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A Variabilist Solution to the Asymmetry:  
Why Bringing the Anguished Child into Existence Is Wrong but  
Leaving the Happy Child Out of Existence Isn't

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*Abstract:* According to the Asymmetry, it is ordinarily wrong to bring an anguished child into existence but ordinarily permissible not to bring a happy child into existence. A plausible account of the Asymmetry has been surprisingly difficult to provide, and it seems that most moral philosophers—or at least most consequentialists—think that all reasonable efforts to do so have been exhausted. In this paper, I review several accounts of the Asymmetry and note, for each, some of the problem cases that show why it fails. As we shall see, it seems that it will not do to say that the merely possible don't matter morally, or that a person matters morally in one world but not in another, or, more generally, that some people matter morally and others don't. I then propose an alternate account of the Asymmetry. That account—Variabilism—considers *all* people—existing, future *and* merely possible—to matter *morally* but each to matter *variably*. That is: any loss incurred in a world in which the person who incurs that loss does or will exist has full moral significance for purposes of evaluating the acts that impose that loss and the alternate acts that avoid that loss. But any loss incurred at a world at which the person who incurs that loss never exists at all has no moral significance whatsoever.

Variabilism is able to address the problem cases in plausible ways because Variabilism recognizes that the merely possible *do* matter morally. Their plights at faraway worlds can render the otherwise permissible acts performed at those worlds wrong. Even more interestingly, their plights at faraway worlds can exert a certain cross-world moral pull—a pull that renders otherwise wrong acts that we may perform at *this* world perfectly permissible. The classical utilitarian theory—Totalism—can do all that work as well. The difference is that Variabilism is able to do that work *without* insisting on a general obligation to bring ever more happy people into existence.

The Asymmetry in hand, our prospects for spelling out the obligations we have in respect of both the size of future populations and the wellbeing levels of the constituents of those populations—and spell them out robustly, in a way that leaves them *undiluted* by the obligation to bring ever more happy people into existence—seem bright.

1. *The Asymmetry*

1.1 *Introduction; goal of paper.* It seems intuitive that agents are ordinarily both (1) morally obligated not to bring an *anguished* child—a child whose life would be unambiguously *less* than worth living—into existence and (2) perfectly free to leave a child whose life would be worth living or even well worth living—a *happy* child—out of existence. We do not have complete procreative liberty. But we do have some discretion. These two claims together constitute what Jeff McMahan has called *the Asymmetry*.<sup>1</sup>

On its face, the Asymmetry seems to offer a *very good start* to the ethics of population and procreation. But it has seemed to many theorists that at some deeper level the two halves of the Asymmetry are at odds with each other. One half of the Asymmetry suggests that the anguished child exerts a certain moral force over agents—a force compelling them *not to bring* that child into existence. The other half suggests that there is no comparable moral force emanating from the direction of the happy child—no force compelling agents *to bring* that child into existence. . . If we do not think there is some great moral distinction to be made between burdening one child and failing to benefit another, why would we think that agents have obligations in respect of the one child but not the other? If the basic demand of moral law is that we do *the best we can*—create, that is, the *most good we can*—for people, why would that demand be in full force and effect in the case of the miserable child but entirely quiescent in the case of the happy child?

And so we face a puzzle. The Asymmetry seems highly intuitive. But questions arise concerning its very consistency.

To solve the puzzle is to do one of two things. We can explain why, despite the Asymmetry's facial appeal, one or the other of the two halves of the Asymmetry should be rejected. Or we can explain why the two halves of the Asymmetry are, after all, not at odds with one another.

In other work, I have argued for principles that fully support the Asymmetry.<sup>2</sup> But it might be objected that those principles, not being cast in terms of some still more general principle, do not provide any truly satisfactory *explanation* of the Asymmetry. The goal of this present paper is provide that explanation.

1.2 *McMahan’s addendum to the Asymmetry.* McMahan himself—in response to David Benatar<sup>3</sup>—proposes an addendum to the second half of the Asymmetry. According to McMahan, the freedom agents have in respect of the happy child goes both ways. Just as we are permitted to leave the happy child *out* of existence, so are we permitted to bring that same happy child *into* existence.<sup>4</sup>

McMahan’s addendum—if we understand it to be restricted in a certain way—seems every bit as intuitive as the original Asymmetry. But it’s clear that a restriction is in order. Consider the simple case in which how a choice is made will have no effect on anyone beyond the child whose coming into existence is at issue. Even in that simple case, the fact that the child is happy existing—that the child’s life is unambiguously worth living—isn’t *sufficient* to make the choice to bring that child into existence permissible.<sup>5</sup> If, by an alternate choice, we could have brought that same identical child into a *better* existence—if we could have created *more* wellbeing for that child and instead create *less*—then what we have done is wrong.<sup>6</sup>

We now have two issues: how to solve the puzzle of the Asymmetry itself and then how to restrict the addendum.

1.3 *Background.* The experience of the last several years has done nothing to ease the concern that the Asymmetry is inconsistent. It has instead become increasingly clear that an otherwise plausible account that reconciles the two halves of the Asymmetry against each other is going to be hard to come by. Such an account has in fact seemed *so* hard to come by that many—perhaps most—have felt themselves forced to abandon the Asymmetry altogether.

Rejection usually takes the form of conforming what we say about the happy child to what we think we intuitively want to say about the anguished child. McMahan, Peter Singer and Ingmar Persson

thus *promote* the happy child rather than *demote* the anguished child.<sup>7</sup> John Broome takes a similar position—though for him the point relates to outcome betterness and not act permissibility.<sup>8</sup>

David Heyd takes the less travelled road. We assume that we are still in the simple case in which how the choice is made matters to no one beyond the very child whose coming into existence is at issue. Then, Heyd's analysis of the Asymmetry begins with a certain *Noncomparability* thesis. Consider the assertion that never existing would be *worse for* the happy child than existence is. According to Heyd, for that assertion to be true, there would need to be a subject for whom never existing would be worse. But there is no such subject. So the assertion is can't be true.<sup>9</sup> Heyd, moreover, thinks that any plausible account of wrongdoing must be articulated in *person-affecting* rather than *impersonal* and *comparative* rather than *noncomparative* terms.<sup>10</sup> In other words: an act can be wrong, according to Heyd, *only if it affects people for the worse*. Since, by Noncomparability, it can't be true that leaving the happy child out of existence makes things worse for that child, and since no one else is affected either way, Heyd easily reaches the result that leaving the happy child out of existence isn't wrong.

The problem is that a parallel analysis yields the result that bringing the anguished child into existence isn't wrong, either. Since, by Noncomparability, it can't be true that bringing the anguished child into existence makes things worse for that child, and since no one else is affected either way, Heyd infers that bringing the anguished child into existence must be perfectly permissible.<sup>11</sup>

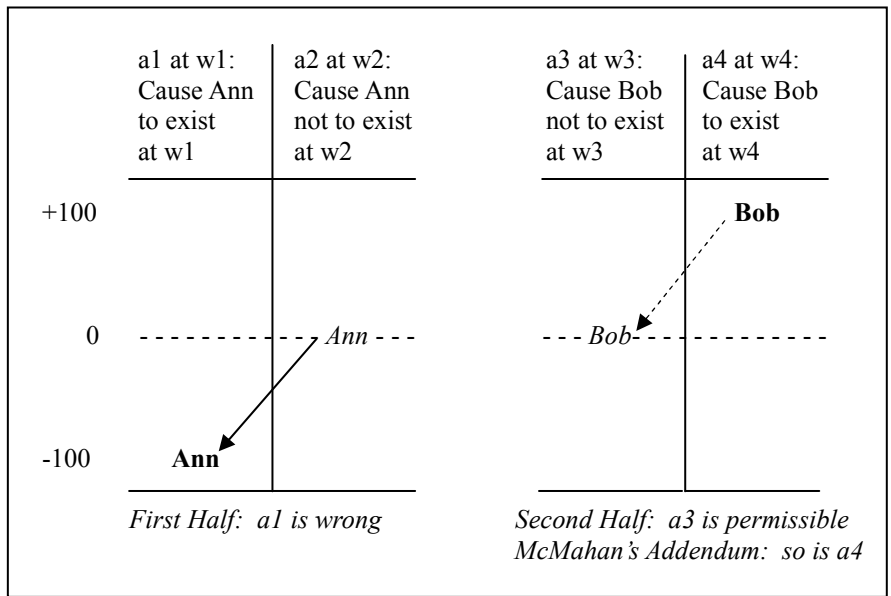
One way or another, then, the Symmetrists have prevailed. We should, they say, reject the Asymmetry.

