objective asymmetrical patterning. But such tendencies are still quite strange and paradigmatically irrational.

We are a temporal analogue of this spatial inversion case. Just as we evolved to have Parfit-style perspectival tendencies, so we evolved, and for much the same reasons, to focus especially on what happens later in a life at the expense of what happens earlier, to prefer a life which gets better to a life which gets worse, even if we correct for the pleasures and pains of anticipation and memory and equalize sums of well-being over life. Our imaginary creature has preferences between different lives which reflect a tendency to favor benefits to the east. That tendency and those preferences are not normatively probative. Neither are our objective asymmetrical temporal preferences.

There may even be a way in which our objective asymmetric preferences are worse than those of the creatures we just considered. Those with asymmetrical temporal preferences of the ever-upward sort can always be led to delay some gratification up until the moment of their unforeseen death in a strange and ultimately unintuitive way. It is not that they will need to delay all gratification, of course, but that they will need carefully to husband resources to assure a continuous and ever-upward trend on into the unforeseen future and hence on beyond their unforeseen death. They must escape any final cadence, even though the time of their death may

be very uncertain. Indeed, they may even need to choose today a somewhat lesser well-being over a greater well-being available at the same cost so that tomorrow things can still get better. This is at least an analogue of practical self-defeat. These preferences, like those of our analogous creatures, are strange. Evolved preferences like these are not automatically probative, and the traditional rationale against asymmetrical temporal preferences remains. Treating different cases differently without reason, as in Future-Tuesday Indifference as well as in objective asymmetrical temporal patterning, is paradigmatically irrational.

There is no more difference in the quality of a life, all other things being equal, due to temporal inversion in good things in that life than to objective mirror inversion in such good things. This is perhaps obscured by the fact that it is hard to remember that we must control for effects of anticipation and memory and for the satisfaction of preferences about the shape of life when considering sums of well-being to be fixed in relevant temporal inversion cases.

We have yet to consider objective symmetrical temporal patterning, which would be preserved under temporal inversion. But no patterns of this sort have much to be said for them even on immediate and unreflective grounds. And indeed we have already noted a troubling spatial analogy for these cases in *Within-a-Mile-of-Cleveland Altruism*. We should conclude that no Objective view is appropriate.

So we come to the end of our central argument. Distribution within a life does matter, so The Traditional View is incorrect. But there are three ways in which it can matter, and we have seen it cannot properly matter in the ways favored by Perspectival or Objective views. So we are left with Timeless views like an egalitarianism of periods, which unlike The Traditional View grant periods of lives equal normative status of the sort favored by many for persons as wholes. And this view has an intuitive and traditional rationale, which Mackie's discussion invoked.

It appears that a properly chastened and reflective commonsense intuition would favor periods of lives as the basic moral patients, the basic subjects of properly egalitarian moral and rational concern. We have already noted that this naturally suggests that quite short periods matter, but the details are a matter for another day.

Asymmetric objective temporal patterning, and specifically temporal order, is relevant in many ways in commonsense morality. We have only attacked the normative significance of temporal order for one specific set of issues. Nevertheless, the argument suggests a generalization which would have other important ethical implications.

Consider this possible generalization of our main claim: Moral claims which depend crucially on temporal order are incorrect. And then notice that deontological views often violate this constraint in various ways.

First, this general constraint supports traditional hedonist arguments against the special intrinsic evil of death, against the normative asymmetry of death and birth embraced, for instance, by Kamm. It also undercuts intuitions that projects completed after death matter to individual well-being in a way which desires satisfied before birth do not.

Second, the constraint suggests that it is wrong to focus normative judgment on the causal and temporal consequences of acts in particular, as opposed to the alternative states of affairs identified with alternative actions independently of temporal order. This may be of significance for instance because of Newcomb's problem and the conflict between causal and evidential decision theory.

Third, certain sorts of harms and benefits are such only by essential reference to temporal order. They are essentially a making worse or a making better.

There are some harms, which we might call "modal harms", which are such independently of temporal order. Presume that if you do X, then Y occurs also, and if you don't

do X, then Y will not, with temporal order irrelevant. If Y leaves someone worse off than they otherwise would be, then we might call doing X a “modal harm”. Modal harms are defined as such against a modal and not a temporal baseline, what happens if you don’t do X, not what was true before you did X. But modal harms and benefits do not necessarily deliver all the features of harm and benefit on which deontological critics of consequentialism rely. For instance, it may be that modal baselines are indeterminate, so that it is a firmer and more determinate fact that you ran over somebody than that if you had tried you would have avoided them.<sup>27</sup> And the acting-refraining distinction is not, even if modally available, necessarily the same as the harming-not helping distinction, which more crucially involves temporal order. Consider Heidi Malm’s case: If you are headed downstream in a canoe and will run someone over if you fail to paddle aside, your failing to paddle may be your killing someone.<sup>28</sup> Modal harm and benefit seem insufficient to deliver the difference between killing and letting die.

