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Persons, Person Stages, Adaptive Preferences, and Historical Wrongs

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Biography

A former veterinary surgeon, Mark Greene completed master's degrees in philosophy at the Universities of Hull and Bristol in the U.K., then his Ph.D. at Stanford University. After a Greenwall Fellowship at the Johns Hopkins Berman Institute of Bioethics, he joined the Philosophy Department at the University of Delaware, where he is an Associate Professor. He has a range of research interests in both applied and theoretical ethics. Many of these projects relate, in one way or another, to questions of our duties to future people.

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Abstract

Let's say that an act requires Person-Affecting Justification if and only if some alternative would have been better for someone. So, Lucifer breaking Xavier's back requires Person-Affecting Justification because the alternative would have been better for Xavier. But the story continues: While Lucifer evades justice, Xavier moves on and founds a school for gifted children. Xavier's deepest values become identified with the school and its community. When authorities catch Lucifer, he claims no Person-Affecting Justification is needed: because the attack set Xavier on his life's path, it's no longer true that the alternative would have been better by the standard of what Xavier now values most. An unappealingly paternalistic way to hold Lucifer to account is to discount Xavier's preferences as merely adaptive. Instead, I propose understanding the persons of Person-Affecting Justification to be not persons but person stages. This allows us to hold Lucifer to account without having to discount Xavier's actual preferences, and has interesting implications for compensatory justice, including making sense of reparations for historical wrongs.

Keywords

Persons, Person Stages, Adaptive Preferences, Person-Affecting Ethics, Compensation, Reparations, Historical Injustice

A Six-Word Story

Let's start with a minimalist story. (Taking inspiration from, Thomas 1966.)

Lucifer and Xavier: Lucifer breaks Xavier's back, paralyzing him.

My hope is to make progress in understanding the ethical evaluation of this story in person-affecting terms. The first step will be to say something obvious about why Lucifer's attack demands justification. We will then play the story out over a few more decades and see how developments complicate that obvious evaluation by suggesting a way for Lucifer to abdicate responsibility for his act. Since the problem arises from how Xavier comes to place greatest value in the actual projects and relationships he develops over time, one solution is to discount suspect preferences as merely adaptive. I agree with Elizabeth Barnes, who has argued that there should be a high bar to discounting people's actual preferences. I propose that a better response is to take a finer-grained approach by

treating the objects of person-affecting evaluation to be not persons but person stages. I will show how this keeps Lucifer on the hook but, appropriately, loosens the connections between owing compensation and being the same person who committed the wrong, and between being owed compensation and being the same person who suffered the wrong. These lessons have interesting implications for thinking about reparations for historical wrongs. A person stage approach gives a straightforward response to the thought that reparations don't make sense long after all those directly involved are dead, and it reveals surprisingly close connections between the case for reparations and ordinary thinking about compensatory justice.

Person-Affecting Evaluation of Lucifer and Xavier

Our six-word story doesn't show Lucifer in a favorable light, but it's too thin on context for definitive condemnation: Maybe he was acting in justified self-defense? Even so, at the very least, we can say that Lucifer's act demands justification because of the harm to Xavier. To capture this, I propose the following principle concerning the person-affecting evaluation of acts:

Person-Affecting Justification: An act requires Person-Affecting Justification if and only if an available alternative would have been better for someone.

By this standard, Lucifer's act requires justification because the available alternative of not breaking Xavier's back would have been better for someone.

Before we complicate matters by continuing the story, there are three points worth flagging. The first is that Person-Affecting Justification is person-affecting because it concerns the justification of person-affecting acts, not because the justification must be given in person-affecting terms. Justifications can appeal to person-affecting considerations, such as breaking Xavier's back being necessary to avert even greater harm, but Person-Affecting Justification doesn't preclude other kinds of justification. Perhaps, never mind why, Lucifer has promised to drop a big rock at a specific time and place but, when the time comes, Xavier happens to be in harm's way. If Lucifer has been reading way too much Kant, he might think that an absolute injunction against promise-breaking justifies going ahead despite not doing so being better for Xavier. The second flaggable point is that Person-Affecting Justification is a maximizing principle: according to Person-Affecting Justification, if Lucifer had refrained from attacking, this would still have

required justification if Lucifer could have done even better for Xavier by also giving him his lunch-money. The third point, rather obviously given the second, is that giving the required justification needn't be all that hard: "It's my lunch-money" will probably suffice to justify Lucifer's decision not to bless Xavier with a cash gift.