The purpose of this paper is to argue that that view is mistaken. We *can* explain just why the two halves of the Asymmetry are not at odds with another—and suggest a plausible restriction for McMahan's addendum. *And* we can do so in a way that nicely addresses the various problem cases that have plagued prior analyses.

If the account that I propose succeeds, we will be left with the two halves of the Asymmetry and an appropriately restricted form of McMahan's addendum—that is, a very good and *nice*ly well-ground start to the ethics of population and procreation.

2. Preliminaries

2.1 *Graph of the Asymmetry.* Graph 1 represents the two cases that give rise to the Asymmetry.



Graph 1: *The Asymmetry*

This and later graphs show the outcomes for persons—here, Ann and Bob—of acts—a1, a2 etc.—performed at worlds—w1, w2 etc. The existential status of a person at a world is indicated by font: **bold** means that the person *does or will exist*, and *italics* that the person *never exists*, at the specified world.

2.1 *Preliminaries, including Comparability.* For purposes here, I assume the following. (1) Unless explicitly stated, how the choice under scrutiny is made affects neither the wellbeing level nor the existential status of anyone other than the very person whose coming into existence will be decided by that choice. (2) The outcomes described are exactly the outcomes that the agent or agents have the physical ability to bring about just prior to choice—the outcomes, that is, that are *accessible* to agents at that time. (3) The term *act* includes any omission.<sup>12</sup>

Also: (4) for purposes here, I use the term *loss* as shorthand for the case where agents have created less wellbeing for a particular person at a world when, by performing an alternate act at some alternate world accessible to agents just prior to choice, agents could have created more wellbeing for that same person.<sup>13</sup> But I do *not*, for purposes here, purport to analyze the concepts ordinary language attaches to the terms *harm* and *loss*<sup>14</sup> or even try to distinguish between the “morally relevant sense”<sup>15</sup> of those terms and any other. (5) *Loss* and *gain* (or *benefit*) are just two sides of the same coin. Thus, *not to create a gain* for a person at a world when the agent (or group) has the ability to do so is *to impose a loss* on that person. Similarly, to create a *gain* for a person at a world is just to avoid a *loss* on behalf of that person at that world.

And finally (6) I accept for purposes here what we can call *Comparability*, according to which nonexistence does not get in the way of a person incurring a loss or accruing a gain. A loss can thus be incurred where the person who incurs the loss never exists at all, and gains can be accrued at worlds where the person who accrues the gain never exists at all. This means that that *all* of the downward arrows in all the graphs in this paper represent *losses*. (We return to the significance of the broken versus the unbroken arrows later.) Each arrow thus begins in a world in which the indicated person—whether existing or not—accrues a gain and lands in a world in which that same person—existing or not—incurs a

loss. Ann accrues a gain under  $a_2$  despite the fact that she never exists at  $w_2$ , while Bob incurs a loss under  $a_3$  despite the fact that he never exists at  $w_3$ .

Comparability touches on a controversy that has received a good deal of attention lately. As noted before, Heyd accepts Noncomparability. So do many others, including McMahan and John Broome.<sup>16</sup> Still others—including Parfit himself—accept *Partial* Noncomparability. On that view, while bringing a person into existence can make things worse (better) for that person, leaving that same person out of existence can't make things better (worse) for that person.<sup>17</sup>

My view, however, is that Comparability is the more plausible of the three approaches—that it is intuitive, and that the arguments that aim to show that it isn't cogent do not succeed.<sup>18</sup> Thus, it seems plausible that *this* world—the *actual* world—is *better for* you and me than is any alternate world where we never exist at all. It seems plausible as well that any of those many, many worlds in which we never exist at all is *worse for* you and me than the actual world is. More precisely: you and I each have more wellbeing at the actual world, where we exist, than we have at any alternate world at which we never exist. After all, the person who never exists at a world would seem to have *no* wellbeing at that world, and the amount of wellbeing had by a person who has no wellbeing at all at a world would seem to be exactly *zero* at that world. But surely we have more wellbeing than *that* at the actual world. We, accordingly, have more wellbeing at the actual world, where we exist, than we have at any world where we do not. But that is just to say the following: it is better for us—that is, for you and for me—to have the particular existence we in fact have than it is never to have existed at all.

The worry about Comparability is often expressed as Heyd himself expresses it: as a worry that the subject of the assertion under scrutiny is simply missing. It's true that the person is "missing" at the world where that person never exists. But it doesn't follow that the *assertion* is missing a subject or that its subject term fails to refer. Consider, to begin, a world in which the anguished child exists. When it is

asserted at that world that it would have been better for *that child* never to have existed at all, the subject of our assertion isn't missing and the subject term clearly refers. The person the claim is about is simply the anguished child, and it can cogently be said, at that world, that that particular existence is *worse for that child* than *that child's* never existing at all. And it is surely analytic that, if that much is cogent, so is the further claim, asserted at the same world, that never existing would have been *better for* that child than existence in fact is.

Now, what we have said so far justifies *Partial Noncomparability* but not *Comparability* itself. According to *Partial Noncomparability*, while we can say that bringing the anguished child into existence is (e.g.) worse for that child, we can't say that leaving that child out of existence is better for that child. More precisely: it can be cogently asserted at a world where the anguished child exists that bringing that child into existence makes things worse for that child, but it can't be cogently asserted at a world where the anguished child never exists that leaving that child out of existence makes things better for that child. The idea would be that in the case of one assertion reference to the anguished child is secured and in the other it isn't. I think, however, that that idea is mistaken.<sup>19</sup> After all, there is no requirement that the assertion that makes sense at the world where the anguished child exists has to be the *very same assertion* that makes sense at the world where that child never exists. For example, at the world where the child exists, agents may be in a position to express (via demonstrative or genuine proper name) the relevant singular proposition—a proposition that, on some views, contains as a component the flesh and blood child.<sup>20</sup> ("It's worse for *that child* that that child exist.") At the alternate world where the child never exists, the proposition agents are in a position to express will instead have to be constructed out of general concepts. ("Given his hereditary condition, it is going to be better for at least some of the children Mr. Smith could have conceived that those children never exist at all.") But there is no reason to think that such an assertion is not a cogent—or that the two assertions are not *about*, in the relevant sense, one and

the same child.<sup>21</sup> Indeed, what makes the latter assertion not just cogent but true is the fact that—at least at the time just prior to choice—there was an alternate possible future accessible to the agents in which they produce an anguished child. After all, even the modal actualist must find some means of recognizing as both meaningful and true the claim that JFK could have had another child who was a senator but could have been an astronaut.<sup>22</sup> So, I believe, should we—whether we are modal actualists or not—find some means of recognizing as both meaningful and true claims about the anguished child even when the worlds at which the relevant claims are asserted happen to be worlds at which that child ever exists at all.

