

Introduction to Possible Preferences

Preferences

Edited by
Christoph Fehige and Ulla Wessels



Walter de Gruyter · Berlin · New York

1998

⊗ Printed on acid-free paper which falls within the guidelines of the ANSI to ensure permanence and durability.

Library of Congress Cataloging-in-Publication Data

Preferences / edited by Christoph Fehige and Ulla Wessels.
p. cm. – (Perspektiven der analytischen Philosophie ; Bd. 19
= Perspectives in analytical philosophy)
Based on a conference held in June 1992 in Saarbrücken,
Germany, and in Saarlouis, Germany.
Includes bibliographical references and indexes.
ISBN 3-11-015007-7
1. Preferences (Philosophy) – Congresses. I. Fehige,
Christoph. II. Wessels, Ulla. III. Series: Perspectives in analyti-
cal philosophy ; Bd. 19.
B105.P62P74 1998
128'.3–dc21 97-28699
CIP

Die Deutsche Bibliothek – Cataloging-in-Publication Data

Preferences / ed. by Christoph Fehige and Ulla Wessels. – Berlin ;
New York : de Gruyter, 1998
(Perspektiven der analytischen Philosophie ; Bd. 19)
ISBN 3-11-015007-7 brosch.
ISBN 3-11-015910-4 Geb.

© Copyright 1998 by Walter de Gruyter GmbH & Co., D-10785 Berlin
All rights reserved, including those of translation into foreign languages. No part of this
book may be reproduced or transmitted in any form or by any means, electronic or
mechanical, including photocopy, recording or any information storage and retrieval system,
without permission in writing from the publisher.

Printed in Germany

Typesetting: Thomas Fehige, Münster
Printing: Arthur Collignon GmbH, Berlin
Binding: Lüderitz & Bauer, Berlin
Cover design: Rudolf Hübler, Berlin

All I want is to sit on my arse and fart and think of Dante.

Samuel Beckett

Desires and wants, however intense, are not by themselves reasons in matters of justice. The fact that we have a compelling desire does not argue for the propriety of its satisfaction any more than the strength of a conviction argues for its truth.

John Rawls

Take any demand, however slight, which any creature, however weak, may make. Ought it not, for its own sole sake, to be satisfied? If not, prove why not. The only possible kind of proof you could adduce would be the exhibition of another creature who should make a demand that ran the other way. The only possible reason there can be why any phenomenon ought to exist is that such a phenomenon actually is desired.

William James

Preface

Preferences is a collection of essays on the concept and the role of preferences (desires, and the like) in practical reasoning. Ground covered includes welfare, prudence, rational decision making, and all areas of moral philosophy: ethics (applied and not so applied), metaethics, and deontic logic. A special symposium looks at *possible* preferences and their significance in matters of life and death, including the notoriously thorny question how many people there should be. All the essays are published here for the first time.

The book is not just for specialists. We have given it an introduction that, though it may move swiftly, at least starts from scratch; a selected bibliography is also provided.

Most of the authors were able to meet in advance, and to present, discuss, and then revise their contributions. But the line has to be drawn somewhere, and authors who receive a reply in this volume were not permitted to adjust their papers in the light of the final version of the reply. The initial exchange took place in Saarbrücken and Saarlouis in June 1992.

*

Everybody has been very kind to us. Georg Meggle – selfless and cheerful as usual – co-designed the project and supported it from beginning to end. When we proposed the meeting, we were backed up by Franz von Kutschera and Wolfgang Lenzen. Barbara Schumacher helped prepare and run it.

The editors of *Perspectives in Analytical Philosophy*, Georg Meggle and Julian Nida-Rümelin, have welcomed the book in precisely the form we suggested. The authors have been co-operative and patient throughout. Christopher Abbey and Seán Matthews have given valuable advice, linguistic and otherwise, to many of us. Kornelius Bamberger was able, and kind enough, to convert most of the data that the contributors sent us. Thomas Fehige gave these data a neat, uniform lay-out. Patrick Agsten, Monika Claßen, Franziska Muschiol, Ulf Schwarz, and Valentin Wagner have assisted us, efficiently and in numerous respects; the same holds true of Karin Thom. With this list in chronological order, one important acknowledgement comes last: de Gruyter publishers. Working with Hans-Robert Cram was a pleasure; ditto, at the technical end, with Grit Müller.

The conference that gave rise to this book was made possible by the financial assistance of: Deutsche Forschungsgemeinschaft (DFG), Fritz Thyssen Stiftung, Ministerium für Wissenschaft und Kultur des Saarlandes, Universität des Saarlandes, and Vereinigung der Freunde der Universität des Saarlandes. The DFG (research project “Was zählt?”) has also funded our own work on this volume.

We thank all these persons and institutions for their support.

*

We share the belief, now regarded in some quarters as both unsound and old-fashioned, that, in essence, morality is all about welfare, and welfare all about preferences. Some of the contributors to this volume would agree, some would not. With luck, this collection will help advance matters a little.

