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The Bullet-Biting Response to the Non-Identity Problem

According to *the bullet-biting response to the non-identity problem*: Given a choice between creating a well-off child, A, and a different child, B, that is significantly worse off than A, it is *not* impermissible to create B. David Boonin has presented an argument for the bullet-biting response. He claims that although the conclusion of his argument is implausible, the rejection of the argument is even more implausible. But Boonin's argument is more implausible than he realizes. Three specific premises, together with the claim that creating a child cannot make that child better or worse off than she would otherwise have been, jointly entail that it is *not* impermissible to create children whose lives contain only pain and suffering. This is a damning objection to Boonin's argument. I argue that this objection cannot be avoided without undermining the other premises of Boonin's argument. Finally, I suggest a fairly weak moral principle that avoids the bullet-biting response. According *The Weak Principle (WP)*: If you are choosing between only Act 1 and Act 2, then Act 1 is impermissible if (a) the outcome of Act 2 is significantly better than the outcome of Act 1, (b*) Act 2 wouldn't cause *anyone* to incur a significant cost, and (c) Act 2 wouldn't violate anyone's rights.

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The Non-Identity Problem is a persisting problem in moral philosophy. It's best introduced by considering examples in which an agent must choose between two different procreative acts. The following example is due to David Boonin:

*The Non-Identity Case.*² Wilma has decided to have a baby. She goes to her doctor and receives some concerning news. If Wilma conceives soon, her child will have a rare health condition—*condition X*—that will cause it to experience chronic pain throughout its life, as well as a significantly shorter-than-average lifespan. The pain will be manageable with treatment. Wilma is willing to, and would certainly, pay for this treatment herself; and she is wealthy enough that these payments wouldn't impose any significant cost on her. With treatment, the child's life would be well worth living, but still significantly worse than the life of a "normal" healthy child.

The good news is that if Wilma takes a pill once a day for two months before conceiving, she will have a perfectly healthy and happy child without condition X. Knowing all this, Wilma decides not to take the pill. As a result, she gives birth to a child with chronic pain and a significantly shorter-than-average lifespan.³

Intuitively, Wilma's act is morally impermissible. But it's hard to explain why.⁴ According to

The default explanation: Wilma's act is impermissible because it makes her child significantly worse off than it would otherwise have been.

The default explanation is *prima facie* plausible. But there's a well-known objection to it. The sperm and egg that would have joined if Wilma had waited to conceive would have been different from the sperm and egg that join to form the child in the example.⁵ For this reason, it seems, the child Wilma would have conceived after waiting *would not have been* the child conceived in the example; it would have been *a different individual*. To emphasize this, Boonin stipulates that the child conceived in the example is a girl named *Pebbles*, and that if Wilma had waited, she would instead have conceived a boy named *Rocks*. If Wilma had waited to conceive, then

² Boonin (2014), p. 2. This case is an offshoot of Derek Parfit's often-discussed case *The 14-year-old Girl* introduced in *Reasons and Persons* (1984), p. 358.

³ Boonin (2014), p. 2.

⁴ The non-identity problem isn't always presented as a puzzle about permissibility. Some find it difficult to explain why, for example, Wilma *ought not* to have the worse-off child. Parfit (1984, p. 358) initially presented the non-identity problem as a puzzle concerning how to justify the claim that the 14-year-old girl in his example "ought to wait" and conceive a better-off child later.

⁵ See Parfit (1984), pp. 351-355.

Pebbles—whose life is well worth living—wouldn't have existed. Let's assume Pebbles is Wilma's only child. Then the phrase 'her child' in the statement of the default explanation naturally refers only to Pebbles.⁶ It's therefore difficult to see how, by conceiving now rather than waiting, Wilma makes *her child* worse off. Yet, it still seems that Wilma's act is impermissible.

If we reject *the default explanation*, we seem to have only two reasonable options: (1) insist that Wilma's act is impermissible even though it doesn't make her child (or anyone else) worse off, and (2) bite the bullet—i.e. claim that Wilma's act isn't impermissible. Recently, Boonin has put forward an intriguing argument for biting the bullet. His central argument is as follows.

The Non-Identity Argument:

P1: Wilma's act doesn't make Pebbles worse off than Pebbles would otherwise have been.

P2: An act harms someone only if it makes her worse off than she would otherwise have been.

Therefore,

C1: Wilma's act doesn't harm Pebbles. (From P1 and P2)

P3: Wilma's act doesn't harm anyone other than Pebbles.