This discussion is too brief to resolve the controversy surrounding Comparability. So, for purposes here, Comparability must remain an assumption. But while that assumption *limits* my conclusion, it doesn't *weaken* it. For it is not as though all Comparabilists support the Asymmetry and all Noncomparabilists reject it. Just the reverse. Thus—as we shall see—Parfit's own explanation of the Asymmetry relies on Partial Noncomparability. If Comparability happens to be true instead, Parfit's account immediately flounders. Moreover—as we shall also see—we are going to be forced to conclude that *all* people—whether existing, future or merely possible; and whether the assertions that we want to make about them happen to be singular propositions or not—have full moral status. That conclusion, combined with Comparability, may seem to go a very long way toward making the case *against* the second half of the Asymmetry. The person who never exists at a given world has *full moral status*, and the existence worth having is *better for* that person than never existing at all. It may seem that the second half of the Asymmetry is immediately disproved. A main goal of this paper to show that that is not so. Yes, people who are merely possible have full moral status. Yes, those people often incur losses when we leave them out of existence altogether. But, no, it does not follow that the second half of the Asymmetry is false.

3. Parfit’s “Better Explanation” of the Asymmetry

3.1 Connection between wrongdoing and existing

Initial obstacles to explaining just how the two halves of the Asymmetry can both be true are on display in Graph 1. We there see two children Ann and Bob whose coming into existence is all that is at stake in the choices under scrutiny. We see two losses that are equal in size *and* cut very deep.<sup>23</sup> And even if we see one choice as imposing a burden and the other as a failure to benefit, we feel hard pressed to explain why that distinction should be accorded any moral significance at all. If we want to say that Ann’s loss at  $w_1$  *bears on*  $a_1$ ’s permissibility—that is, *counts against*  $a_1$ —why aren’t we compelled to say as well that Bob’s loss at  $w_3$  *bears on*  $a_3$ ’s permissibility—that is, *counts against*  $a_3$ ?

We immediately begin to try to discern a deeper distinction between the two cases. Parfit, decades ago, suggested a way of explaining the Asymmetry that brings to bear a certain “person-affecting restriction.”<sup>24</sup> According to that restriction, the “part of morality . . . concerned with human well-being . . . should be explained entirely in terms of what is good or bad for those whom our acts affect.”<sup>25</sup>

[I]t is wrong, if other things are equal, to do what would be either bad for, or worse for, the people who ever live. It is therefore wrong to have the Wretched Child. Since his life is worse than nothing, having this child is bad for him. But it is in no way wrong to fail to have the Happy Child, whose life would be well worth living. True if the couple had this child, this would be good for him. But if they do not have this child, this would not be bad for him.<sup>26</sup>

And *why* isn’t it “bad for” the happy child—Bob—that he never exist? Here Parfit invokes Partial Noncomparability. We can accept, Parfit suggests, that “causing someone to exist *can* be either good or bad for this person” but also reject that *not* bringing that person into existence is either bad or good (or worse or better) for that person.<sup>27</sup> What justifies, according to Parfit, “breaking” the “ordinary entailment that, if some event would be good for people, this event’s non-occurrence would be worse for people” is

just that the person we would be asserting things are “worse for” is not among those people “who will ever live.”<sup>28</sup>

Parfit considers this the “*better* explanation” of the Asymmetry.<sup>29</sup> Of course, that the Asymmetry can be given this “better explanation” does not incline Parfit in the least to accept the Asymmetry. For this “better explanation” includes the person-affecting idea that an act that—like  $a_3$ —is not bad for anyone “who will ever live” isn’t bad—wrong—at all. And that last principle—a necessary condition on wrongdoing that Parfit calls the *person-affecting intuition*—is one that the nonidentity problem, according to Parfit, forces us to reject.<sup>30</sup>

But the sorts of conclusions philosophers have been prone to draw from the nonidentity problem are *highly* contestable.<sup>31</sup> The question thus arises whether there are reasons *beyond* the nonidentity problem to think that Parfit’s “better explanation” fails.<sup>32</sup>

3.2 *Heyd’s objection.* Heyd—while unmoved by the nonidentity problem—argues that there are indeed such reasons.<sup>33</sup> And Parfit, at least at some point along the way, seemed to have second thoughts as well.<sup>34</sup> The problem is that Bob *does exist* at  $w_4$ —and he *gains* at  $w_4$  by being brought into existence there. Accordingly—as Heyd puts it—the “existence of a subject reacting to our behavior toward it is a double-edged argument: one can equally say that although there is no subject who can be grateful to us for not being begotten (in misery), *there is a subject* who can thank us for being born (happy).”<sup>35</sup>

What Heyd is getting at here is that support for the second half of the Asymmetry can’t come in the form of the simple observation that leaving the happy child, Bob, out of existence isn’t a bad thing for any of those people “who will ever live.” For if Bob isn’t among that crowd at one world, he is at another. If we needn’t, and shouldn’t, take Bob’s interests into account when we evaluate a given choice

from the perspective of one world, we must, it seems, take Bob's interests into account when we evaluate that same choice from the perspective of another. And it is then that trouble arises: we'll look at this point more closely in what follows, but for now it is enough just to note that we don't want to say that one and the same act is permissible when evaluated from the perspective of one world but wrong when evaluated from the perspective of another.

Moreover, Heyd's point is going to hold, whether the explanation that we give for the second half of the Asymmetry is (1) like Parfit's, rooted in metaphysics, or (2) rooted in moral intuition alone. That is: Heyd's point holds, whether our explanation is that (1) we want to say, under Partial Noncomparability, that leaving Bob out of existence isn't bad for *anyone* since the only people we can cogently say anything at all about are the people "who will ever live," or (2) we want to say, under Comparability, that leaving Bob out of existence *is* plausibly bad for, indeed worse for, that child but that's not a concern in view of the fact that (a) Bob is not among those "who will ever live" under a3 and (b) the only people whose "plights," such as they are, must be reflected in our moral analysis are the people "who will ever live."

3.3 *Two strategies for explaining the Asymmetry.* Despite Heyd's objection, the connection that Parfit's "better explanation" of the Asymmetry relies on—between *moral* status and *modal* status; between being an individual agents have obligations in respect of for its own sake and being an individual who does or will exist—remains enticing. Moreover, enticing or not, the discussion produced so far is far from complete. We haven't yet seen the argument that that connection can't be sustained—and the bare fact that we can easily put our hands on a number of ways of deciphering the reference to the people "who will ever live" makes it clear that the potential for confusion is significant.

I believe, however, that at the end of the day further discussion along the same old lines will bear no fruit. The strategy of determining who matters morally and who does not—and from there whose circumstances are morally significant for purposes of determining permissibility and whose are not—on the basis of “who will ever live” is not going to take us a single step closer to a plausible explanation of the Asymmetry. However we decipher that phrase, we will end up with a theory we cannot accept.

Difficulties in particular implementations of that strategy have been identified elsewhere, and so the discussion of those points here can be brief.<sup>36</sup> What I instead want to focus on is the strategy itself. And I want to argue that the fact that that one strategy, the *original* strategy, however implemented, happens to fail does not in itself provide us with any reason whatsoever to abandon the Asymmetry. Indeed, all we need do to make ourselves highly suspicious that the various difficulties that we are regularly seeing are rooted not in the Asymmetry itself but rather in the original strategy is to shine a spotlight on that strategy. We then immediately realize that that is not the only way to do things.

Specifically, we immediately realize that we needn't think that the moral significance of the various effects of what agents do to people is solely a function of whether those people happen to be among those “who will ever live” or not. We can instead think that the connection between moral significance and once or future existence can be understood as *variable* in nature. Moral significance, in other words, can be understood not as a function of *who* is affected but rather as a function of *where* the effect is imposed in relation to the person who is affected—*where*, that is, the loss (or gain) is incurred in relation to the person who incurs it. Such an alternative strategy—implemented by what I will call *Variabilism*—has many advantages. It explains the Asymmetry, suggests how McMahan's addendum is to be restricted and nicely analyzes the various problem cases that have plagued the original strategy. Or so I shall argue in what follows.

#### 4. *Who Will Ever Live?*

We begin by briefly noting four distinct ways of implementing the original strategy and how each fails.

