THE ETHICS OF EXISTENCE

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The doctor brings disturbing news: you have a condition that will affect any child you conceive in the next two months. The effect of the condition is that the child will suffer a serious, incurable disability. It is the kind of disability people live through without regretting their existence: they regard themselves as having good and happy lives. But they experience hardships, due to their disability, that they would rather not have faced. There is no urgent reason for you to have a child now, rather than later, and your decision will not affect the number of children you eventually have. What should you do?

Like many people, I think you should wait to have a child. You have decisive reason not to conceive in the next two months. Philosophers have been perplexed about why. After all, the child you have if you refuse to wait would not have been better off if you had waited: he simply would not exist. If you wait to conceive, you will have a different child instead. It may seem to follow that the child you have if you do not wait cannot be harmed by your action in conceiving him. And then it is unclear what the objection to conceiving him could be. This is the so-called "paradox of future individuals" or "non-identity problem" discussed by moral philosophers since the 1970s. It has led to serious disputes about the nature of harm, some advocating a non-comparative view on which the child is harmed by your action even though he is not worse off than he would otherwise be, others conceding that the child is unharmed by your action and giving alternative reasons to wait.²

We can sidestep these disputes. Either way, the fact that a child will suffer as a result of your action is a reason against it and a reason to prefer the option in which you wait. If you have a child later, she will suffer, too — everyone does — but most likely she will suffer less. Since there is no other reason to have a child now, and no other relevant difference between these options, you should wait to have a child, if you have a child at all. It does not matter, for our purposes, whether you count as having harmed a child if you conceive in the next two months, only that there is reason to wait, in that you will cause a child to suffer if you don't, and will cause less suffering if you do. Both sides of the dispute about

harm — along with those who reject the concept of harm as unhelpful or obscure — can agree about this. At any rate, I will take it for granted from now on.

Our topic is a further puzzle, about our retrospective attitude if you do not wait but instead conceive and go on to raise a disabled child. Assume that your prediction comes true: your son is happy, on the whole, though he wishes he were free of the suffering his disability entails. In a well-known treatment of the non-identity problem, Derek Parfit writes about a similar case:

We may shrink from claiming, of [your] actual child, that it would have been better if he had never existed. But, if we claimed earlier that it would be better if [you wait], this is what we must claim. [...] This claim need not imply that [if I am the child] I ought rationally to regret that my mother had me, or that she ought rationally to regret this. [...] If she loves me, her actual child, this is enough to block the claim that she is irrational if she does not have such regret. (Parfit 1984: 360–1)

This passage frames our central theme: whether there should be a difference in our prospective and retrospective attitudes to the existence of the disabled child, and why. I argue that our attitude should change, and that prior explanations of this contrast fail. Section 1 makes the puzzle more precise, rejects some earlier accounts, and charts an emerging consensus, on which the puzzle is solved by attachment or love. Section 2 objects to this approach, urging that it is too limited. There is impartial reason to affirm the existence of the child. On the account that I propose, the relationship of coexistence is a reason for affirmation. I end by connecting this reason with the ethics of agape.

1. After the Fact

Suppose it is too late. Deciding not to wait, you have conceived and given birth to a child, S, who suffers from the disability predicted before. You have done your best to compensate for his struggles, and he is doing well. But the disability remains a source of suffering that you both lament. Looking back, you agree that you should have waited, which is what your friends and family said. But when you look at your child, you cannot regret his existence or wish that he had never been born. How to make sense of your disparate feelings?

Parfit's suggestion, in the passage quoted above, seems to be this. There are two distinct questions. On one hand, there is the question whether it is better or worse for you to wait, better or worse for S to exist, or not to exist, replaced by the child you would have had instead. The answer to this question is unequivocal and timeless: it was true beforehand, and it is true now, that it would be better for you to wait and for S not to exist. On the other hand, there is the question whether you should regret your decision. The answer to this question is "no": it is not irrational not to regret the decision to have a child, a decision you agree was not for the best.