The Story Continues

We are now ready to expand beyond our story's opening six words. Don't worry, it's still plenty short:

Lucifer and Xavier: Lucifer breaks Xavier's back, paralyzing him. In the immediate aftermath of his attack, Lucifer escapes. The following months are hard for Xavier but, after a period of understandable wallowing, he re-groups and sees how shallow and unsatisfied he'd become in the gadabout lifestyle he's now had to abandon. Rediscovering his passion for education, he founds a school for gifted children. Working closely with the school's dedicated staff, Xavier forges deep friendships and shares great pride in nurturing the children's remarkable talents.

When authorities catch up with Lucifer, he shrugs off demands for a justification of the person-affecting impact of his attack on Xavier. In the time since the attack, he reasons, it has ceased to be true that the alternative would have been better for Xavier. In fact, it would have been much worse by the measure of what Xavier values most in his life: the particular relationships and projects that would otherwise never have existed.

The problem of adaptive preferences, a version of which Lucifer has raised, must give us pause. There's the respect that makes calamity of so short life, for time will crystallize our general hopes for friendship into our specific friends. So for Xavier to wish away the wrong, is with that wish to wish away his friendships and his life's accomplishments. That's not a trade he's likely to embrace. But what are these adaptive preferences, and how do they make trouble for us here?

The Problem of Adaptive Preferences

The problem of adaptive preferences, as I shall understand it, boils down to a tension between two inclinations. One is that Humean inclination not to get into fights about whether a preference is rational (Hume 1888, 416), but to accept the diversity of what matters to different people. This suggests reading ‘better for someone’ in Person-Affecting Justification, by the standard of what that ‘someone’ prefers. Pulling the other way is the Stockholm inclination to discount preferences when we deem their provenance to be somehow defective. In the eponymous Stockholm syndrome, for example, captives’ preferences seem to come into alignment with those of their captors. The Stockholm inclination is to brand such dubious preferences as ‘merely adaptive’ and to discount them in evaluations of what’s ‘really’ better for the person whose preferences have undergone such problematic adaptation.

My first inclination, on hearing about Lucifer’s treatment of Xavier, was to say that Lucifer owed a justification of his act because, in accordance with Person-Affecting Justification, the alternative of not attacking would have been better for Xavier. Only when Lucifer pressed the Humean inclination, did we see how Xavier’s commitment to his actual friends and projects complicates the judgment that an uninjured alternative would have been better for Xavier. This is awkward for those of us who’d still like to wag a stern finger at Lucifer and demand a justification on Xavier’s behalf. To press a Stockholm strategy against Lucifer we need to find a standard by which the uninjured alternative would have been better for Xavier, and we need to justify prioritizing that standard over Xavier’s considered preferences for his actual friendships and projects.

A good candidate for an alternative ‘better for Xavier’ standard is that of his total, lifetime wellbeing. Other candidate standards include capabilities (Nussbaum 2003; Sen 1985), and ‘objective’ lists (Shiffrin 2012; Harman 2009). I will stick to lifetime wellbeing here, but the points I will raise also apply to other candidate standards. We’ve noted the value that Xavier places in his school and those associated with it, but he did not need to be injured to develop friendships and projects. Uninjured, the particular friendships and projects would most likely have been different, but there’s no reason to think that Xavier would have valued them any less than he does his actual commitments. As far as having valued friendships and projects then, let’s suppose it’s a wash: the particulars would differ, but Xavier would have had friendships and projects either way. But whatever the particulars of one’s friendships and projects, wouldn’t being ambulatory add something to one’s enjoyment of them? Though the link between disability and wellbeing is not as

clear as many people, especially non-disabled people, suppose (Moller 2011), let's assume that becoming paralyzed does take a bite out of Xavier's lifetime wellbeing. Therefore, if we read 'better for' in terms of lifetime wellbeing, Lucifer does owe Xavier a justification according to Person-Affecting Justification.

It is a commonplace that people's preferences can be at odds with their best interests: I'm even told that there are people with quite settled preferences for beer and pizza over broccoli and exercise. But are we justified in prioritizing our evaluation of Xavier's lifetime wellbeing over his considered preference for his actual friendships and projects? Elizabeth Barnes has argued, persuasively, that it is very difficult to give substantive and non-question-begging criteria for setting aside someone's actual preferences when evaluating what's better for them (Barnes 2009). This leads her to caution that, "in establishing warrant for diagnosing adaptive preference behavior, the bar should be set high" (Barnes 2009, 9).