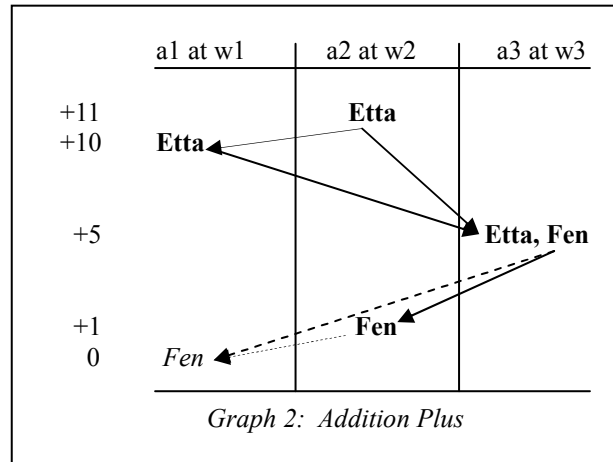
4.1 *Moral Actualism (alpha)*. When we assign moral status just to those “who will ever live,” perhaps what we mean to do is assign moral status just to those people who do or will exist at the uniquely *actual* world.

*Moral Actualism (alpha)*. Let world  $w$  be the uniquely actual world. Then, for the purpose of determining the permissibility of an act  $A$  performed at any world  $w'$ , the people who matter morally are exactly the people who do or will exist at  $w$ . All and only the losses *those* people incur have moral significance; all and only the losses *those* people incur count against the acts that impose those losses and in favor of any alternate act that avoids those losses.<sup>37</sup>

The first thing to note about Moral Actualism (alpha) is that it preserves only some instances of the Asymmetry. It works well if  $a_1$  is actually performed and  $w_1$  is the uniquely actual world and if  $a_3$  is actually performed and  $w_3$  is the uniquely actual world. Thus, if  $w_1$  is actual, then Moral Actualism (alpha) tells us that the effect that  $a_1$  has on Ann—what, by assumption for purposes here, we call a *loss*—has full moral significance. Given that moral datum, any otherwise plausible permissibility theory will surely imply that  $a_1$  is wrong. If, however,  $w_2$  is actual instead, then, according to Moral Actualism (alpha), Ann doesn't matter morally and her loss under  $a_1$  cannot be counted against  $a_1$ . And  $a_1$  will be deemed permissible.<sup>38</sup>

As we can see, Moral Actualism (alpha) makes the wrongness of a given act turn in part on whether that act is performed or not. As Rabinowicz's Principle of Normative Invariance suggests, however, that idea is implausible. Performance per se just does not seem the kind of characteristic that can make the otherwise permissible act wrong.<sup>39</sup>

*Addition Plus* also tests Moral Actualism (alpha).



Suppose that  $a_1$  is actually performed and  $w_1$  is the uniquely actual world. Then, according to Moral Actualism (alpha), Fen’s plight at  $w_2$ —the loss, that is, that Fen incurs relative not to  $w_1$  but rather to  $w_3$ —has no moral significance for purposes of evaluating  $a_1$  or  $a_2$ . Thus, Fen’s non-actualized loss at  $w_2$  does not *count against*  $a_2$ . And nor does that loss count—even in a roundabout way; by way, that is, of revealing to us the moral deficiencies of  $a_2$ —*in favor of*  $a_1$ .

But that’s a problem. We might disagree how  $a_1$  is to be evaluated. But we surely can agree that Fen’s plight in  $w_2$  *bears on*, not just the permissibility of  $a_2$ , but—even more interestingly!—the permissibility of  $a_1$  as well. That is: if  $a_1$  is permissible, part of what *makes* it permissible is *what  $a_2$  does to Fen*. But that means that Fen and his *merely possible* plight *do* matter morally for the purpose of evaluating  $a_1$ . The merely possible Fen and his loss together exert a *cross-world moral pull* that make the otherwise wrong  $a_1$  permissible.<sup>40</sup>

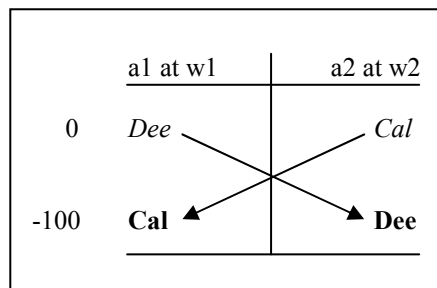
4.2 *Moral Actualism (beta)*. Perhaps, then, the critical fact isn’t whether a person *does or will exist at the uniquely actual world* but rather whether the person *does or will exist under whatever act happens to be under scrutiny*. Perhaps, for  $a_1$  to be wrong, it is enough that Ann exist and suffer *under  $a_1$*

even if the uniquely actual world is  $w_2$  and not  $w_1$ . In contrast, since Bob doesn't exist under  $a_3$ , his loss under  $a_3$  *doesn't* make  $a_3$  wrong. And that's so, even if the uniquely actual world is  $w_4$  and not  $w_3$ .

*Moral Actualism (beta)*: For the purpose of determining the permissibility of an act  $A$  performed at a world  $w$ , the people who matter morally are exactly the people who do or will exist at  $w$ . All and only the losses *those* people incur have moral significance; all and only the losses *those* people incur count against the acts that impose those losses.

Among the alternate views we consider here, Moral Actualism (beta) seems most in line with Parfit's “better explanation” of the Asymmetry. But—as Heyd suggests, and Parfit later confirms—this is *such* a wild view! Consider, for example, Addition Plus. It's nice that Moral Actualism (beta) implies that Fen's loss at  $w_2$  counts against  $a_2$  even if  $w_1$  is actual. But Moral Actualism (beta) also implies that Fen's loss at  $w_2$  has no moral significance at all for purposes of evaluating  $a_1$ . But we've seen that it does. Fen's loss at  $w_2$  surely at least bears on the question of whether  $a_1$  is wrong or not.

Still other cases suggest that Moral Actualism (beta) is actually inconsistent. This from Parfit and Hare<sup>41</sup>:



Graph 3: Double Wrongful Life

According to Moral Actualism (beta), Cal's loss under  $a_1$  counts against  $a_1$ . That is plausible. Moreover, according to Moral Actualism (beta), Dee's loss under  $a_2$  has no moral significance at all for purposes of evaluating  $a_1$ . Handed those facts, it seems clear that any otherwise plausible permissibility theory will instruct that  $a_1$  is wrong. The problem is that, by a parallel argument, we find that  $a_2$  is wrong as well.

But if a1 is wrong, and the agent's options are limited to just a1 and a2, a2 is surely permissible. And so we have an inconsistency.

The Asymmetry itself reveals deficiencies in Moral Actualism (beta). Consider, for example, the first half of the Asymmetry. While Ann matters morally for purposes of evaluating a1, Ann does *not* matter morally for purposes of evaluating a2. It seems, on that basis, we should be able to agree that a1 is wrong. That fact, together with a deontic axiom, entails that a2 is obligatory. But when we then evaluate a2 in the way that Moral Actualism (beta) instructs, we find nothing to make us think that a2 is anything more than *permissible*. From the perspective of a2, that is, a1 and a2 are a wash: they do no good or bad for anyone who matters morally. But if that is so, it is unclear exactly how we are to understand our prior results that a1 is wrong and a2 obligatory. If a2 is permissible but not obligatory, how can a1 be wrong?

4.3 *The Prior Existence View*. Still another approach is to think of those "who will ever live" as those who "will ever live" *independently* of whether the procreative act under scrutiny is performed or not.<sup>42</sup>

*Prior Existence View*. For the purpose of determining the permissibility of an act A performed at a world w, for each w' accessible to agents at which agents perform some alternative to A and such that at least one additional person does or will exist at w', the people who matter morally are exactly the people who do or will exist at *both w and w'*. All and only the losses *those* people incur have moral significance; all and only the losses *those* people incur count against acts that impose those losses and in favor of any alternate act that avoids those losses.

