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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Rose, M. (2019). Non-identity - So what? A political scientist's perspective on a curious but somehow arbitrary problem. *Intergenerational Justice Review*, 5(2), 54-55. <https://doi.org/10.24357/igjr.5.2.772>

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Non-identity – So what? A political scientist’s perspective on a curious but somehow arbitrary problem

by Michael Rose

As a political science graduate, I did my PhD research on the political representation of future generations. I came across the non-identity problem (NIP) for the first time when I was reading the philosophical literature relevant

for my research. At this time (in 2012), literature on future generations was almost only found in moral and political philosophy. In mainstream political science, nobody seemed (yet) to care, especially not for academic curiosities such as the NIP. Since the

late 1970s, scholars rooted in Anglo-Saxon philosophy had been discussing the NIP in relation to the question of whether and how we should consider the interests of future generations today.¹ It has been part of the future generations debate ever since.

Later on, in an interdisciplinary PhD colloquium with political philosopher Geoffrey Brennan as a special guest, I briefly introduced my research topic. It comes as no surprise that the first thing Professor Brennan said to me afterwards was that I would have to address the NIP in my thesis. Knowing that he was right on the philosophical readership side, I did. My supervisors, a political scientist and a sociologist, though, had less sympathy for this. Why would I need to address such a sophisticated philosophical argument in my political science PhD thesis?, they asked me rhetorically. They did not see the relevance of the NIP, which is still held dear by the small scientific community I have been speaking to with my research. As a compromise, I decided to dedicate three pages of my monograph to the NIP and its (non-)relevance for my research.² Still, the verdict of my supervisors was unequivocal. To quote from the first review of my thesis, “the discussion of the so-called ‘non-identity problem’ is unusual and difficult to approach. This excursus of debate seems completely unnecessary” (my translation).

So, what’s the matter with the NIP? Originating from the ethics of reproductive medicine, the NIP travelled to other areas that involve concrete future persons. It states that the actions that cause a person’s existence cannot be regarded as morally wrong towards this very person, as long as this person has a life that is arguably better than not existing at all in the first place. By extension, it is then said that policies like environmental pollution are not morally wrong towards the members of future generations, in so far as, first, they causally contribute to the genetic make-up of the future persons by somehow affecting the circumstances that determine which specific sperms fertilise which ova and thereby which persons are going to exist, and second, these persons will live a life worth living, however flawed. It’s only this extended NIP I refer to.

Reading these lines, the sympathetic non-philosophical reader may well understand my PhD supervisors and doubt whether the NIP can really be a serious obstacle to the political consideration of future generations. And I tend to agree. It goes against our moral intuition for a reason. Following ethical approaches considering individualised persons only – and thus applying the NIP – future generations would be morally relevant to us only when they would live a life that is worse than being dead (or, to be more precise, not being born). Ethically, this is not a particularly nuanced view. It implies that we could do almost anything today, and that future generations would not be allowed to morally judge our deeds. They would have to accept and support today’s status quo in retrospect, since without it they would not exist.

The NIP therefore always sanctifies the current status quo, which is completely arbitrary, not caring for its moral qualities.³ On the one hand, the NIP, holding to ridiculously long causality chains, supposes that our policies always affect who exactly is going to exist.⁴ On the other hand, when we hold to the normative truth that every human life is intrinsically equal in value, an identity-co-creating effect of ours would not even really matter ethically. The NIP gives no guidance on the actually relevant question of how to evaluate the status quo; it does not help us to decide morally what to do for ourselves or for

future generations. I therefore call the NIP’s moral relevance into question.

If, for the sake of the argument, we assume counterfactually that there is a *tabula rasa* on which there is no current status quo, the NIP would not apply and distract us. We would have to decide by some other moral standard whether to consider the interests of future generations today or not. According to the moral standards with which I am familiar, I am quite sure the answer would be affirmative.⁵ Moreover, I suppose that this affirmative argument would be more convincing than the NIP’s implicit claim that something is morally OK just because it – descriptively – is the way it is (i.e. the status quo argument), buying into a naturalistic fallacy.

Putting on the more pragmatic political science glasses again, the philosophical curiosity of the NIP also loses its relevance when it comes to the practice of the political consideration of future generations’ interests: the person-specific interests of future generations cannot be introduced into the political decision-making process anyway, since the holders of these interests are not yet individualised. We are only able to introduce more general interests that can be plausibly attributed to future generations. As a matter of fact, to a slightly lesser extent this is also true for current citizens: Their interests are usually considered in an aggregated, processed and abstracted way. What matters are not the very persons with their genes, but the fact that these persons are citizens of a certain country, holding equal political rights of being considered and represented. Hence, why the NIP is still sticking to the debate on representing future generations is probably better explained by a philosopher.

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Notes

1 Schwartz, T. (1979): Welfare Judgments and Future Generations. In: *Theory and Decision*, 11 (2), 181–194; Parfit, D. (1982): Future Generations: Further Problems. In: *Philosophy & Public Affairs*, 11 (2), 113–172.

2 Rose, M. (2018): *Zukünftige Generationen in der heutigen Demokratie: Theorie und Praxis der Proxy-Repräsentation*. Wiesbaden: Springer VS, here 49–52.

3 Rose, M. (2019): All-affected, Non-identity and the Political Representation of Future Generations: Linking Intergenerational Justice with Democracy. In: Cottier, T. / Lalani, S. / Siziba, C. (eds.): *Intergenerational Equity: Environmental and Cultural Concerns*. Leiden: Brill Nijhoff, 32–51.

4 On an individual level, this claim is questionable for two reasons: first, the negative causal statement “without X, no Y” (X being a specific policy and Y a specific future person) may not be sufficient for a statement of positive causation (X caused Y); second, it ignores the free will of the future person’s parents, which may disrupt the deterministic causality chain.

5 Rose 2019 (see footnote 3).