I want to resist this way of putting things. Whether it is strictly false turns on the correct interpretation of "better" and "worse" in application to states of affairs, a matter of some dispute.³ But even if they are true, Parfit's claims obscure the most interesting shift in attitude in the case at hand. For Parfit, the tension revealed by the case is between the assessment of outcomes and the rationality of regret. What the case shows is that it can be rational not to regret a decision whose outcome is worse than that of another decision one could have made. Maybe so. But a more perspicuous formulation can be had. Instead of switching from outcomes to attitudes, we should focus on attitudes of the same kind, before and after the existence of the child. Consider, then, not regret, with its distinctive temporality and emotional tone, but the thin, characterless state of preference, and ask yourself this: of the two world-histories, in one of which you wait, in the other not, which do you prefer? My contention is that, before the decision is made, before the child exists, you should prefer to wait. Waiting is what you should do, and what you should prefer. And it remains true, after the fact, that you should have had this preference and made this decision. But now? Now things are different. Once you have given birth, once the child is in your arms, you should be glad that he exists, and you should prefer the history that in fact obtains, the one in which you did not wait, without which there would be no S at all. It is this contrast, in what you should have preferred back then and what you should prefer now, that needs to be explained.⁴

Let me stress that, although the example is generic, the generality is existential. I do not claim that your preference must change in every variation of the case, regardless of how difficult your life becomes, the extent of the disability and its effects on your son, and of any other circumstance. My thought is that there are situations in which, before you decide, you should prefer to wait; and after the child is born, you should prefer that you did not. (I take no stand on when exactly the change occurs, between conception and birth, or on related questions in the ethics of abortion.) We will suppose that the case we are considering falls in this range.

This way of stating the phenomenon rules out a number of existing views. In a pioneering article, Jeff McMahan suggests that a common response to parenthood is a shift in values:

[People] who are as yet childless very often believe that it would be worse for them to have a disabled child than to remain childless. Yet if they in fact have a disabled child, they typically come to believe that it was better for them to have done so. What is curious about these evaluations is that, although they seem to conflict, neither seems mistaken. (McMahan 2005: 161)

McMahan gives an account of "better" and "worse" — a form of "pluralism" about value — that is intended to make sense of this. He directs his view at a somewhat different case — the decision to conceive a disabled child or not to conceive at all — but it might be applied to ours. Adapted from value to preference, the thought is this: when we compare the two world-histories, one in

which you wait and one in which you don't, and ask which you prefer, neither response is wrong. Both are consistent with preferring as you should. What happens is that you begin with one rational preference — in favour of waiting — and predictably acquire the other.

McMahan would not accept this application of his view, and it is, I think, unpromising, since it cannot explain the depth of the contrast I have described. It is not just that one's preference may permissibly shift from before to after the fact, where either preference is rational at either time. It is rather that, when you consider what to do, before deciding, you should prefer the outcome in which you wait. And when you consider what you have done, now that you are acquainted with your child, you should prefer the outcome that obtains. These facts are not explained by a permissive pluralism.

A second view ruled out by this conception of the case is due to David Velleman. He argues that it is rational to take conflicting attitudes to the same event under different modes of presentation. Like McMahan, he begins with evaluative judgements, but we can apply his view to preference or desire. For Velleman, your attitude to what happened under the description "not waiting to have a child" may differ from your attitude to what happened under the description "giving birth to S." You wish you had waited to have a child; but you are glad that you had S. The same world-history evokes a different response described in one way than it does described another. This leads Velleman to an "anti-realist" view on which there is no single, objective way to assign values to states of affairs. There is no real distribution of values, only rational ambivalence about the facts.