Bob's loss under a3 is avoided by a4, but that doesn't make a3 wrong since Bob's existence *depends on* whether a3 or a4 is ultimately performed. The difficulty is that the Prior Existence View preserves the second half of the Asymmetry only at the expense of rejecting the surely more critical first half. Ann's existence *depends on* whether a1 or a2 is performed. The Prior Existence View implies, accordingly, that Ann's loss under a1 does not count against a1.

On those grounds, Peter Singer concludes that the Prior Existence View is false.<sup>43</sup> At that juncture of his own analysis, Singer seems to consider Totalism the most viable option to the Prior Existence View.

*Totalism.* For the purpose of determining the permissibility of an act A performed at any world w, the people who matter morally are exactly the people who do or will exist at w or at any w' accessible to agents at which some alternative to A is performed. All and only the losses *those* people incur have moral significance; all and only the losses *those* people incur count against the acts that impose those losses and in favor of any alternate act that avoids those losses.

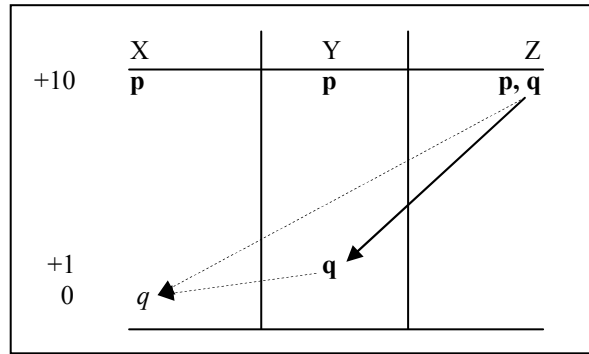
The Prior Existence View is false. But—as Singer no doubt would agree—it does not follow from that fact alone that Totalism is true.

4.4 *The Neutrality Intuition.* The Neutrality Intuition improves upon the Prior Existence View. It is Broome's way of spelling out the second half of the Asymmetry without abandoning the first half.

*Neutrality Intuition:* If, with the exception of a person q who exists in Y but not in X, for each person p who does or will exist in X, p also exists in Y, and vice versa, and p has exactly the same wellbeing level in Y that p has in X, then, if q's wellbeing level in Y is in the "neutral range," then X is "equally as good as" Y is.<sup>44</sup>

If we think that outcome betterness, or goodness, is instructive on the question of permissibility, we can see that the Neutrality Intuition supports the second half of the Asymmetry. According to the Neutrality Intuition, adding Bob cannot make things *better*. If a4 is permissible, so is a3. Moreover, since Ann's wellbeing level at w1 is presumably well below the neutral range, the Neutrality Intuition is silent on a1. Better to leave room for the result that a1 is wrong than to imply—as the Prior Existence View does—that a1 is permissible.

One difficulty with the Neutrality Intuition is that it supports what is in effect McMahan’s addendum to the second half of the Asymmetry in its *unrestricted* form. Broome’s own case against the Neutrality Intuition makes that point.



Graph 4: Broome’s Case

The Neutrality Intuition implies that X and Y are equally good—and so are X and Z. By symmetry and transitivity of *equally as good as*, we infer that Y and Z are equally good as well. But principles independent of the Neutrality Intuition tell us that that is false—Z is better than Y is. The accessibility of Z shows that the choice of Y is wrong.

Broome’s argument is persuasive against the Neutrality Intuition. But from there Broome, I believe, oversteps: he asserts that adding happy people is not only *not* morally *neutral*, but also *better*. He is then forced to say—among other things—that the worst bad thing about climate change isn’t even remotely that many, many existing and future people will be made to suffer. The worst bad thing about climate change is rather that many, many more people will never exist at all.<sup>45</sup> But that seems implausible.

We can, however, avoid Broome’s contradiction and not overstep. It is enough to say that adding the happy q *can make things worse*. We aren’t compelled to say as well that adding the happy q *can make things better*.

The difficulty with this rejoinder, however, is obvious. *By what principle do we take that position?* If we—with Broome—reject the Neutrality Intuition, *what principle do we put in its place?*

5. *Variabilism*

5.1 *An alternate strategy.* Each of the four accounts of the Asymmetry we have examined here—five, if we include Totalism—share the assumption that our goal is to say *who* matters morally by reference to some account or another of those people “who will ever live,” and on that basis determine whether a given *loss* matters morally. The loss matters morally, that is, iff the person who incurs that loss matters morally, iff that person is among those “who will ever live.”

But an alternate strategy is to divide up, not *people* in accordance with whether *they* matter morally, but instead *losses* in accordance whether *they* matter morally.

We can, that is, take the position that *all people*—you, me and the merely possible—matter morally. That is: *all the people* in *all our little graphs* matter morally. But we can also reject the position that *all the losses* any of those people incur matter morally. We can say instead that some do and some don't.

Once we decide to divide things up according to *which losses* matter morally and not *who* matters morally—once we decide, that is, to make the moral significance of a given loss not a function of *who* incurs that loss but rather a function of *where* that loss is incurred by the person who incurs it—it becomes obvious what our principle should be. The variability that we see in the cases isn't random.

There is a pattern:

*Variabilism:* For the purpose of determining the permissibility of an act A performed at a given world *w*, the people who matter morally are exactly the people who do or will exist at *w* or at any *w'* accessible to agents at which agents perform some alternative to A. *But*, for any such person, all and only the losses that person incurs at an accessible world where that person does or will exist

have moral significance; all and only *those* losses count against the acts that impose them and in favor of any alternate act that avoids them.

Thus: a loss counts against the act that imposes that loss and in a roundabout way in favor of the act that avoids that loss *if and only if* that loss is incurred at a world where the person who incurs that loss does or will exist.

The key then to the graphs can now be made explicit. We've already said that the downward arrows represent losses, and we can now just note that—according to Variabilism—the solid arrows represent morally significant losses while the broken arrows represent losses devoid of any moral significance whatsoever.

5.2 *Variabilism, the problem cases and McMahan's addendum.* For purposes of addressing Addition Plus, Double Wrongful Life, Broome's case and many other problem cases<sup>46</sup> Variabilism seems effective. In each of the graphs, the broken arrows show losses that, according to Variabilism, have no moral significance whatsoever, while the losses shown by the solid arrows have full moral significance.

Thus: Fen's loss counts under a2, whether it is w1 or w2 that is actual or a1 or a2 that we happen to be evaluating. That agents make things better for Etta will not be enough to justify the result that a2 is obligatory or even permissible.

Moreover, if agents choose a1 in Double Wrongful Life, they are choosing to impose a morally significant loss on Cal. But their only alternative is to impose a morally significant loss of equal dimensions on Dee. That fact, according to Variabilism, is relevant, not just for purposes of evaluating a2 but also for purposes of evaluating a1. The otherwise plausible permissibility theory will surely imply, given those data on moral significance, that a1 and a2 are each permissible.

Broome's case is nicely analyzed as well by Variabilism.  $q$ 's loss under  $X$  (relative to  $Y$  or  $Z$ ) is more severe than  $q$ 's loss under  $Y$  (relative to  $Z$ ), but only the latter has moral significance, according to Variabilism. The otherwise plausible permissibility theory will yield just the results we intuitively we want: that  $X$  and  $Z$  are perfectly permissible but that  $Y$  is wrong.

It is, moreover, in connection with Broome's case that we can see that Variabilism suggests an clearly plausible way of restricting McMahan's addendum to the second half of the Asymmetry—the idea, that is, that the agents' freedom with respect to the happy child goes both ways. Yes, agents are free to bring the happy child— $q$ —into existence, *provided that* the existence they bring  $q$  into is the better rather than the lesser existence. For the lesser existence, according to Variabilism, translates into a morally significant loss—a loss that any otherwise plausible permissibility theory will obviously count against the choice of  $Y$ . We are free to bring a child into existence or not—but if we do bring a child into existence, our doing less for that child rather than more satisfies an important necessary condition on wrongdoing (an act is wrong, only if it makes things worse for a person who does or will exist).