Christoph Fehige and Ulla Wessels
Leipzig, January 1998

Contents

Abstracts	xiii
---------------------	------

Introduction

CHRISTOPH FEHIGE AND ULLA WESSELS	
Preferences – an Introduction	xx
Preferences – a Short Bibliography	xliv

Part I: Preference and Decision

ELIJAH MILLGRAM	
Deciding to Desire	3
SYDNEY SHOEMAKER	
Desiring at Will (and at Pill): A Reply to Millgram	26
CHRISTOPH LUMER	
Which Preferences Shall Be the Basis of Rational Decision?	33
ANTONELLA CORRADINI	
Intrinsic Desirabilities: A Reply to Lumer	57
RICHARD B. BRANDT	
The Rational Criticism of Preferences	63
ANNA KUSSER	
Rational by Shock: A Reply to Brandt	78
J. DAVID VELLEMAN	
Is Motivation Internal to Value?	88
GEORG MEGGLE	
Motivation and Value: A Reply to Velleman	103
SVEN DANIELSSON	
Numerical Representations of Value-Orderings: Some Basic Problems	114
ULRICH NORTMANN	
Interval Orders Defended: A Reply to Danielsson	123

Part II: Preference and Metaethics

LENNART ÅQVIST	
Prima Facie Obligations in Deontic Logic: A Chisholmian Analysis Based on Normative Preference Structures	135
UWE BOMBOSCH	
The Meaning of “Ought, Prima Facie” and Decision Situations: A Reply to Åqvist	156
FRANZ VON KUTSCHERA	
Values and Duties	163
WILFRIED HINSCH	
Beyond Duty: A Reply to von Kutschera	172
MARCUS WILLASCHEK	
Agency, Autonomy and Moral Obligation	176
HILARY BOK	
Autonomy and Morality: A Reply to Willaschek	204
DAVID WIGGINS	
In a Subjectivist Framework, Categorical Requirements and Real Practical Reasons	212
DAVID GAUTHIER	
Subjective Obligation: A Reply to Wiggins	233
ALLAN GIBBARD	
Preferences and Preferability	239
JULIAN NIDA-RÜMELIN	
Goodness and Rational Preferability: A Reply to Gibbard	260

Part III: Preference and Ethics

JOHN BROOME	
Extended Preferences	271
RUDOLF SCHÜSSLER	
Wish You Were Me: A Reply to Broome and a Comment on Harsanyi’s Extended Preference Theory	288

RAINER HEGSELMANN	
Experimental Ethics: A Computer Simulation of Classes, Cliques, and Solidarity	298
ULRICH KRAUSE	
Solidarity among Rational Egoists: A Reply to Hegselmann	321
RAINER WERNER TRAPP	
The Potentialities and Limits of a Rational Justification of Ethical Norms, or: What Precisely is Minimal Morality?	327
ANTHONY SIMON LADEN	
A Hobbesian Choice: A Reply to Trapp	361
CHRISTOPH FEHIGE, RICHARD M. HARE, WOLFGANG LENZEN, JEFF MCMAHAN, PETER SINGER, THOMAS SPITZLEY, AND ULLA WESSELS	
Symposium on Possible Preferences	367
CHRISTOPH FEHIGE AND ULLA WESSELS	
Introduction to Possible Preferences	367
PETER SINGER	
Possible Preferences	383
RICHARD M. HARE	
Preferences of Possible People	399
WOLFGANG LENZEN	
Who Counts?	406
ULLA WESSELS	
Procreation	429
JEFF MCMAHAN	
Preferences, Death, and the Ethics of Killing	471
THOMAS SPITZLEY	
McMahan on Psychological Continuity and the Value of Future Goods	503
CHRISTOPH FEHIGE	
A Pareto Principle for Possible People	508

Notes on Contributors	544
Name Index	550
Subject Index	555

CHRISTOPH FEHIGE, RICHARD M. HARE, WOLFGANG LENZEN, JEFF
MCMAHAN, PETER SINGER, THOMAS SPITZLEY, AND ULLA WESSELS

Symposium on Possible Preferences

Christoph Fehige and Ulla Wessels: Introduction to Possible Preferences, p. 367
Peter Singer: Possible Preferences, p. 383
Richard M. Hare: Preferences of Possible People, p. 399
Wolfgang Lenzen: Who Counts?, p. 406
Ulla Wessels: Procreation, p. 429
Jeff McMahan: Preferences, Death, and the Ethics of Killing, p. 471
Thomas Spitzley: McMahan on Psychological Continuity and the Value of Future Goods, p. 503
Christoph Fehige: A Pareto Principle for Possible People, p. 508

CHRISTOPH FEHIGE AND ULLA WESSELS Introduction to Possible Preferences*

Sometimes our actions make a difference not just to the frustration or satisfaction of preferences that exist (have existed, or will exist), but to the very question *which* preferences will exist. The corresponding choices – choices that affect the number or the identity of preferences that will ever exist – we can call *different preferences choices*, as opposed to *same preferences choices*.¹ This symposium is about the morality of different preferences choices.

Different preferences choices are important. Clearly, which and how many preferences we have has a lot to do with *how* we lead our lives, with our character and our welfare. (Compare the person who loves money, and strives to get and keep it, with someone who does not.) Famous sages have pointed this out for millenia, and have given advice on how to *shape* our wishes.

* We are grateful to Christopher Abbey, Wolfgang Lenzen, Jeff McMahan, and Peter Singer for their helpful comments; and to the Deutsche Forschungsgemeinschaft (DFG) for supporting the research project “Was zählt?”; work on this introduction was part of the project.