Therefore,

C2: Wilma's act doesn't harm anyone. (From C1 and P3)

P4: If an act doesn't harm anyone, then it doesn't wrong anyone.

Therefore,

C3: Wilma's act doesn't wrong anyone. (From C2 and P4)

P5: If an act doesn't wrong anyone, then it isn't morally impermissible.

Therefore,

⁶ See Parfit (1984), p. 359 for further discussion.

C4: Wilma's act isn't morally impermissible. (From C3 and P5)⁷

Boonin calls C4 *The Implausible Conclusion*.

To avoid the Implausible Conclusion, one must provide a rationale, something that is at least potentially a reason, for rejecting the Non-Identity Argument. But according to Boonin, not just any rationale will do. He thinks there are three requirements that must be satisfied if one is to provide a *successful* refutation of the Non-Identity Argument. They are:

(1) *The Independence Requirement*: A claim or set of claims C successfully refutes the Non-Identity Argument only if (i) C refutes some particular premise of the Non-Identity Argument, and (ii) C is supported by reasons other than the reason that accepting C enables one to avoid the Implausible Conclusion.⁸

(2) *The Robustness Requirement*: A claim or set of claims C successfully refutes some particular premise of the Non-Identity Argument only if C also refutes any weakened version of that premise which, in conjunction with the Non-Identity Argument's other premises, is strong enough to generate the Implausible Conclusion.⁹

(3) *The Modesty Requirement*: A claim or set of claims C successfully refutes some particular premise of the Non-Identity Argument only if C doesn't have implications that are more implausible than the Implausible Conclusion.¹⁰

Are (1)–(3) reasonable requirements of success for refuting the Non-Identity Argument? Should we accept the Implausible Conclusion *if* we accept (1)–(3) as requirements of success? I will argue for a negative answer to both questions. Part I of the paper addresses the first question, Part II, the second.

Part 1: Requirements

In this part of the paper, I argue that Boonin's proposed requirements are highly problematic, that they should be abandoned, and that a new set of requirements

⁷ The argument is presented in Boonin (2014), pp. 3-5. Boonin uses the term 'morally wrong' rather than 'impermissible'. This is not a substantive difference between my statement of the Non-Identity Argument and Boonin's; however, I find the concept of moral impermissibility somewhat less obscure than the concept of moral wrongness.

⁸ Ibid., p. 20.

⁹ Ibid., pp. 21-22.

¹⁰ Ibid., p. 22.

should be sought. I focus mainly on the Independence Requirement (IR) and the Modesty Requirement (MR).

1.1 Independence

IR's clause (i) requires that a successful refutation of the Non-Identity Argument refute some particular premise of that argument. There's reason to reject this requirement. Suppose one argues that torturing a certain baby for fun isn't impermissible. Call this *the baby-torturing argument*, and the problem of how to respond to it *the baby-torturing problem*. Suppose we have the intuition that torturing the baby is impermissible, and so we appeal to

The no baby-torturing principle: torturing babies for fun is impermissible.

One might reply that our attempt to refute the baby-torturing argument is unsuccessful because the no-baby-torturing principle lacks independent support; the only potential reason to accept it is that it avoids the conclusion that it's okay to torture babies.

This reply isn't entirely convincing. If an argument's conclusion is *very counter-intuitive*, this might provide a reason to provisionally reject the argument, even if it's unclear exactly which of the argument's premises should be rejected.

The foregoing is consistent with the possibility that, upon further reflection, we would find the baby-torturing argument to be *less implausible* than the no baby-torturing principle. Perhaps there are weighty theoretical considerations that support the argument's premises, and perhaps the intuition in support of the no-baby-torturing principle can be debunked or blunted. In that case, there might be *good reason* to reject the no-baby-torturing principle. But then this reason wouldn't be provided by the fact that the principle was extrapolated from a single intuition; it would be provided by countervailing theoretical evidence that either outweighs or undercuts the evidence provided by that intuition.