5.3 *Variabilism and the Asymmetry.* Let's turn, then, to the Asymmetry proper. Variabilism is happy to say that Ann and Bob both matter morally. But it insists as well that *all that comes to* is that Ann's loss at  $w_1$  matters morally while Bob's loss at  $w_3$  matters not at all. There being a way of avoiding that morally significant loss on behalf of Ann at no cost to anyone else, an otherwise plausible permissibility theory will instruct that  $a_1$  is wrong and  $a_2$  permissible, indeed, obligatory. Bob's loss, in contrast, counts not a whit against  $a_3$ . It cannot make the otherwise permissible  $a_3$  wrong. And nor does the specter of that loss provide any ground at all for evaluating  $a_4$  as obligatory. Yes,  $a_4$  makes things better for Bob, who exists at  $w_4$  and matters morally at  $w_4$ . But none of that, according to Variabilism, is enough to show that the loss he incurs at  $w_3$  has any morally significance at all. It does not count in even

a roundabout way (by way, e.g., of revealing some moral deficiency in a3) in favor of a4. The otherwise plausible permissibility theory can be expected to instruct that a3 and a4 are both permissible.

This is going to mean that it would have been perfectly permissible for our parents, as wonderful as our lives are, and as fully existent as we happen to be, to leave us out of existence altogether. This result might come as a surprise to us, but surely it all things considered is perfectly plausible.<sup>47</sup>

To see the difference between Parfit's "better explanation" of the Asymmetry and the Variabilist account, it is useful to return to Heyd's "doubled-edged argument." Parfit's explanation disallows as a basis for the claim that a3 is wrong that Bob is worse off at w3. Since Bob isn't among those "who will ever live" at w3, Partial Noncomparability implies that Bob can't be made worse off at w3. Bob's being worse off at w3 can't, accordingly, be counted against a3. Variabilism can make exactly the same point—and can do so even if we substitute Comparability in for Partial Noncomparability. Yes, Bob incurs a loss at w3. According to Variabilism, however, that loss is devoid of moral significance; it does not count against a3.

So far, so good for both accounts. The difficulty for Parfit's "better explanation" arose only when we turned to evaluate a4. Partial Noncomparability gave us no way to disallow, as a basis for the claim that a4 is obligatory, Bob's being worse off at w3 and better off at w4. But Variabilism does—*notwithstanding* the fact that Bob exists at w4. According to Variabilism, the loss that Bob incurs at w3 is devoid of moral significance—even if it is a4 we happen to be evaluating and even though Bob exists at w4. That loss, accordingly, cannot be counted against a3, and nor can it be counted, in a roundabout way, in favor of a4. Though Variabilism doesn't, this point could equally well be put in terms of *gain*. After all, the gain Bob accrues at w4 is a gain that simply *reverses a loss* that is itself, according to Variabilism, devoid of moral significance—a loss that Partial Noncomparability would deny can even be cogently

articulated. Why should a gain of that sort transform the otherwise *merely permissible* a4 into an *obligation*—or the *permissible* a3 into a *wrong*?

If my suggestion is correct, then we are after all dealing not with a *double*-edged but rather with a *single*-edged argument. We can take the position that, whether we are evaluating a3 or a4, Bob's loss at w3 has no moral significance whatsoever, and neither does his gain at w4.<sup>48</sup>

## 6. *Conclusion*

Variabilism is able to address the problem cases in plausible ways because Variabilism recognizes that the merely possible *do* matter morally. Their plights at faraway worlds can render the otherwise permissible acts performed at those worlds wrong. Even more interestingly, their plights at faraway worlds can exert a certain cross-world moral pull—a pull that renders otherwise wrong acts that we may perform at *this* world perfectly permissible. But Variabilism is able to do that work *without* insisting on a general obligation to bring ever more happy people into existence. It can, at the same time, recognize that—with restrictions—agents are perfectly free to bring those same people into existence.

The Asymmetry—and McMahan's addendum thereto—in hand, our prospects for spelling out the obligations we have in respect of both the size of future populations and the wellbeing levels of the constituents of those populations—and spell them out *robustly*, in a way that leaves them *undiluted* by the obligation to bring ever more happy people into existence—seem bright.<sup>49</sup>

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<sup>1</sup> McMahan 1981, p. 100. See also McMahan 2009, p. 49.

<sup>2</sup> Roberts 2007, 2004, 2003a, 2003b, 2002, 1998.

<sup>3</sup> Benatar 2006.

<sup>4</sup> McMahan 2009, pp. 49 and 53.

<sup>5</sup> McMahan would, I believe, concur. McMahan 2007 (not permissible to injure the fetus in a way that impairs the child the fetus develops into, even in the case where the child’s life is worth living and no one else is harmed as a result of that choice).

<sup>6</sup> Thus, if agents can produce the very same identical child *without* availing themselves of a fertility treatment that would leave that child impaired, or if they can correct a flaw in the genome in a way that is identity-preserving, then it is wrong not to do that. Persson 1995; Zohar 1991. Roberts 2009 (arguing that impairments due to supernumerary pregnancy are avoidable, and that agents have the option of bringing the very same child into existence yet avoiding the impairment); Roberts 2005 (arguing that production, via human reproductive cloning, of multiple offspring each of whom have the same genome creates conditions that we ourselves would consider burdensome and that, for each such child, agents have the option of bringing that child into existence while avoiding that condition).

Restricting McMahan’s addendum to reflect this uncontroversial point does not itself address the question of whether it would be wrong for agents to create less wellbeing for the one child in a case where they could have created more wellbeing for a *distinct* child. McMahan himself might countenance that further restriction. It isn’t, however, clear to me that that further restriction is one we want to accept. It isn’t, that is, clear to me that agents in fact have the obligation to bring the better-off but distinct child into existence in place of the less well-off child, or that that particular type of nonidentity problem should be resolved in that particular way. For purposes here, however, I set this issue aside. I address the nonidentity problem only briefly—in note 33 below—and instead insist only on a restriction that reflects the less controversial point: that, other things being equal, if agents can create more wellbeing for a child, it would be wrong for them to create less wellbeing for that very same identical child.

<sup>7</sup> McMahan 2009; Singer, 1999, pp. 101-104; and Persson 2009. McMahan’s analysis, I should note, relies on the concept of a moral reason rather than that of moral obligation.

<sup>8</sup> Broome’s view is that it is *morally better* that the happy child be brought into existence (other things equal) than that that child not be brought into existence. Broome 2004, pp. 140-150.

<sup>9</sup> See generally Heyd 1992, pp. 21-31 and 111-115. The act that brings a person into existence “logically” can’t, Heyd thinks, make things better or worse for that person, since there is *no person* (under the alternate choice) to say that things are worse or better *for*. Comparisons between the scenarios in which the anguished child does and doesn’t exist are problematic because “nonexistence . . . is not a state that can be *attributed* to a subject. It is hardly a ‘state’ at all. . . . Had the plaintiff in the Israeli case [involving wrongful life] not been conceived, would it have been a gain for anyone, would *this* boy have been better off? Similarly, is being born an injury or harm in his case?” Heyd 1992, pp. 30-31.

<sup>10</sup> “A person-affecting approach to morality holds (contrary to its impersonal rival) that value is analytically related to the needs and wants, interests and ideals of actual human beings and cannot be ascribed ‘to the world.’” Heyd 1992, p. xi. Thus, according to Heyd, “‘be fruitful and multiply’ should be understood as a blessing rather than a commandment.” Heyd 1992, p. 16. How the act under scrutiny affects people whose coming into existence

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*depends* on that act being performed—which people Heyd calls *potential* as opposed to *actual*—is, according to Heyd, outside the scope of evaluation that moral law can offer. “Genethics . . . cannot be part of ethics, as it does not share with it the most basic presupposition: the existence of actual human beings (or given moral subjects).” Heyd 1992, p. 23.