¹ The terminology is inspired by Derek Parfit’s distinction of *different* versus *same people choices*, see p. 377 below.

But, more dramatically, should lives be led *at all*? And for how long? Choices in matters of life and death are among the most important cases of different preferences choices (no life, no preference) and have thus come to dominate the debate. They include the issues of procreation, abortion, population policy, and killing. They are also the central topics of the present symposium and hence of this introduction.

Extra Preferences

Suppose that we could bring into existence an extra preference – should we? (Should we, that is, all else being equal? The *ceteris paribus* clauses will be tacitly assumed most of the time.) If the new preference would be frustrated, it is fairly clear that the answer is no, since preference frustration is bad. But what if it would be fulfilled? What is the value of a satisfied extra preference?

There are at least three elementary options:

- (1) A satisfied extra preference is good.
- (2) A satisfied extra preference is good if, and only if, its bearer exists anyway.
- (3) A satisfied extra preference is neither good nor bad; its value is neutral.

For brevity's sake, the list has been kept incomplete. Modified versions of claim (2) will be dealt with later. Among the claims that we have ignored completely are that a satisfied extra preference is (pro tanto) bad, and that the (pro tanto) value of a satisfied extra preference could differ from case to case.²

Equipped with options (1)–(3), we can move on to life and death.

Lives: The Beginning

May we, or ought we to, create a new person? And may we, or ought we to, have abortions? If at all, then under what conditions?

Let us pretend for the moment that preferences are all that counts. (More on other goods below, in an extra section.) Somebody's life is then, for moral purposes, a bundle of preferences. And apart from any preferences the fetus might have before an abortion, the ethics of procreation and abortion boils down to the question of whether certain sets of preferences ought to exist. To see it boil down in some more detail, consider the following list of positions:

² See Fehige, sect. 1, for some comments on these two options.

- The Rabbits*: An individual with satisfied preferences ought to exist.
 The Midwives*: *Given an individual*, she ought to have satisfied preferences.
 The Mind Readers*: *Given an individual with preferences*, they ought to be satisfied.

Understanding the list, we suggest, is one way to understand the key issues; here are some explanations.

Ceteris paribus. Remember that the whole list is peppered with tacit *ceteris paribus* clauses. The obligations are claimed to hold just as long as they are not outweighed by other considerations. If, for instance, satisfaction could be achieved only at the cost of frustrating either the individual in question or somebody else (say her mother), then the respective obligations to provide the satisfaction might falter; this is something that Rabbits*, Midwives*, and Mind Readers* would all agree to.

Down the list. Every claim entails the claims from further down the list, whereas no claim entails one from further up the list. With each step down the list, the obligation to procure satisfaction is tied to an extra condition.

Losing the asterisk. Consider members of every group who deny the stronger claims (the claims listed above their own claims, that is). If we call members for whom this holds by their old names minus the asterisk, we get the following list:

- The Rabbits: An individual with satisfied preferences ought to exist.
 The Midwives: *Given an individual*, she ought to have satisfied preferences; but the Rabbits* are wrong.
 The Mind Readers: *Given an individual with preferences*, they ought to be satisfied; but the Midwives* and the Rabbits* are wrong.

Procreation and abortion. Now, to see what all this means for procreation and abortion, suppose that Mary is a possible individual who, if she were conceived and born, would lead a life with many more and stronger satisfied preferences than frustrated ones. (Talk of the “possible individual Mary” raises well-known metaphysical problems; but no *moral* harm ensues if we help ourselves to this expression.) The respective moral judgements will then be these:

	<i>Conceiving Mary</i>	Given that Mary is conceived (and has no preference whose satisfaction would require her survival), <i>refraining from aborting her</i>	Given that Mary exists, <i>satisfying her preferences</i>
The Rabbits say:	obligatory	obligatory	obligatory
The Midwives say:	not obligatory	obligatory	obligatory
The Mind Readers say:	not obligatory	not obligatory	obligatory

The call for life weakens. The table shows that, as we move down our list, the call for life weakens: Rabbits prescribe conception and forbid abortion; Midwives don't prescribe conception but still forbid abortion; Mind Readers neither prescribe conception nor forbid (as long as the fetus lacks the relevant preferences) abortion.

Mnemonic labels. With some good will, our choice of names for the three positions can now be seen to serve mnemonic purposes. The rabbit is an animal notoriously given to procreation; midwives care for the step from pregnancy to birth; and mind readers look for a mind: no preference, no obligation.

Warning. The table shows what follows from the Rabbits', the Midwives', and the Mind Readers' positions *under certain standard assumptions* about identity and preferences. One source of complications is that *some* theories of identity or of preferences would, if coupled with the Midwives' or the Mind Readers' position, force us to revise the table (see pp. 373 f. below).

The symmetry between contraception and abortion. In one respect, Rabbits and Mind Readers, though at opposite ends of the list, are closer to each other than to the Midwives. Rabbits and Mind Readers agree that contraception and abortion are, morally speaking, in the same boat – the question is just: *which* boat? Midwives, however, deny this symmetry.

The link. We can now link the three positions to the general claims (1)–(3), from p. 368, about the value of satisfied extra preferences. The connections are pretty straightforward.

The Rabbits and claim (1): When supporters of (1) look at a life, they give positive weight to every satisfied preference; thus, if there are more and

stronger satisfied preferences than frustrated ones, the life has a positive value and ought to be created. And that is what the Rabbits say.