Barnes is right to set a high bar for dismissing someone's preferences as adaptive, and the case for diagnosing Xavier as suffering a case of adaptive preferences does not even clear a low bar. The issue is that much of what we value most deeply tends not to be reliably tied to wellbeing (or capabilities, or normal function, or any other 'objective' standard). We look forward to developing fulfilling friendships and life plans, but when those unspecified hopes are actualized in specific people and projects, abstract valuing of friendship is eclipsed by specific commitments to actual friends, and a general hope for worthwhile work shifts to a concrete commitment to the specific projects in which we become invested. We might plan for children in the abstract, but we love them in particular. Admittedly, on very rare occasions in their children's mid-teens, some parents find themselves wondering if their progeny couldn't be slightly improved. Even so, if some supervillain with a time machine tells a parent he'll go back and switch the universe to an alternate possibility with a different and 'better' child, that's a threat, not a promise.

Lucifer Does Have Some Explaining to Do

Lucifer has undermined our demand for Person-Affecting Justification by holding attention on Xavier's retrospective evaluation of his life overall. Looking forward, generalized hopes for future friendships are interchangeable regarding the particular people who end up fulfilling those hopes. But looking back, commitments to our actual friends are not fungible which is why, in retrospect, Xavier would not give up the life he's built, not even for the promise of a bigger bucket of wellbeing. This attitude can

be healthy as, for example, when running across your middle-school bully at a 25 year reunion. Focusing on the greater significance of particular people and projects you now care about over the sunk costs of welfare lost to past shenanigans, makes it much easier to shrug and move on. For someone like me, a father steeped in the non-identity problem and constantly aware of how little it takes to change who comes into existence, it is impossible to sustain whole-hearted regret for any wrongs suffered or mistakes made prior to my child's conception: without them, he almost certainly would never have been. However, none of this blunts the feeling that Lucifer shouldn't be allowed to evade demands for justification just by hiding out for a while.

Instead of overriding Xavier's values, I propose holding Lucifer to account by adopting a finer-grained interpretation of Person-Affecting Justification. Specifically, we should make person-affecting evaluations in terms of person stages or persons-at-times, not in terms of whole persons across time. If we understand Person-Affecting Justification in terms of person stages, then Lucifer does need to justify himself. In the aftermath of Lucifer's attack, many of Young Xavier's then current friendships and projects were derailed by his injury along with many of his more nebulous hopes for the future. Though Old Xavier prefers his actual life, Young Xavier did not: the alternative to Lucifer's attack would have been much better for someone, namely Young Xavier.

Not *ad Hockery*?

It's only fair to admit that there is an answer I want here: I want to wag a stern finger at Lucifer, and I want to do so on Xavier-affecting grounds. In these circumstances, best practice bids us beware of *ad hockery*. You should be suspicious that the conclusion I want to sell is loaded in a cart that's leading my argumentative horse to market. Are person stages just a convenient trick to cobble together a way of saying that Lucifer must justify himself, or can a finer-grained approach be independently motivated? I offer no prize for guessing that I incline to answer 'no' and 'yes' respectively, but I do offer three reassuring considerations as additional motivation for basing Person-Affecting Justification on person stages.

The first reassurance is that we routinely tradeoff between person stages, both within and between persons. My pension savings sacrifice current jollies to finance bingo nights for future stages of me, and trusts trade present pleasure for the benefit of future stages of other people. Current person stages apply themselves to grueling, logic problem-sets so that their own future stages will enjoy the wealth that flows to well-credentialed

members of the philosophy profession. Having cashed in, they apply themselves to grading problem-sets, so that future stages of other people can be similarly blessed.

The second comfort is that both owing and being owed compensation occurs, almost inevitably, between person stages. Once authorities catch up with Lucifer, the commonsense thought is that Lucifer owes Xavier compensation. In the ordinary run of things, what this means is that a later stage of Lucifer will pay compensation for something done by an earlier stage, and a later stage of Xavier will receive compensation for harm inflicted on an earlier stage.