<sup>11</sup> Heyd 1992, pp. 30-31, 60, 111-115. Narveson as well defends a person-affecting approach. But, in contrast to Heyd, Narveson resists the conclusion that agents are permitted to bring the anguished child into existence. According to Heyd, Narveson’s resistance amounts to an abandonment of the person-affecting approach in favor of an impersonal alternative. Thus: “Asymmetry pays dues to our moral intuitions at the price of overstepping the boundaries of the person-affecting framework. By allowing comparisons between the quality of life of different potential children (‘once we decide to produce one’) Narveson must realize that he is willy-nilly led to impersonalism.” Heyd 1992, p. 112. For a similar concern regarding Narveson’s position, see McMahan 1981, pp. 99-104.

McMahan, along with Heyd and Narveson, accepts Noncomparability. Thus, regarding the first half of the Asymmetry, “nothing can be good or bad for someone who never exists. Similarly, to be caused to exist with a life that is not worth living is . . . not *worse* for her.” McMahan 2009, p. 59. Yet, unlike Heyd, McMahan insists that agents do have a moral reason not to bring the anguished child into existence. Since that reason cannot be person-affecting in nature, it must be an “impersonal reason.” McMahan 2009, pp. 50 and 58-60. But that analysis of the first half of the Asymmetry is going to undermine any effort to save the second half of the Asymmetry. The same sort of “impersonal reason” that provides agents with a reason not to bring the anguished child into existence also provides agents with a reason to bring the happy child into existence. Thus, according to McMahan, the “prospects for finding a compelling theoretical defense of the Asymmetry are not promising.” McMahan 2009, p. 67.

(McMahan also rejects the notion that an act can be *bad for* a person only if it in some sense makes things *worse for* that person. He thus recognizes a *noncomparative* “individual-affecting” value. He does not, however, think that that particular kind of value can ground a reason not to bring an individual into existence who does not yet exist. McMahan 2009, p. 52.)

<sup>12</sup> Nowhere do we say that a<sub>1</sub>, e.g., is an act, or that a<sub>3</sub> is an omission; the idea that there is any moral distinction to be drawn between positive acts and omissions, even if it did accurately reflect moral law, which I think it doesn’t, would have no role to play in this present discussion.

<sup>13</sup> That it is logically or metaphysically possible for agents to create additional wellbeing for a given person thus isn’t enough, for purposes here, to create a loss. Rather, agents must have been physically able to create additional wellbeing for a person in order for the wellbeing level that person has to be considered a loss incurred by that person.

*Loss* is defined broadly for purposes here. Thus, there is no immediate implication from the fact that an agent imposes a *loss* on a person that what that agent has done is *wrong*. One can, if one wants, think of the former notion as purely *descriptive* and the latter as *evaluative*.

<sup>14</sup> For that work, see Bradley (2009 draft) (critique of alternative accounts of harm, including the maximizing comparative account I have proposed).

<sup>15</sup> Parfit 1987, p. 374.

<sup>16</sup> See note 11 above (discussion of McMahan); see also Broome 2004, p. 63. The issue is the focus of recent papers by Bykvist 2007, Johansson 2010 and Arrhenius and Rabinowicz 2010.

<sup>17</sup> Parfit 1989, pp. 150-151. It is clear that Parfit (like McMahan) thinks it can be bad (or good) for a person to exist; the only issue is whether Parfit also thinks (unlike McMahan) that it can be bad (or good) for that person in a comparative, or “worse-for” (or “better-for”) sense. I think the answer to this question is that when Parfit suggests that a thing is bad in a *morally relevant sense* for a person, he is implying that it is worse for that Person. See Parfit 1987, p. 374. Moreover, his own proposed explanation of the Asymmetry—an explanation that we examine in part 3.1 below) must trade on the idea that bringing the anguished child into existence is bad for that child in a *morally relevant sense*, else the explanation itself would collapse.

<sup>18</sup> I have argued the point elsewhere. See Roberts 2003. For critical discussion, see Johansson (2010) and Arrhenius and Rabinowicz (2010).

<sup>19</sup> I think this idea is mistaken, even though I want to concede that the relevant assertions must make sense not just at the world where the anguished child does or will exist but also at the world where that child never exists. How else could considerations regarding the plight of the anguished child function in an action-guiding capacity?

<sup>20</sup> There is no reason, however, to think that agents at the world where the child does exist are *automatically* in a position to express the singular proposition. After all, the choices that they face may well affect a child on the other side of the planet whom the agents themselves (in contrast, e.g., to the child’s parents) are in no position to name or identify or talk “about” in any *de re* sense. But we don’t think that that means that the agents can’t take into accounts considerations regarding the effects of their acts on that child.

<sup>21</sup> There is no reason, in other words, to think that that assertion is not a cogent articulation of the action-guiding bit of moral law that tells Mr. Smith to avail himself or at least any embryos he produces of genetic testing in order to avoid bringing *any* child who would be anguished into existence.

<sup>22</sup> For discussion, see McMichael 1983.

<sup>23</sup> Thus: it is just as much better for Ann that she never exist as it is better for Bob that he exist. It’s true that Ann’s loss cuts deeper than Bob’s does. And, if we were in a single case and had to choose between Ann and Bob, that point might be important. But we aren’t.

<sup>24</sup> Parfit 1982, p. 149 (citing Narveson 1967 and Narveson 1973).

<sup>25</sup> Parfit 1982, p. 149.

<sup>26</sup> Parfit 1982, p. 150.

<sup>27</sup> Parfit 1982, p. 150 (emphasis added). Narveson, as well, seems to adopt Partial Noncomparability. Narveson 1967, p. 69.

<sup>28</sup> Parfit 1982, p. 151. Parfit is right to earmark the controversy regarding the cogency of such assertions as “it is better for the anguished child never to exist” when expressed at worlds where that child never exists—though, as noted above, I think that controversy will ultimately be resolved in favor of cogency. It would be a mistake, though, to challenge the purely analytic point that, if it’s true at a world *w* that *X* is better for *p* than *Y* is, then it’s true at *w* that *Y* is worse for *p* than *X* is.

<sup>29</sup> Parfit 1982, p. 150 (emphasis added). Sterba later argued that the Parfitian account *restates* but doesn’t *explain* the Asymmetry.

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Sterba 1987, pp. 190 and 192. Sterba’s worry was that Parfit omitted explanation of why we should put to work the *narrow* person-affecting view rather than the *wide* person-affecting view. But Parfit certainly has an easy way of easing that worry: the latter approach doesn’t explain the Asymmetry. In any case, it seems that Parfit’s proposal doesn’t just restate the Asymmetry. It shows, rather, that we can accept the Asymmetry without relying on a distinction regarding how deeply the two losses cut—or a distinction between acts and omissions, or benefits and burdens, or happy children and anguished children. As Sterba himself notes, Parfit’s account “unlike previous attempts . . . allows that we can compare and evaluate the lives of people do not actually exist but who would exist under certain conditions . . . Parfit grants that we can say that coming into existence for a person whose life would be well worth living would be good for that person.” Sterba 1987, p. 189. Parfit’s proposal thus pins the Asymmetry to the point at which it is most plausibly pinned. It asserts that the distinction in our evaluations of a1 and a3 has *something* to do with Ann’s *existing*, and Bob’s *not* existing, under one choice but not the other.

But Sterba too had a point. As we shall see, Parfit’s “better explanation” doesn’t survive scrutiny. It fails, that is, to mark any distinction between the person-affecting restriction and what Caspar Hare calls Moral Actualism. It is unclear to Caspar Hare that any such distinction exists. Hare 2007, pp. 498-511. I believe, however, that he is mistaken on that point.

<sup>30</sup> Parfit 1982, p. 152. See also Parfit 1987, pp. 193 and 363.