The Midwives and claim (2): When supporters of (2) look at a life, they perform almost the same calculation as the Rabbits. The only difference is that the satisfied extra preferences are not deemed to have positive value as long as the individual does not exist. Therefore, they cannot generate a reason to create her. But since they do get positive weight as soon as she is around, they generate obligations to keep her alive (not to abort her, for instance) and to equip her with preferences that are satisfied. And that is what the Midwives say.

The Mind Readers and claim (3): Since according to (3) satisfied extra preferences are of no positive value, there is nothing in a life, or in any part of it, that would have made it bad if the life, or the part of it, had not been lived. Therefore, non-conception is okay, and so is – as long as the fetus has no preferences whose satisfaction would require her survival – abortion. And that is what the Mind Readers say.

We have seen, in outline, how the value of satisfied extra preferences determines the moral status of procreation and abortion.

Lives: The End

Let us now turn to the end of a life: how bad (or good) is death? The theoretical situation looks quite similar to that for birth, which was presented in the previous section. (In fact, abortion, touched on above, is an issue where the two topics, beginning and end, intersect.)

The individual whose death-at-point-of-time- t is at issue will usually have preferences before t , including perhaps some that her death-at- t would frustrate (or fulfil).³ But, death or no death, these preferences are there anyway, and so their moral impact on the badness (or goodness) of death has nothing to do with different preferences choices; they form, if we compare death-at- t to a survival option, what we could call a *same preferences segment* of that comparison.

Let us pretend, for today's purposes, that the role of the same preferences segment for the badness (or goodness) of death is uncontroversial. We can then turn our attention to the different preferences segment (more precisely, the extra preferences segment): how good or bad is it that death-at- t avoids the existence of the post- t -preferences that the preferrer would have had in the

³ Cf. McMahan, sects. 2 and 4–6.

survival scenario? The answer will be informed by our choice between claims (1)–(3), presented at the beginning of this introduction. Let us see how.

For an individual to die she has to exist; so where death is at issue the difference between claims (1) and (2) will vanish. (Unless (2) is modified; more on that below.) For defenders of (1) or (2), the preferences that, in the survival option, would come into existence and would be satisfied have positive value and argue against death, just the way we saw them argue against abortion. For defenders of claim (3), however, they don't; for them, the badness (or goodness) of death is determined only by the same preferences segment (see above) and by the negative value of the frustrated extra preferences that survival would bring with it.

That, then, was very roughly how the value of satisfied extra preferences will determine the moral status of death and killing.

The Big Three

Where have we got so far? Riding roughshod over some major qualifications and variations, here is a synopsis of what each of the three camps says about extra preferences, about the beginning of life, and about its end.

The Rabbits say that a satisfied extra preference has positive value. Hence, roughly speaking, creating lives that contain satisfied extra preferences is obligatory, and sexual abstinence, contraception, and abortion are quite frequently wrong; one major reason why killing is wrong is that it prevents satisfied extra preferences from coming into existence.

The Midwives say that a satisfied preference has positive value if, and only if, the preferer exists. Hence, we are under no obligation to create anybody, but must make sure that those who exist get satisfied extra preferences; sexual abstinence and contraception are okay, but abortions and other killings are not, since they deprive the victim of satisfied extra preferences.

The Mind Readers say that a satisfied extra preference is neither good nor bad, but neutral. Hence, there is no need to create anybody, and in many contexts we ought even to refrain from it; sexual abstinence and contraception are okay, and so is abortion (unless the fetus has preferences whose satisfaction requires its survival); death is bad in so far as it frustrates the preferences that precede it, but not because it withholds satisfied extra preferences from its victim.

Claim (2) and the Midwives: Variations

So much for the large picture. We can now proceed to some of the complications. Quite a few of them concern the Midwives and, which amounts to roughly the same thing, the supporters of claim (2).

Identity. Claim (2) presupposes a concept of identity: providing satisfied extra preferences is obligatory given that an entity identical to the recipient of the preferences exists. It follows that the moral substance of claim (2) will vary with the underlying concept of identity.

To illustrate this, let us return to the case of Mary and look at the egg and the sperm that, under suitable conditions, would develop into the adult Mary. Now, suppose that according to your concept of identity even the unfertilized egg, or the sperm, or the set {unfertilized egg, sperm} *is* Mary. If that were so, then even claim (2) would prescribe conception, viz. as a way to provide Mary – who already exists, as an egg or sperm or set – with satisfied preferences.

Far towards the other end of the spectrum, imagine a theory that has personal identity over time constituted by mental representation over time: say by somebody's beliefs as to what *will* happen to him, and by his memories as to what *has* happened to him. In that case, claim (2) would not prescribe conception and might tolerate even late abortion, or even infanticide. Everything would depend, firstly, on when you think a fetus or baby begins to understand what is meant by a, or its, future; secondly, on how far you think people's memories reach back: to the womb, to the cradle, or just to kindergarten?