The third solace is that zooming in on person stages just re-states ordinary person-affecting evaluation with a bit more detail. Nothing is added and nothing is taken away, it's just a matter of noticing what was there all along. My talk of person stages adds no metaphysical baggage about person stages being more fundamental than persons (Lewis 1976). People exist at times and person stages are just persons-at-times. We can distinguish specific things that are true of Young Xavier from things that are true of Old Xavier, and that's all we need for person-affecting evaluation. Thinking in terms of person stages doesn't take anything away either. Any truths about whole persons supervene on truths about persons-at-times, so nothing goes missing if we use the finer grain. On a person stage reading of Person-Affecting Justification, an act will still require justification if an alternative would have been better overall for some person across time, it's just that we will be noting how this is true because of how things could have been better for that person at various stages of their life.

Limitations of Person Stages

We have seen how attending to the finer grain of person stages broadens the range of person-affecting acts that Person-Affecting Justification identifies as demanding justification, but is it still too narrow? Derek Parfit has been as influential as anyone in endorsing intuitions along the lines of something being wrong with conceiving a disabled child now when you could wait a month and conceive a different child without a disability (Parfit 1982, 118). Versions of this intuition are widely shared and have even been enshrined in British law with a prohibition on using genetic screening to select for disability (*Human Fertilization and Embryology Act 2008, Section 14, Subsection 4*). These non-identity cases escape Person-Affecting Justification because the alternative of never existing is not better for the disabled child. With Steven Augello, I have argued that many of these intuitions against creating disabled people should be dropped, as they

are incompatible with even stronger commitments to reproductive autonomy (Greene and Augello 2011). Even so, I acknowledge that there is still a non-identity problem, and I do not see that a person stage approach to person-affecting evaluation suggests an easy solution to it. On the other hand, I don't see that this puts person stages at any disadvantage to alternative approaches to person-affecting evaluation.

Review Thus Far

The problem posed by Lucifer and Xavier was that, in the decades following the attack, Xavier developed deep commitments to specific people and projects. The value Xavier places in his actual friends and projects is not fungible, making him rather keep those friends he has than fly to others that he knows not of, even if the alternative friendships and projects of an uninjured life would have yielded more wellbeing overall. Assuming we don't want to let Lucifer off the hook, we toyed with the idea of discounting Xavier's actual preferences as merely adaptive, and substituting an evaluation based on welfare, or capabilities, or some other 'objective' standard, even though that is sharply at odds with Xavier's deepest values. Imperiously brushing aside what people most care about is deeply unappealing. On balance, I find the more promising alternative, which was hiding in plain sight, is to notice that even if Old Xavier endorses the actual course of his life, Young Xavier did not. By making our person-affecting evaluation in terms of person stages, Person-Affecting Justification calls upon Lucifer for a justification of his attack because the available alternative of not attacking would have been far better for Young Xavier.

Reparations for Historical Wrongs

Evaluating Lucifer and Xavier in terms of persons-at-times invites us to wonder how that approach might inform person-affecting evaluation in other scenarios. I will consider the issue of reparations for historical wrongs, such as slavery in the United States, as one more example of what a finer grain can reveal. There are many ethical and practical challenges tied up in this this debate, and I will not attempt to resolve them all here. Assuming that claims for reparations are, at least in part, claims for compensation, I will focus on a family of fundamental challenges grounded in the thought that, decades or centuries after an historical wrong, it doesn't make sense to say that people who weren't even alive to commit the wrong owe compensation to people who weren't even alive to

be victims of it (Morris 1984). I will show how paying attention to person stages shows that reparations for historical wrongs not only make sense, but are surprisingly closely aligned with ordinary claims for compensation.

The response to the doesn't-make-sense challenge is implicit in the point noted above, that compensation is typically paid by a later person stage for the sins of an earlier stage, and it is typically paid to a later person stage in recompense for indignities suffered by an earlier stage. Thus, to say that Old Lucifer owes Old Xavier compensation for harm inflicted by Young Lucifer on Young Xavier is just a statement of business as usual in terms of person stages. This way of stating business as usual applies, without any modification, to the payment of compensation for historical wrongs: present person stages pay compensation for harms inflicted by past stages, and present stages receive those payments for harms suffered by past stages. Since they both have the same underlying structure, if it makes sense to say that Old Lucifer owes Old Xavier compensation, then it makes exactly the same sense to say that compensation is owed for historical wrongs. On its own this doesn't get us far, because to make sense of a claim is not to justify it. The real challenge, then, is to defend a substantive account of the kinds of links between past and present person stages that are needed to support compensation claims. This paper only gets us to the starting line of this real challenge, but I will close with some thoughts about how the way ahead might look.