The problem with this account, from our perspective, is that it mistakes the kind of ambivalence you should feel. What Velleman "explains" is ambivalence in one's retrospective attitudes: ambivalence after the fact, in which your attitude turns on how you describe or conceptualize the past. But there is no reason for this. Your retrospective preference should be clear: you are glad that you did not wait, and you prefer the world-history in which S exists, regardless of how it is described. Your ambivalence does not consist in retrospective instability but in acknowledging a contrast between your retrospective preference and the preference you should have had, and on which you should have acted, way back when. That you should have preferred to wait when you still could does not constrain or contaminate your preference now, which affirms your choice, however it is described. 10

Finally, it has been argued that the case we are considering shows a contrast between the "ought" of most reason and the "ought" of omniscient desire. According to Caspar Hare, it is because there are restrictions on what counts as a reason to act that you have decisive reason to wait, even if, when you know how things turn out, you will be glad that you did not. It Since they play a role in prospective practical reasoning, reasons for action must be "considerations that will be true no matter what you do" (Hare 2011: 197). The facts that justify your retrospective preference — facts that involve the existence of S — violate this

constraint, and so cannot justify refusing to wait. Whatever its force, this account can be set aside. Its strategy is specific to reasons for action, not preference, so it does not address the shift in attitudes we are trying to understand. It might be argued, in response, that preference goes with hypothetical choice — what you would do if it were up to you — where this is subject to Hare's constraint. But this gives the wrong result when S is born. For it remains true that, if it were now up to you whether you waited or not, then, abstracting from your actual decision and its consequences, including the existence of S, you should decide, and so prefer, to wait.

The upshot is that none of the views discussed so far explains the relevant data. McMahan's value pluralism might explain why it is rationally permissible to switch your preference before and after the fact. It cannot explain why your preference should change: why you should prefer the outcome in which you wait, before you decide otherwise, and why you should prefer the alternative, now it has come to pass. Velleman's theory might explain ambivalence of a certain kind. It cannot explain why you should now prefer the outcome in which you do not wait, under that description. And while Hare's view might explain why you should wait to have a child, it cannot explain why you should prefer to wait.

In general, what you should want or do is fixed by the balance of reasons. Since what you should prefer beforehand differs from what you should prefer now, there must have been a shift in the reasons for or against. There must be a new reason to prefer not having waited, one you did not have before the decision was made; or one of the reasons you had back then must no longer apply. In recent work, some philosophers have proposed that the difference is explained by your attachment to S, an attachment that was impossible before the decision was made, and in light of which facts about S provide you with reasons you would not otherwise have. Along with value pluralism, McMahan appeals to the role of attachment in determining what it is rational to want.

This is not to deny that, if the parents of a disabled child prefer their actual life to the life they might have had with a normal child, their preference is rational. The rationality of their preference may be grounded in their attachment to their actual child. (McMahan 2005: 168)¹²

In a similar vein, Elizabeth Harman appeals to the rational significance of love: "Because preferences for one's loved ones can be reasonable, what is reasonable to prefer *changes over time*" (Harman 2009b: 188). When you are making the decision, you do not and cannot love S. What is relevant to your preference then is that a child will suffer if you do not wait to conceive, and that if you wait, the child you conceive will likely suffer less. Since there is no other reason to have a child now, you should prefer to wait. When S is born, things change. Since you love S, the fact that he would not exist if you had waited to conceive is a reason to be glad that you did not wait, a reason to prefer the actual course of history to the one in which you wait. If this reason is strong enough to tip the balance,

it follows that you should now prefer the world-history in which you do not wait to the one in which you do.

This account works better than value pluralism or Velleman's anti-realism in explaining the phenomena. In describing it, I have silently switched from claims about what it is "rational" or "reasonable" to prefer, given one's attachment to S, to the claim that one *should* prefer the outcome in which he exists. The data require the stronger claim. Even if we grant this, however, a serious problem remains. We are trying to say why you should now prefer not to have waited, even though it is still the case that you should have waited when you could. The answer proposed is that, since you love S, the fact that he would not otherwise exist is a reason for your preference. But this implies only that, *if* you now love S, you should prefer not to have waited. What if you don't? The appeal to love cannot account for the unconditional judgement we hoped to explain.