Elsewhere in the spectrum (especially in between the options outlined in the previous two paragraphs), there are other concepts of identity each of which amounts to another modification of claim (2)'s moral upshot. Thus, concepts of identity generate many of the "cut-off points" that have been suggested in the debate on abortion and infanticide: points up to which killing a fetus, or even a baby, is held to be okay, and after which to be forbidden.⁴

Earlier, we presented a table showing what Rabbits, Midwives, and Mind Readers say about conceiving Mary and about aborting her (see p. 370). To get a complete set of entries for the Midwives, we had to assume *something* about identity, and we have assumed that, as is sometimes held, neither the

⁴ We shall meet some more of these suggestions shortly. See also Glover (1977), ch. 9, Sumner (1981), § 16, Singer (1993), ch. 6, (1995), ch. 5, the section on "New Reproductive Technology and the Abortion Debate". As to people's identity, see e.g. Parfit (1984), part three, and, with special emphasis on zygotes etc., van Inwagen (1990), sects. 14 and 17–9, and Wessels, sect. 2.4.

unfertilized egg nor the sperm nor the set {unfertilized egg, sperm} are Mary, but that the fertilized egg is. In this respect, however, as the foregoing remarks will have made clear, there is considerable leeway within midwifism.

Contrary to what the order of our presentation might suggest, the right way for a Midwife to go about these issues is not: to *first* endorse claim (2) and *then* analyse her concept of identity to find out *what* moral claim it is that she has just endorsed. Not to know what one is saying is hardly a benchmark of rationality. For a Midwife, the choice of an identity theory becomes a *moral* choice. It will thus require a *moral* argument, not a linguistic one.⁵

Identity or identity plus? Now, it doesn't really matter whether you manoeuvre your specifications into claim (2) via identity or more directly. Similar specifications are sometimes introduced on different routes by different authors.

Suppose, for example, you want to say that, if *a* and *b* are stages in the history or pre-history of the same physical organism, providing *b* with satisfied preferences is obligatory only if *a* has been conscious. (Consciousness is what some people take to be the right cut-off point.) There are two ways to express this. *Either* you subscribe to claim (2) as it is and explain to us that, *according to your concept of identity*, an earlier and a later item cannot be the same person unless the earlier one has been conscious.⁶ *Or* you take a different concept of identity – a purely physical one, for instance – and write the consciousness requirement into claim (2) straightaway: a satisfied extra preference is good (the modified version would run) if, and only if, its bearer exists *and has been conscious* anyway.⁷

Not every condition that has been poured into claim (2) by somebody – either via or over and above identity – can be mentioned here.⁸ It is sometimes held that a fetus acquires a right to life when it quickens.⁹ More specifically, only by *kicking* one's mother, we were once told by a sociologist, does one join the human community (a club with funny rules?). Others suggest as a criterion the arrival of the soul. As to the *time* of arrival, however, opinions

⁵ The same point has been made, in similar contexts, about words like "person", "human being", "life", and "the beginning of life"; their meaning will not by itself settle any moral issues. See e.g. Warnock (1987), pp. 1–6, and Hare (1993), sects. 7.9, 8.7, 10.3, 11.1 f.

⁶ A position that McMahan, sect. 2.2, seems to sympathize with; similarly Haslett (1996), p. 174.

⁷ For sentience (rather than consciousness), this is Sumner's strategy in (1981), § 16. (For the difference, or alleged difference, between consciousness and sentience, see *ibid.*, p. 142, and Leist 1990, pp. 145 f.) Leist's position in (1990), sect. V.3.a, is similar, but, given Leist's notion of a preference, could be couched even in the Mind Readers' format; see p. 376 below.

⁸ A considerable number of such conditions are discussed in the sources listed in note 4 above.

⁹ Grisez (1970), pp. 374–97, traces some of the influence this criterion has had.

are divided. Some think the soul is already in the sperm; others hold that it arrives at conception; or when the fetus has the shape of a human being; or at birth; or twelve days after birth; or never; or – not implausibly – that only God knows.¹⁰ Satisfied extra preferences are sometimes thought to be good if, and only if, their recipient exists anyway *and would receive them in the natural or normal course of events* (if nobody interfered, or something along these lines).¹¹ Sometimes particular *psychological connections* are required to hold between the temporal stage that receives the satisfied extra preferences and the temporal stage that exists anyway.¹²

The existence of so many relatives makes it reasonable to use terms like “Midwife”, “Midwife*”, or “claim (2)” for their entire families; let now each of them cover not just precisely the position for which it has been introduced earlier, but also modified versions similar to those we have just met. In its most general (though somewhat cumbersome) form, the question behind the variations is this: apart from a preference of *a*'s that *b* should have satisfied preferences, which conditions, be they matters of identity or not, suffice for the existence of an object *a* to generate a reason to provide an object *b* with satisfied preferences?¹³ Many answers have been proposed; the differences between them are, literally, vital.

Pleasure and Other Goods

So far, our presentation has proceeded as if all that counted were preferences. What, one might ask, has happened to happiness in the hedonic sense: to pleasure, or feeling good? Preferences aside, if Mary isn't conceived, or is conceived and aborted, or is raised but killed, then she will have no *fun*, or less than she could have. Is this irrelevant?¹⁴

If we want to say that pleasure counts, we have two basic options.

¹⁰ For the twelve-day theory, see Batchelor (1901), p. 240. Prominent sources for the “never” theory can be spotted with the help of Lange (1866), esp. vol. 1, part 4, ch. II, vol. 2, part 3, ch. II; for the other claims, with the help of Emmel (1918), Grisez (1970), esp. chs. IV f., and Stockums (1924).