Let's start with the most obvious criterion for linking person stages, that of being stages of the same person. As a first gloss on moral common sense concerning compensation, we might say that being stages of the same person are both necessary and sufficient for both owing and being owed compensation. Thus, Old Lucifer owes compensation for Young Lucifer's attack because they are stages of the same person, and Old Xavier is owed compensation for the harms inflicted on Young Xavier because they are stages of the same person. Conversely, we might say that no compensation is owed for historical wrongs either by or to any current person stage, because none have same-person links to stages that were either a perpetrator or a victim of those wrongs. This first gloss re-states alleged common sense about compensation in person stage terms, but does nothing to elucidate or justify what it is about being stages of the same person that carries this supposed ethical weight. We should not assume that the justification for owing compensation will work in the same way as that for being owed, so I'll consider them separately. Because being owed compensation is the more straightforward of the two, I'll start there.

An appealing candidate for justifying the presumption that being owed compensation is passed along same-person connections between person stages is that

people tend to have special concern for future stages of themselves. It's true that I'm putting away retirement savings for future stages of me and not for future stages of you, but I'm also putting them away for future stages of other people who are close to me and projects that I care about. Although the familiar shorthand of 'rational self-interest' is easily confused with the thought that special concern for oneself is somehow rationally required, it is not. Sure, we do tend to be self-interested, but not exclusively so, and often not even primarily so. For these reasons, the scope of a standard based on connections of special concern between person stages is considerably broader than that of a standard limited to same-person connections. Given that it's the special concern standard for which, by definition, we have special concern, it would be perverse to insist on the same-person standard.

Given the loose fit between special concern and same-person standards, it is unsurprising that there are commonsense cases in which being owed compensation seems to depart from a stages-of-the-same-person standard. For example, there's no obvious impediment to Xavier designating someone else as the beneficiary of any compensation payment that might come his way. He could do this magnanimously by gifting his claim on any future payout to someone else, or he could do it self-interestedly by selling his claim so that he can get at least some money now. Now, suppose that Xavier dies before payment is collected. Does the claim die with him? There's no obvious reason to think so. When Xavier transfers the interest in any future payment, it ceases to be owed to future Xavier-stages. The fact that, at some point down the line there cease to be further future Xavier-stages looks irrelevant.

What happens if Xavier dies uncompensated without having designated a beneficiary of any future payout? This is a problem that, though perhaps not explicitly solved, is one to which we have standard answers. Upon death, a person's assets, including money they are owed, transfers to their estate and is disbursed, as best as we can figure it out, in line with their special concerns. If there is a will, this gives the best evidence we have concerning the special concerns of the dearly departed, and assets, including claims on future payments, are distributed accordingly. If there is no will, we might fall back on payouts to next of kin because they reflect the future person stages for which we presume people tend to have special concern. Absent next of kin, legally, we tend to give up at that point and return assets to the state. But this is more reflective of practical and epistemic limitations for figuring out where the deceased's special concerns lay, than evidence that they are ethically irrelevant. People often express special concern for descendants as yet unconceived and to the communities with which they identify, I suspect that multigenerational trusts are more often established for the

benefit of a person's own descendants than for the kids next door, and many a university development office hopes that fostering a sense of alumni community will help meet fundraising goals. In the context of this broad scope of special concern for future person stages of other people, it is easy to recognize the claim of descendants of slaves on the compensation originally owed to long-dead slaves. What of compensation owed to slaves who die childless? A reasonable presumption, it seems to me, is that members of their ongoing community will be a likely focus of their special concern going forward. And what of victims of successful genocide, lacking either descendants or an ongoing community? Things do get increasingly, empirically speculative, but perhaps a reasonable guess is that members of similarly oppressed and threatened communities are plausible loci of some level of special concern.

Turning from being owed compensation, what might we say about the links that sustain owing compensation across person stages? The most obvious first gloss on this side of things is that owing compensation is transmitted along same-person connections, because those are the connections that sustain moral responsibility. Once again, this restates common sense without elucidation or justification. And, once again, there are commonsense cases in which owing compensation departs from a same-person standard. For example, suppose that Xavier's friend Jean had vouched for Lucifer, guaranteeing his good conduct. Having voluntarily stepped up as Lucifer's guarantor, it's not a stretch to say that Jean shares at least some of Lucifer's liability for paying compensation, despite the lack of a same-person connection. Allowing for voluntary assumption of responsibility suggests relaxing the same-person standard for owing compensation, but not enough to sustain owing compensation across generations: though a son of the British Empire, I neither vouch for the good conduct of my ancestors nor do I volunteer to assume responsibility for their sins.