We have considered a problem for IR's clause (i), but clause (ii) is problematic as well. Boonin gives the following example of a principle that he claims violates (ii):

Q*: If in either of two outcomes the same number of people would ever live, it would be [impermissible] to select the outcome in which those who live are worse off, or have a lower quality of life, than those who would have lived, at least if the

outcome would be significantly worse than the alternative and other morally relevant considerations are equal.¹¹

According to Boonin, there is no rationale for accepting Q^* “other than the fact that [this] would enable us to avoid the Implausible Conclusion.”¹²

Importantly, although it is not clear in Boonin’s initial characterization of IR, he thinks that the reason referred to in the statement of IR is *contrastive*—it is a reason for accepting C *rather than* some alternative claim that one is considering (where this other claim is not simply the negation of C).¹³

But this renders IR implausible as a condition for successfully refuting the Non-Identity Argument. For example, suppose that two theories, T_1 and T_2 , have all the same implications except that T_1 implies the Implausible Conclusion while T_2 doesn’t. In this case, it seems T_2 is more plausible, and hence, more acceptable than T_1 . (For the sake of the example I’m bracketing considerations, such as simplicity, which plausibly bear on what makes a theory plausible or acceptable.) But it seems our only reason for accepting T_2 rather than T_1 would be that T_2 (but not T_1) avoids the Implausible Conclusion. And so given IR, we could not appeal to the more plausible theory, T_2 , to refute T_1 . But this methodological restriction seems unprincipled.

1.2 Modesty

According to The Modesty Requirement (MR) any claim that successfully refutes the Non-Identity Argument must not have implications that are more implausible than the Implausible Conclusion. One potential difficulty with this requirement is that there is a non-trivial possibility that every *fully general* population ethics theory entails something that is more implausible than the Implausible Conclusion.¹⁴ (If this were true, MR would be problematic in interesting ways that I lack the space to explore here.)

But, setting this issue aside, MR is problematic. To see why, we should first acknowledge that whatever Boonin’s conditions for being a successful refutation of the Non-Identity Argument are, he ought to recognize parallel conditions for the success of the Non-Identity Argument itself. Otherwise, there would be a self-

¹¹ Boonin (2014), p. 178. My formulation of Q^* is slightly different from Boonin’s. For example, instead of an “other things being equal” clause, Boonin’s formulation contains specific clauses, e.g. “as long as bringing about the better outcome wouldn’t violate anyone’s rights”.

¹² *Ibid.*, p. 179.

¹³ That Boonin intends this “contrastive” interpretation of IR comes out in his discussion of challenges to P5 in Chapter 6, Section 6.1.2, pp. 157-169.

¹⁴ Arrhenius (2015), for example, has proven several impossibility theorems demonstrating that we must reject at least one of several extremely intuitively plausible claims.

serving asymmetry between the rules for evaluating claims Boonin accepts and the rules for evaluating claims that challenge those Boonin accepts. To avoid this, the Independence and Modesty Requirements should be replaced with the following general conditions:

The General Independence Requirement (GIR): A claim or set of claims C successfully refutes an argument A only if there's some reason for accepting C other than that accepting C enables one to avoid the conclusion of A.

The General Modesty Requirement (GMR): A claim or set of claims C successfully refutes an argument A only if C doesn't have implications that are more implausible than A's conclusion. Moreover, A is successful only if A doesn't have implications that are more implausible than A's conclusion.

These general requirements avoid the double-standard mentioned above.

However, given GMR, the Non-Identity Argument seems unsuccessful. This is because the Non-Identity Argument seems to have implications that are more implausible than the Implausible Conclusion. For example, according to P2: An act harms someone only if it makes her worse off than she would otherwise have been. A standard objection to P2 is that creating an utterly miserable person, someone whose life contains only what is bad for her, harms her, but it doesn't make her worse off than she would otherwise have been. If the miserable person hadn't been created, then she wouldn't have *been*; hence, she wouldn't *otherwise* have been. And hence, she isn't worse off than she would otherwise have been.¹⁵

If creating a miserable person doesn't make her worse off than she would otherwise have been, then the conjunction of P2, P4, and P5 has an implication that's more implausible than the Implausible Conclusion, namely

The Very Implausible Conclusion: Creating an utterly miserable person isn't impermissible.

P2 and the claim that creating a miserable person doesn't make her worse off than she would have been jointly entail:

(a) Creating an utterly miserable person doesn't harm her.

¹⁵ For an early discussion of this case, see McMahan (1981).

P4 and (a) jointly entail

(b) Creating an utterly miserable person doesn't wrong her.

Finally, P5 and (b) jointly entail

(c) Creating an utterly miserable person isn't impermissible. (The Very Implausible Conclusion)

Since The Very Implausible Conclusion is more implausible than the Implausible Conclusion, and follows from the Non-Identity Argument's premises P2, P4, and P5 (and the observation that creating a person doesn't make her worse off than she would otherwise have been), the General Modesty Requirement implies that the Non-Identity Argument is unsuccessful.