<sup>31</sup> Specifically, I have contested the claim that, for a certain class of cases in which it is clear that a wrong has been done, the act that is wrong itself is not bad for, and does not harm, anyone at all. Specifically, I argue that we in fact can identify harm, or loss, in a person-affecting and comparative sense, in such cases. See Roberts, [the nonidentity fallacy and NIP and the 2-envelope problem].

<sup>32</sup> Heyd himself is unperturbed by the nonidentity problem. He *accepts* the “no harm done” result that the nonidentity problem so often seems to establish—and the “no *wrong* done” implication that the person-affecting approach (wide or narrow) then generates. I am unperturbed by the nonidentity problem, but for other reasons. I believe that the type of nonidentity problem that most seriously challenges the person-affecting intuition is grounded in a fallacy in our thinking about just how probable it is that any particular person will come into existence given that what we all consider to be the wrong choice is made. Roberts, [the nonidentity fallacy and NIP and the 2-envelope problem].

<sup>33</sup> Heyd 1992, p. 60.

<sup>34</sup> Parfit 1987, 395-396 (discussion of Jack and Jill case as showing that the person-affecting approach “can imply contradictions”). Perhaps Parfit had second thoughts all along. If so, he leaves the issue of consistency unmentioned in the 1982 paper.

<sup>35</sup> Heyd 1992, p. 60.

<sup>36</sup> The discussion here can be brief, since work of showing that each of these alternative positions is badly flawed has been done. See Hare 2007; Arrhenius 2009 and forthcoming; and Roberts 2010.

<sup>37</sup> This seems roughly the view of Josh Parsons. Parsons 2002, pp. 137-147. Allying himself with the *modal* actualist, Parsons takes the position that “a mere representation of a person is not a moral patient and cannot be benefitted or harmed,” where possible worlds that we might want to say include people who are, relative to the uniquely actual world, *merely* possible are to be viewed as “representations” of the actual world as containing such individuals when in fact it does not. Parsons 2002, p. 139.

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<sup>38</sup> Similarly, if a3 happens to be the act actually performed, then Moral Actualism (alpha) works well. But if a4 is actually performed, then a4, it seems, would become not just permissible but obligatory. After all, its only alternative, a3, imposes a loss on the only person who matters morally—that is, Bob—which loss is itself completely avoided by a4.

<sup>39</sup> For discussion of the Rabinowicz principle, see Carlson (1995), p. 100. It is at least plausible that in some cases it is the very wrongness of a1 that guides agents, in advance, to select a2 in its place. They think through their options; discern that a1 is wrong; and choose a2 rather than a1. But that can’t happen, if they what they actually see is that it’s only if they perform a1 that a1 becomes wrong.

<sup>40</sup> In his discussion of a similar objection, Parsons argues that we need to distinguish between the “obligation to bring some possible person into existence” and the “obligation, with regard to some actual person, to have brought that person into existence.” Parsons 2002, p. 145. The latter, according to Parfit, may obtain but will not inform the initial choice. That seems plausible. However, that point doesn’t help us avoid the result that whether or not we have the obligation to bring “some actual person” into existence will depend on what we have in fact done. And that result seems implausible.

One can’t help but think of Hare’s alarmist but entirely accurate title in this context: here we have “voices from another world,” crying out to us that they too have moral status, that we actual persons are not, after all, the only ones who matter morally. See Hare 2007. My own case is based on [citation omitted, p. 63] (discussion of restriction on D\*).

<sup>41</sup> Parfit 1987, pp. 395-96 (discussion of Jack and Jill case); Hare 2007.

<sup>42</sup> Thus Peter Singer writes: “Imagine that a couple are trying to decide whether to have children . . . . Should the couple count the likely future pleasure of their children as a significant reason for having children?” Singer 1999, pp. 103-104.

<sup>43</sup> Singer 1999, pp. 103-104.

<sup>44</sup> Broome 2004, p. 146. This principle articulated here is what Broome calls the Principle of Equal Existence; that principle is his interpretation of the more informal Neutrality Intuition. See also Broome 2009.

<sup>45</sup> Broome 2010 (“The Most Important Thing About Climate Change,” Princeton University; see also contribution by Broome to the Stern Review).

<sup>46</sup> See e.g. the case that Arrhenius uses to argue against what he calls “Comparativism” generally. Here, Arrhenius cites Temkin. Arrhenius 2009, p. 295 and n. 19.

<sup>47</sup> A plus is that it means that the moral status of a given act is not going to depend on whether that act is performed or not. See notes 39 and 40 above (on Rabinowicz and Parson).

<sup>48</sup> Objections against Variabilism that will require further consideration elsewhere include the following. (A) *Moral Significance of Gains*. The question arises whether Variabilism solves the puzzle of the Asymmetry by simply ignoring the moral significance of gains. This objection against Variabilism was raised by Peter Singer. In response, I note that Variabilism does not precisely ignore the moral significance of gains; recognizing that for every loss there is a corresponding gain—that gains and losses are really just two sides of the same coin—Variabilism could just as easily be restated in terms of gains. But it would still insist that the *morally significant gain* is just the gain that *reverses* (under the original formula) a *morally significant loss*. To do things otherwise—to say, e.g., that a gain is

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morally significant if accrued at a world where its subject does or will exist—would not be to reconcile the two sides of the Asymmetry against one another but rather to do something else entirely. Now, it might be that the philosophical instincts that some philosophers clearly have already have led those philosophers to reject the Asymmetry. Thus Singer may simply find the second half of the Asymmetry deeply implausible. For Singer and still other philosophers who equally have no need to reconcile one half of the Asymmetry against the other, Variabilism will hold no interest. (B) *Nonidentity Problem*. The nonidentity problem challenges Variabilism + Otherwise Plausibility Permissibility Theory, just as it challenges some other variations on the person-affecting approach. My reply is that we have been overly concerned about the nonidentity problem in virtue of the fact that we can rather easily discern “harm done” in the cases in which it seems most clearly true that a wrong has been done. [citations omitted] These included Parfit’s risky policy and depletion cases, Kavka’s slave child and pleasure pill cases and many other cases as well. (C) *Variation on the Nonidentity Problem*. This is a problem case Gustaf Arrhenius has raised with me in correspondence. Here we imagine that agents can make certain individuals  $p_1 \dots p_m$  better off by bringing other individuals  $q_1 \dots q_n$  into an existence that is worth having and, for them, maximizing in place of still other persons  $r_1 \dots r_o$  who would be still better off. Variabilism in combination with any otherwise plausible permissibility theory would seem to imply that agents are morally obligated to bring  $q_1 \dots q_n$  into existence in order to avoid the morally significance loss that would otherwise be imposed on  $p_1 \dots p_m$ . I agree that Variabilism generates the stated results; my disagreement is whether the case counts as a persuasive counterexample against Variabilism. (D) *Comparability*. Does Modal Actualism entail Noncomparability? I argue that it does not. Comparability—which has been, for the purpose of this paper, adopted as an assumption—may be controversial for other reasons other than metaphysics as well. It thus requires further discussion. See generally McMahan 2009, p. 59; McMahan 1999, p. 168; Bykvist 2007, pp. 339-345; Broome 1999, p. 168; Clark Wolf 1997, pp. 108-109; Cynthia Cohen 1996, p. 22; Heyd 1992, pp. 30-33; and Partha Dasgupta 1995, p. 383 (“It makes no sense to attribute a degree of well-being, low or high or nil, to the ‘state of not being born.’ Non-existence is like nothing for us, not even a very long night, because there is no *us* to imagine upon. One can’t be asked what it would be like to experience one’s own nonexistence, for there is no *subject* of experience in non-existence.”) See also Nils Holtug (2001), pp. 361-384; Roberts 2003; Johannsson 2010; and Arrhenius and Rabinowicz (2010).

<sup>49</sup> For their comments on prior versions of this paper, I am deeply grateful to [omitted].

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