¹¹ Cf. Lenzen, sect. 4, and the critique by Wessels, sect. 2.4, subsections “What Fertilized Eggs Do by Themselves” and “External Intervention, Inner Nature, Biological Constitution”.

¹² Cf. Tooley (1983), pp. 130–2, McMahan, sect. 3, and the objections from the beginning of Spitzley's critique; Lenzen, too, seems to hold (in sect. 6.1) that such connections make at least a quantitative difference.

¹³ The point of this general wording becomes clearer if we think of *a* and *b* as entities that *might* be different time stages of the same object, organism, or person. The issues we have touched upon in this section – the interplay of identity, psychological continuity, desires, and the right to life – receive a detailed (and difficult) discussion in sects. 5.1 to 5.3 of Tooley (1983).

¹⁴ Cf. Lockwood (1979), pp. 157 f., 164–9, Lenzen, sect. 3.

Linking preferences to pleasure. One option is to translate pleasure jargon into preference jargon.¹⁵ This has two pleasant effects: we get a unified terminology, and the three positions we have come across so far cover the hedonic terrain as well. Given any translation of pleasure into preferences, we can simply proceed along the routes sketched out above and check what the results of each of the claims (1)–(3), coupled with the translation, are.

A lot will then depend on the precise wording of the translation. Should we, for instance, say that it is analytically true of every individual that she wishes to have pleasant consciousness? (In that case, assuming that the fetus is the same individual as the corresponding adult, even Mind Readers would forbid abortion, since it would frustrate an existing preference for pleasure. The case from the second column of the table on p. 370 could simply not arise.) Or, slightly weaker, should we take it as an analytical truth that pleasant consciousness implies the preference for having more pleasant consciousness later on? (Thus Leist 1990, p. 147; in that case still, even Mind Readers would forbid abortion if and after the fetus has had some fun.) Or should we say that the strongest analytical truth in this area says that individuals want to spend pleasantly the time during which they are conscious?¹⁶

Not linking preferences to pleasure. If we don't want analytical links, then we have to work with two separate accounts: one for satisfied extra *preferences*, one for extra *pleasure*.¹⁷ Pretending that by now we have got to grips with extra preferences, we have to decide anew upon the principles that cover the value of extra pleasure.

What principles, then? Preferences, *if there*, should be satisfied; similarly, consciousness, *if there*, should be pleasant. That much is clear. But what is the value of a pleasant *extra* moment of consciousness?

There are at least three elementary types of options:

- (H 1) A pleasant extra moment of consciousness is good.
- (H 2) A pleasant extra moment of consciousness is good if, and only if, its bearer exists anyway.
- (H 3) A pleasant extra moment of consciousness is neither good nor bad; its value is neutral.

This list should evoke memories,¹⁸ and the reader is invited to indulge in

¹⁵ Cf. Kant (1785), pp. 415 f., Singer (1993), p. 131, Fehige, sect. 1.

¹⁶ This is what Singer (1993), p. 131, seems to have in mind; for this position and the difference it makes, see Wessels, sect. 2.2., subsect. "How the Suicide Argument Survives Various Objections".

¹⁷ Cf. e.g. Lockwood (1979), pp. 164 f.

¹⁸ If it doesn't, see the section on extra preferences towards the beginning of this introduction.

them, and their reverberations, at her leisure. And if you think there are other good things than preference satisfaction and ἡδονή, you can pour them into the same sort of structure.¹⁹

Several People

So far, our *ceteris paribus* clauses, mostly tacit, have helped us to concentrate on the fate of just *one* real or possible person: ought she to be conceived? May she be aborted? Ought she to get a satisfied extra preference? How bad would death be for her?

Things become more complicated still if we move on to cases that involve several (possible) parties. The more parties, the more ways that other things can fail to be equal. Considerations concerning the quantity of lives lived might, for instance, conflict with those concerning their quality. Raising the number of people might lower the standard of living – should there rather be ten very happy people or twenty people who are ‘half as happy’? And if not twenty, what about thirty?

If we employ Derek Parfit’s term “different people choices” for choices that make a difference to the number or the identity of people who will ever exist,²⁰ then the area in question is that of *aggregational problems* in the realm of different people choices. Many of the famous problems from that area, too, are presented and discussed in this symposium: replaceability and the Non-Identity-Problem, the Absurd Conclusion, the Repugnant Conclusion, and the Mere Addition Paradox.²¹

Aggregational problems of different preferences choices come in *intra*-personal versions, too: is it better for someone to have ten strong satisfied extra preferences or to have a hundred weak ones?

Having nodded in their direction, our introduction will not pursue aggregational issues much further. Though fascinating and important, they are mostly posterior to the *ceteris paribus* questions which, for precisely that reason, have been treated here in some more detail. We are unlikely to know

¹⁹ Cf. McMahan, sects. 2.3 and 3.

²⁰ Parfit (1984), sect. 120.