When thinking about Xavier being owed compensation, the payment owed is an asset to which Injured Xavier becomes entitled in the immediate aftermath of the attack. At any stage, Then Xavier may retain that asset for his own future stages or, to the extent legally and practically achievable, he is entitled to transfer that asset to such future stages of other people as may be the objects of his special concerns. Right after the attack, Xavier's asset is Lucifer's liability. Like assets, liabilities can be transferred, to Lucifer's guarantors or insurers for example, but he can't disburden himself of the liability by unilaterally gifting it to someone else. Is there some other way in which liabilities can be passed onto un-consenting future person stages, perhaps even on to future generations? We can start by thinking about how the liability gets passed on to successive stages of Lucifer, as must happen if we are to justify the commonsense claim that Lucifer still

owes Xavier compensation despite the lapse of decades since the attack. For any time at which Then Lucifer owes Then Xavier compensation, Then Lucifer either discharges that liability by paying the compensation, or he does not. If he does, we're good. But if he keeps the money, he is holding on to an asset that is rightly Xavier's, and transferring it to a subsequent stage of himself instead. Since the asset is rightly Xavier's, subsequent Lucifer stages have no legitimate claim over it and they, in turn, should transfer it either to a convenient Xavier-stage, or to a stage of someone else who is a legitimate inheritor of Xavier's claim.

A reasonable principle is that, as long as Lucifer fails to transfer the benefit where it rightly belongs, it remains ill-gotten gains to which an illegitimate recipient has no legitimate claim. Now suppose that Lucifer doesn't keep Xavier's money for future stages of himself, but gives it to his favorite henchperson as a discretionary bonus for exemplary villainy. Now a stage of the henchperson has control over an asset to which she has no legitimate claim and, even if she is innocent of the original sin that gave rise to Xavier's claim on the money, it's reasonable to think she owes it back. It's no different than if Lucifer lifted money from Xavier's wallet and gave it to his henchperson; the money remains Xavier's, and the henchperson, whether she knows it or not, should give it back. This line of thinking gives a person stage description of some quite ordinary thinking about the passage of legitimate claims to ill-gotten gains between successive person stages. Just as with being owed compensation, this person stage approach makes easy sense of how owing compensation could transition to future person stages independently of a same-person standard and, importantly, independently of blame: Lucifer's henchperson holds an asset that isn't hers, that she does so innocently doesn't make it any less Xavier's.

Review and Next Steps

I have proposed a person stage approach to the person-affecting evaluation of cases like that of Lucifer and Xavier, and of historical wrongs. Other than it being a bit fiddlier, there should be no objection to putting things in terms of person stages from anyone who has any place in their ethical outlook for person-affecting considerations: the person stage approach is just a finer-grained re-description of person-affecting business as usual.

We saw how Lucifer tried to evade responsibility by exploiting a whole-Xavier evaluation in combination with Xavier's non-fungible commitments to his actual friends and projects, and we saw why this evasion gets no traction in the finer-grain of person

stages. Applying the lessons of Lucifer and Xavier to reparations for historical wrongs, we found that ordinary standards make sense of both owing and being owed compensation passing to future person stages, even in the absence of same-person links between those stages. This is far from an all-things-considered defense of reparations for historical wrongs, but it does show how the idea makes perfectly ordinary sense, and it places the emphasis on stating and defending criteria for how both owing and being owed compensation are transmitted from one person stage to another. The next steps, then, are to address the real challenge of elucidating those ethically relevant links between person stages. I have suggested that links of special concern for future stages can sustain chains of being owed compensation that reach further than a same-person standard. For owing compensation, I've suggested that unpaid compensation can be viewed as ill-gotten gains such that even innocent recipients may have a duty to repay. There are many more ethical and practical complications around the disposition of ill-gotten gains and other factors relevant to the full evaluation of compensation claims (Katz 1996), but these initial considerations suggest that a person stage approach reveals surprisingly close connections between ordinary interpersonal compensation and historical reparations.

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