A final amendment closes the gap. In The View From Here, Jay Wallace suggests that the relevant attachment is not your love for S but your relationship with him. It is the fact of this relationship that provides a reason to love S, and so to prefer the outcome in which he exists. 13 This view explains the shift in what you should have preferred at the time of your decision and what you should prefer now. We have assumed that, whether or not you wait, the number of children you have will be the same. It follows that, before you decide, the reasons that flow from prospective relationships are matched: they do not militate either way. Since the child you have if you wait will be better off than the child you have if you conceive now, it follows in turn that you should prefer to wait. Once he is born, however, the fact that S is your son is a reason to affirm his existence, and the fact that he would not exist if you had waited to conceive is a reason to be glad that you did not wait. It is true that if you had waited, you would have had another child. But this is not a reason to affirm the existence of anyone, and so not a reason to wish you had waited instead. In contrast, your relationship with S provides a reason that you did not have before, a reason now to prefer the actual course of events. This reason is the premise of an unconditional argument for your retrospective preference, though it is irrelevant to your preference back when the decision was made.

2. Strangers

Some will object that relationships do not provide reasons of the sort this theory requires. I think they do, though I will not argue for this here. He My complaint is one of scope. Even if it is right, the appeal to relationships as reasons for love cannot account for the range of cases in which one's preference should change. By this I mean not the range of variations in the outcome for parent or child, but in the subject of preference. It is not just his mother who has reason to prefer that S exists, now that he does; it is the rest of us, too.

In section 1, we examined the shift in what you should want before you choose to conceive and after your child is born. You should then have preferred to wait; you should now prefer that you did not. In general, when a case falls in this range, the same point holds for those who are not involved. A stranger whose life is otherwise unaffected should match his preference to yours. Before you decided what to do, he should have preferred that you wait; now that S exists, the stranger should not prefer otherwise, and so he should not wish that you had waited instead. Since these are the preferences of a total stranger, an appeal to love or attachment cannot explain why they should change. The relationship theory fails.¹⁵

I have claimed that, in general, the retrospective preference of a stranger should match yours. But perhaps not always. There may be cases in which your relationship with S makes an essential difference: you should be glad that you did not wait, given this relationship, though a stranger should not. Conversely, you may be justified in giving more weight to the hardships you have suffered than a stranger would, so that there are cases in which you should prefer that you had waited, though a stranger should not. For the most part, however, your attitudes should converge: like you, strangers should welcome the existence of S, and be glad that you did not wait. It would be wrong to prefer otherwise.

In the treatments considered above, this fact comes in and out of focus. When McMahan writes about the "expressive significance" of parental preference — what does it say to those with disabilities that you would prefer not to have a disabled child? — he considers, as well, the significance of social policies: "a policy [of preconception testing] might express the profoundly wounding suggestion that disabled people are burdensome to others" (McMahan 2005: 152). It is distracting to cite the expressive role of preference, since it is not clear how the effects of an attitude, or its expression, bear on its justification. But McMahan is right to implicate the attitudes of people other than the parents, or prospective parents, of a disabled child.

Harman's paper starts with an argument about parental preference, but later shifts to what "everyone should prefer" (Harman 2009b: 191). This has the kind of generality I have urged. But Harman immediately returns to a more limited view: "[my] discussion has emphasized the way that *loving someone* can make a preference for the actual outcome, though it is non-optimal, reasonable"; "[the] cases I have discussed all involve a reasonable *attachment*" (Harman 2009b: 192, 193). The fact that your attachment to S is reasonable might explain why your attitude should change; it cannot explain what "everyone should prefer," since not everyone has, or should have, a loving relationship with S.