In general, a sensitivity to temporal asymmetries, of the sort we have seen here to have plausibly evolved in us but to be without probative normative weight, runs very deep in deontology. It may ultimately tell against it. But of course these matters are complex, and these remarks merely suggestive.<sup>29</sup>

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## Notes

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1. [Henry Sidgwick](#), *The Methods of Ethics*, 7<sup>th</sup> edition (London: Macmillan, 1907), 418.

2. [Thomas Nagel](#), *The Possibility of Altruism* (Princeton, NJ: Princeton University Press, 1970).  
Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1984), 115-347.

3. [John Rawls](#), *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 22-27.
4. For one possibility see [Joseph Mendola](#), “An Ordinal Modification of Classical Utilitarianism”, *Erkenntnis* 33, 1990, 73-88.
5. [Antonio Damasio](#), *Descartes’ Error* (New York: Putnam, 1994).
6. [B. L. Fredrickson](#) and [D. Kahneman](#), “Duration neglect in retrospective evaluations of affective episodes”, *Journal of Personality and Social Psychology* 65, 1993, 45-55. Daniel Kahneman, Barbara L. Fredrickson, Charles A. Schreiber, and Donald A Redelmeier, “When More Pain is Preferred to Less: Adding a Better End”, *Psychological Science* 4, 1993, 401-405. We will soon see reason to question the probity of the aspect of these intuitions which involve a differential treatment of ends and beginnings.
7. [I owe this case to a public lecture by Thomas Schelling](#).
8. [Whether one’s well-being can be affected by things](#) which happen after death will not be directly in play in our argument, but one might ascribe any such goods to the last period of life for bookkeeping purposes.
9. [Thanks to Mark van Roojen for this objection](#).
10. For something like this proposal see Thomas L. Carson, *Value and the Good Life* (Notre Dame: University of Notre Dame Press, 2000), 86-87.
11. [And even if it is not coherent to talk about equalized sums of well-being in two distinct lives, the temporal patterns noted remain intuitively salient](#). And of course if summation doesn’t even make coherent sense, then a key assumption of The Traditional View is false anyway.
12. [John Mackie, “Rights, Utility, and Universalization”](#), in [R.G. Frey \(ed.\)](#), *Utility and Rights* (Minneapolis: University of Minnesota Press, 1984), 86-105, 93.
13. [Michael Slote, “Goods and Lives”](#), *Pacific Philosophical Quarterly* 63, 1982, 311-326, reprinted in *Goods and Virtues* (Oxford: Clarendon Press, 1983). J. David Velleman, “Well-Being and Time”, *Pacific Philosophical Quarterly* 72, 1991, 48-77.
14. [Slote, “Goods and Lives”](#), 23-24. Velleman, 50. But notice that Velleman only claims that this would seem so to most people, and also qualifies the claim in certain ways by an insistence on the importance of one’s narrative of one’s life. He also argues that it is wrong to conceive of the value of a life as some sort of summation of the value of its periods.

[15. Ed Diener, Derrick Wirtz, and Shigehiro Oishi, “End Effects of Rated Life Quality: The James Dean Effect”, \*Psychological Science\* 12, 2001, 124-128.](#)

[16. F.M. Kamm, \*Morality, Mortality\*, volume 1 \(Oxford: Oxford University Press, 1993\), 36-37.](#)

[17. Kamm, 13-71.](#)

[18. Parfit, 165-166.](#)

[19. Parfit, 167.](#)

[20. Parfit, 167.](#)

[21. It might for instance differ over an individual’s life in our case as they undergo various forms of anti-evolutionary training to overcome their innate tendencies, in other words as they grow up and mature.](#)

[22. Or \(if it doesn’t make sense to talk about sums of well-being\) in which we must choose between a pattern which fits their chiral preference and the same pattern mirror-inverted but with perhaps some extra well-being thrown in here or there.](#)

[23. Of course their left hand stays on the left!](#)

[24.](#)

For worries about self-defeat arguments see Joseph Mendola, “Parfit on Directly Collectively Self-Defeating Moral Theories”, *Philosophical Studies* 50, 1986, 153-166.

[25. Parfit, 3-114.](#)

[26. Parfit, 124-125.](#)

[27. Joseph Mendola, “The Indeterminacy of Options”, \*American Philosophical Quarterly\* 24, 1987, 125-136.](#)

[28. Heidi Malm, “Killing, Letting Die and Simple Conflicts”, \*Philosophy and Public Affairs\* 18, 1989, 238-258.](#)

[29. Thanks to Thomas Carson, J.D. Trout, Mark van Roojen, and an anonymous referee for helpful comments.](#)