²¹ Replaceability and the Non-Identity Problem: see Parfit (1984), ch. 16, Fehige, sect. 7, Singer, sect. 2, Wessels, sect. 2.3, subsect. “The Suicide Revisited”; the Absurd Conclusion: see Parfit (1984), ch. 18, Fehige, sect. 7; the Repugnant Conclusion: see Parfit (1984), ch. 17, Fehige, sect. 6, Hare, sect. 4; the Mere Addition Paradox: see Parfit (1984), ch. 19, Fehige, sect. 6, Singer, sect. 3. The cruelty of average utilitarianism is another example, see Parfit (1984), sect. 138.

the value of *several* lives of a certain type as long as we don't even know the value of one them; and we are unlikely to know the value of one life of a certain type as long as we don't even know the value of one part of it.

And some of the aggregational puzzles in population ethics, we think, have far more to do with general questions of justice than with different people choices in particular. To frame this as an empirical hypothesis: if a general principle of justice, applied to a certain different people choice, comes up with a judgement that a certain moral thinker finds counter-intuitive, then the chances are that there is a same people choice with, in some sense, the same property. That is to say, applied to *that* choice, the principle will *also* come up with a judgement the thinker finds counter-intuitive, and some structural analogy between the sources of counter-intuitiveness will leap to the eye.

Take, for example, the so-called Repugnant Conclusion, a claim generally taken to follow from, and to embarrass, total utilitarianism (the doctrine, that is, that bids us to maximize the sum total of welfare). The Repugnant Conclusion says that for any number k , however large, there is a number n such that the existence of n people who consider their lives barely worth living is better than the existence of k very happy people.

Now, compare this to the following claim from the realm of same people choices: for any number k , however large, there is a number n such that satisfying one tiny preference of each of n persons is more important than saving k of these people from getting roasted in hell for one hundred years each. Call this the Hellish Conclusion. It would be quite a feat to spot somebody who finds the Repugnant Conclusion counter-intuitive but not the Hellish Conclusion. There seems to be, if a problem at all, then a *general* problem for utilitarianism: an enormous lump of disutility, inflicted on each of no matter how many persons, can always be outweighed by providing each of a sufficiently large number of individuals with one crumb of utility.

Suppose our hypothesis that most of the aggregational trouble is of a general type can be confirmed along the lines thus illustrated. Then the right morality for different people choices is likely to be found not so much in aggregational principles tailor-made for, and checked and discussed with a special view to, population ethics; but rather in a combination of, on the one hand, *general principles and discussions of justice* (making little or no particular reference to different people choices) and, on the other hand, the type of *pro tanto considerations* – about the value, for instance, of a satisfied extra preference or an extra moment of pleasure – that this introduction has focused on. Same people or different people, justice itself is then deeply uniform. All we have to do is let it loose on the right concept of welfare.

The Contributions to this Symposium

We can now link the papers that await us to what has been said so far. The most elementary connection is that the symposium includes representatives from each of the three camps. Here is a more specific guide.

Peter Singer's contribution begins on p. 383 and should be read along with this introduction; he surveys major arguments, options, and problems, quite a few of which he himself has shaped or initiated over the last twenty years. Ground covered includes the relation of preference to happiness, replaceability, the Non-Identity Problem, the Mere Addition Paradox, Hurka's theory of the diminishing marginal value of happy lives, and Heyd's claim that, in essence, what should function as the moral measuring rod for different people choices are the wishes of the procreators rather than those of the offspring. Singer sees the Rabbits' and the Mind Readers' position as the essential candidates today; having compared the drawbacks of each of them, he concludes that, currently and by a narrow margin, the Rabbits have the better case.

Richard M. Hare, whose paper begins on p. 399, is a Rabbit, and probably *the* paradigm Rabbit. He has been defending the position rigorously and repeatedly since at least 1975 (see the reprinted essays 5 f. and 10–12 in his 1993); as far as we know, he is also – appeals to the Bible and to moral intuitions aside – the inventor of the only genuine *argument* for it. Hare argues that to be moral is to have analogous preferences for analogous situations; that some real-life people want to have been born; and that, hence, morality requires them to have, for analogous situations (in which *other* people's birth is at issue), analogous preferences (preferences for *those* people's birth, that is). Hare's paper restates his view and adds further explanations. Taking as his point of departure an argument of Hajdin's, Hare also discusses asynchronic preferences, the relations of preferences to pleasure, the roles all these should play in moral reasoning, and their impact on the morality of possible people in particular.

Wolfgang Lenzen, whose paper begins on p. 406, is a Midwife. He presents one specific form of midwifism, based on a theory of the value of life and on a minimal moral theory that tries to combine the maxim "neminem laedere" with a number of utilitarian ideas. Like most versions of midwifism, his theory implies that it is, roughly speaking, not obligatory to conceive, but obligatory not to abort. What underpins the verdict is firstly certain differences between a fertilized egg and an unfertilized egg; secondly the claim that it may be immoral to deprive an individual of future goods even if these are not yet desired. The paper includes a critical discussion of the Mind Readers' and of the Rabbits' position, and replies to some of their objections against midwifism.

Ulla Wessels, whose paper begins on p. 429, criticizes the positions of Hare and Lenzen. Challenging Lenzen's background theory, she sets out to show that, by itself, undesired future happiness does not argue against death; and that, if it did, it would also argue *for* the *creation* of happy individuals. And, she goes on, suppose that we grant Lenzen his background theory: does it really entail that it is when sperm and egg fuse that the right to life begins? Lenzen does not give us the theory of identity that could support that inference.