In much the same way, Velleman writes about "us":

We think that the birth of the child [...] will be unfortunate, even tragic, and hence that [you] should decide not to have one. But after the birth, we are loath to say that the child should not have been born. [...] Even as we deplored the [your] decision, we knew that we would welcome the child. (Velleman 2008: 267)

Presumably some of us are strangers, watching your predicament from the side; our preferences should change. But when Velleman offers his theory, his statement of the problem contracts: he concentrates on the love and regret of the mother, and he never accounts for us.¹⁶

In the end, none of the existing views explains why a stranger, unrelated to S, should come to prefer the actual course of history. Why should the stranger revise his attitude to your decision? What he should want is fixed by the balance of reasons. So there must be reasons that derive from the birth of S and apply to the stranger's preference. In short, the reasons for preference that change over time are not just reasons of parental partiality, but impartial reasons to which anyone is subject. Whether these reasons are strong enough to control what we should prefer may vary from case to case, but they are present, for all of us, when S is born.

If not love, or attachment, or the relationship of parenthood to S, what is the reason for our retrospective preference? What has changed is that S exists, as he did not before. If the fact that he exists is a reason to affirm his life, the fact that S would not exist if you had waited is a reason to be glad that you did not wait. When you give birth to S, we have a reason that we did not have when your decision was made: the fact that he now exists. This reason may outweigh the grounds for our prospective preference, and so explain why our preference should change.

I think we can and should say more. Although it gets the right result, the appeal to present existence may seem odd. Why should the fact that S now exists have the significance it is given by this account? Do those who presently exist have greater moral status than those who don't? Do merely future people count for less?¹⁷ It is one thing to say, with Wallace, that "Actual human beings [...] make claims on us [...] that merely possible people do not" (Wallace 2013: 89). It is another to deny the claims of those who do not yet exist.

These doubts can be elicited in a different way. Suppose you do not wait, and so conceive and give birth to S. On many views, it follows that the proposition, *S will be born*, was true all along. But then we can ask: if the fact that S exists now is a reason to be glad that you did not wait, why was the fact that he would exist in the future not a reason for the corresponding preference at the start? (Ignorance is not the answer. Even those who know that you have decided not to wait, and so will have a child, should prefer that you reconsider. Nor is this explained by ignorance of his identity, since those who know that you have a child, but not who he is, should be glad that he exists.)

It is worth noting that the parallel question has less force against the views from section 1. If the fact that S would not exist if you had waited counts as a reason for your retrospective preference because of your love for S, the fact that he will not exist if you wait is not a reason for prospective preference, not because it concerns a future individual, but because you did not then love S. Nor is it puzzling to claim that present relationships provide us with reasons that future relationships do not. That N is your friend is a reason to love him; that

he will be your friend is not a reason to love him now. Likewise, when S is your son. Future relationships may give reasons, but not in the same way as ones in which you are presently engaged.

I think this is a clue to the role of existence as a reason for preference. Present existence matters not as a source of moral status, but as a moral relationship. To know that someone presently exists is to know that she coexists with you. Such coexistence makes a moral demand. Part of being on good terms with our coexistents is to affirm their lives and so to prefer that they exist. In relation to S, this supports the preference that you did not wait. McMahan's appeal to the expressive significance of desire is a good heuristic here. When I think about why I feel compelled to affirm the existence of S, I think of what it would mean to say to him, "I wish your mother had waited, so that you would not exist." What is objectionable is not expressing this preference, but taking this attitude to someone with whom I could now interact, with whom I share the present. It would be wrong to regret his presence in the world.

Though it may seem unfamiliar, the outlook that animates these claims has broader resonance. It echoes the Biblical commandment of agape or neighbourly love. The affirmation I have endorsed is cited in the agapic tradition as part of what unites such love with love in its more partial forms: "Love is *rejoicing* over the existence of the beloved one; it is the desire that he be rather than not be [...] Love is *gratitude*: it is thankfulness for the existence of the beloved." We have reason not simply to refrain from harming others, but to welcome them to the world. Understood in this way, the commandment to love one's neighbour as oneself is not an assertion of moral status for every human being who ever lives. It concerns the attitude one should take to those with whom one stands in a certain relation, the relation of being a neighbour. If this relation is one of coexistence, its moral force would explain the contrast in what we should prefer when you are deciding what to do, and what we should prefer when S is born.