Hare's argument, too, says Wessels after a detailed analysis, fails. Under one reading, the method it employs could generate deontic contradictions and is therefore inadequate. Under the other readings, the argument is left with a large hole: in order to show that people with satisfied preferences ought to exist it needs the extra premiss that satisfied preferences ought to exist. Most of Wessels's points are, or imply, fairly general objections to rabbitism and midwifism; thus, to the extent that the objections are valid, her paper is an argument *ex negativo* for mind reading.

Jeff McMahan, whose paper begins on p. 471, is a Midwife*. His paper concentrates on death (both pre- and postnatal) and on the role of preferences in explaining why death is usually bad. A discussion of the standard problems and answers in the field gives rise to a new theory that preserves parts of previous approaches, but modifies and supplements them. All Midwives* say that a person's goods-at-point-of-time-*t'* speak against her death-at-an-earlier-point-of-time-*t*. McMahan's central innovation is the claim that the degree to which they do so is proportional to the psychological connectedness of the person-at-*t* with the person-at-*t'*. The innovation is explained and motivated, and is shown to avoid certain counter-intuitive implications of unmodified midwifism.

Thomas Spitzley, whose paper begins on p. 503, criticizes McMahan's contribution. Firstly, he questions the central building block of McMahan's theory, the notion of psychological continuity: the notion itself, he says, raises conceptual puzzles, and McMahan's moral claims involving it are arbitrary, counter-intuitive, or both. Secondly, Spitzley is sceptical about McMahan's use of moral intuitions in general. Thirdly, he doubts whether McMahan's theory covers as large a terrain as it claims to: if we want to calculate the badness of a *natural* death along McMahan's lines, then what survival scenario are we supposed to compare it to?

Christoph Fehige, whose paper begins on p. 508, is a Mind Reader. He explains and defends what has figured in this introduction as claim (3) – viz., that a satisfied extra preference is of no value. He calls that position antifrustrationism and proceeds to develop a Mind Reader's morality based on it. Some

of his reflections on the way (those that concern, as he puts it, the *format* of Pareto principles for different people choices) are independent of antifrustrationism or mind reading. His paper also discusses the Mere Addition Paradox (and its antifrustrationist solution), the Repugnant Conclusion (plus a very repugnant cousin of it, both rejected by antifrustrationism), and various related problems.

*

It has been our aim to facilitate the reader's orientation in the realm of possible preferences and in this symposium. The field itself is complex, and our introduction could not help sharing this fate to at least some extent. Our exposition was centered around two times three claims: firstly, around claims (1)–(3) about the value of satisfied extra preferences; secondly and correspondingly, around the claims of the Rabbits, the Midwives, and the Mind Readers. Keeping these trinities in mind, and understanding everything else as variations on that theme, is perhaps a helpful strategy for finding a way through the jungle of arguments, counter-arguments, methods, intuitions, thought-experiments, and subtle differences.

References

Contributions to this symposium have been referred to by authors' names only, without year numerals, and are not listed here.

- BATCHELOR (1901). John Batchelor: *The Ainu and their Folk-Lore*, London 1901.
- EMMEL (1918). Karl Emmel: *Das Fortleben der antiken Lehren von der Beseelung bei den Kirchenvätern*, Leipzig 1918.
- GLOVER (1977). Jonathan Glover: *Causing Death and Saving Lives*, Harmondsworth 1977.
- GRISEZ (1970). Germain Grisez: *Abortion*, New York 1970.
- HARE (1993). Richard M. Hare: *Essays on Bioethics*, Oxford 1993.
- HASLETT (1996). D. W. Haslett: "On Life, Death, and Abortion", *Utilitas* 8 (1996).
- VAN INWAGEN (1990). Peter van Inwagen: *Material Beings*, Ithaca 1990.
- KANT (1785). Immanuel Kant: *Grundlegung zur Metaphysik der Sitten*, Berlin 1911, vol. IV of the Royal Prussian Academy edition of *Kant's gesammelte Schriften: Grundlegung* first publ. in 1785.
- LANGE (1866). Friedrich Albert Lange: *Geschichte des Materialismus*, second, rev. ed., Frankfurt/Main 1974, 2 vols.; first ed. first publ. in 1866, second ed. in 1873.
- LEIST (1990). Anton Leist: *Eine Frage des Lebens*, Frankfurt/Main 1990.

- LOCKWOOD (1979). Michael Lockwood: "Singer on Killing and the Preference for Life", *Inquiry* 22 (1979).
- PARFIT (1984). Derek Parfit: *Reasons and Persons*, Oxford 1987; first ed. first publ. in 1984.
- SINGER (1993). Peter Singer: *Practical Ethics*, second ed., Cambridge 1993; first ed. first publ. in 1979.
- SINGER (1995). Peter Singer: *Rethinking Life and Death*, Oxford 1995.
- STOCKUMS (1924). W. Stockums: "Historisch-Kritisches über die Frage: 'Wann entsteht die geistige Seele?'" , *Philosophisches Jahrbuch der Görresgesellschaft* 37 (1924).
- SUMNER (1981). L. W. Sumner: *Abortion and Moral Theory*, Princeton 1981.
- TOOLEY (1983). Michael Tooley: *Abortion and Infanticide*, Oxford 1983.
- WARNOCK (1987). Mary Warnock: "Do Human Cells Have Rights?", *Bioethics* 1 (1987).