I end on a concessive note: that the view I have proposed has something in common with those I have argued against. Although I have appealed to impartial reasons, not parental preference, and so not love in the familiar sense, I have urged that we have reason to affirm the existence of S. This affirmation resonates with agape. No wonder, then, that other philosophers have turned to parenthood, and partial forms of love, in explaining the shift in attitudes before you decide and after S is born. In doing so, they mistakenly restrict the shift to those who share your relationship with S: it is more general than that. Still, there is a sense in which, since we have reason to be glad that S exists in a way that is characteristic of love, simply because we coexist with him, these philosophers are right to appeal to love, and to relationships as reasons for love, in understanding the phenomenon.

It is, I believe, an open question how far ideas of agapic love inform the shape of secular morality, and how they relate to more familiar conceptions of moral respect. The ethics of existence is one point at which such influence may emerge.¹⁹

Notes

- 1. For the first name, see Kavka 1982; for the second, Parfit 1984: §§119–125. An earlier treatment of these issues, in a utilitarian context, is Narveson 1967.
- 2. For non-comparative accounts, see Woodward 1986: 818; Shiffrin 1999: 123–4; Harman 2009a; and for views that appeal to reasons other than harm to the child, Parfit 1984: 358–9; McMahan 2005: 144–7.
- Against "good state of affairs," see Geach 1956; and for more nuanced views, Foot 1983, Anderson 1993, Scanlon 1998: Ch. 2.
- 4. An objection might be raised, here, to your retrospective preference. Now that S exists, why care what happened in the past? The issue behind this question is one that divides causal from evidential decision theory. Should one's preference for A over B be sensitive to the epistemic probability of the relevant outcomes conditional on A and B, or to the likely effects of A and B? When you know for sure that S exists, the epistemic probability of that outcome is independent of whether you waited or not. Going by evidential decision theory, your preference for the present outcome exerts no pressure to prefer that you did not wait. While there may be an attitude that works this way, however, there is a kind of preference that does not, one that is sensitive to the known effects of past events, as in gladness and regret. Causal decision theorists aim to model this kind of preference, which shifts in the present case, and is the focus of attention in the text.
- 5. Compare Wallace 2013: 75-7 on attachment and "unconditional affirmation."
- 6. McMahan 2005: §V.
- 7. See McMahan 2005: 168. Wallace extends McMahan's view to the present case and rejects it, along with its original use, on similar grounds; see Wallace 2013: 82–5. I return to a second theme in McMahan's discussion, which is shared with Wallace, below.
- 8. Velleman 2008: 269.
- 9. See Velleman 2008: 268-73, 287-8.
- 10. For further objections to Velleman, see Wallace 2013: 85-8.
- 11. Hare 2011.
- 12. See also McMahan 2006: 159-60.
- 13. Wallace 2013: 89–90, though at other points he strives to be neutral between the appeal to relationships and the appeal to love itself: see Wallace 2013: 108.
- 14. For a detailed defence of relationships as reasons for love, see Kolodny 2003; and for qualified agreement, Setiya 2014: §1.
- 15. It might be said that the shift in what a stranger should prefer is explained by your relationship with S, not his. The stranger should recognize this relationship as a reason for you, and thus a reason for him, to prefer that you did not wait. But this cannot be right, for a stranger should affirm the events that caused S to exist even if S were artificially conceived and had no parents at all.
- 16. See, especially, Velleman 2008: 268-73.
- 17. For related issues in the ethics of population, see Dasgupta 1993, Ch. 13, whose view gives extra weight to the interests of the present generation, and for objections, Broome 2004: §11.3.
- 18. Richard Niebuhr, quoted in Outka 1972: 9; see also Pieper 1972.

19. For discussion of this material in earlier forms, I am grateful to David Copp, Cian Dorr, Cody Gilmore, Marah Gubar, Caspar Hare, Mike Otsuka, and to audiences at USC and UC Davis.

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