1.3 Robustness to the rescue?

One possible reply to the foregoing challenge would be to appeal to the Robustness Requirement (RR). According to RR, a claim or set of claims C successfully refutes a premise of the Non-Identity Argument only if C refutes any weakened version of the premise that, in conjunction with the Non-Identity Argument's other premises, is strong enough to generate the Implausible Conclusion. Even if some of the Non-Identity Argument's premises (independently or jointly) violate the General Modesty Requirement, the Implausible Conclusion might still be established by appealing to weaker versions of these premises.

However, it seems likely that any weakened version of P2, P4, or P5 that's strong enough to establish the Implausible Conclusion (in conjunction with the Non-Identity Argument's other premises) will violate either the General Modesty Requirement (GMR) or the General Independence Requirement (GIR). To see this, first consider P2. To avoid the Very Implausible Conclusion, we could replace P2 with a principle that clearly implies that creating the miserable person harms her. For example, we might appeal to

P2*: One harms a person only if one causes this person to be in a state that's overall bad for her.

Since creating the miserable person causes her to be in a state that's overall bad for her, P2* implies that creating this person harms her, and hence, P2* avoids the Very Implausible Conclusion.

But even after replacing P2 with P2*, we still violate the General Modesty Requirement. P2* implies, for example, that killing your child, and hence, causing your child to be in a state that is (plausibly) neither overall bad nor overall good, but *neutral* for it, wouldn't harm it. (If you disagree with this assumption about the neutrality of being dead, take the state of being in a dreamless coma instead.) This implication and the other premises of the Non-Identity Argument jointly entail

The Crazy Conclusion: killing your otherwise happy child wouldn't be impermissible.

P2* and the assumption that killing your child would cause your child to become dead, and that an individual's being dead entails that it is in a state that is neither good nor bad for it jointly entail

(d) Killing your child wouldn't harm your child.

P4 and (d) jointly entail

(e) Killing your child wouldn't wrong your child.

P5 and (e) jointly entail

(f) Killing your child isn't impermissible (The Crazy Conclusion).

A more promising substitution for P2 is

P2**: An act harms a person only if it makes her worse off than she would otherwise have been OR causes her to exist in a state that's overall bad for her.

The first disjunct of P2** avoids the Crazy Conclusion. Killing your child would certainly make her worse off than she would otherwise have been. Moreover, the second disjunct of P2** avoids the Very Implausible Conclusion, since it entails that creating the miserable person harms her; thus P2** seems to satisfy the General Modesty Requirement (GMR).

However, P2** seems to violate the General Independence Requirement (GIR). There's no apparent reason to accept P2** (rather than Boonin's original premise, P2) other than that P2** (but not P2) avoids the Very Implausible Conclusion. (Both

avoid the Crazy Conclusion.) And this problem seems to arise for substitutions of P4 and P5 as well. In each case, it seems the most promising way to establish the Implausible Conclusion while avoiding the Very Implausible Conclusion is to invoke a special exception to the original premise—one that gives the intuitively correct result for cases involving the creation of miserable people. Thus, we end up with things like

P4*: An act wrongs someone only if it harms them OR causes them to be in a state that's overall bad for them.

or

P5*: An act is impermissible only if it wrongs someone OR causes them to be in a state that's overall bad for them.

These weakened versions of the original premises violate the General Independence Requirement.

I conclude that Boonin's requirements are unreasonable as stipulative conditions for any successful refutation of the Non-Identity Argument. A different set of conditions is needed.

Part 2: Rejecting the implausible conclusion

In this part of the paper, I argue we should reject P5 of the Non-Identity Argument even if we accept Boonin's three conditions. Thus, for example, even if the challenges put forth in Part I can be answered, we should reject the Implausible Conclusion.

2.1 The moderate principle

Boonin suggests that perhaps the most promising strategy for refuting P5 appeals to

The Moderate Principle (MP): If you are choosing between [only] Act 1 and Act 2, then Act 1 is impermissible if (a) the outcome of Act 2 is significantly better than that of Act 1, (b) Act 2 wouldn't cause you to incur a significant cost, and (c) Act 2 wouldn't violate anyone's rights.¹⁶

The term 'cost' in clause (b) refers to a shortfall in well-being. I say more about how to interpret 'significantly better' below.

¹⁶ Boonin (2014), p. 152.

MP seems to satisfy the Robustness and Independence Requirements, but is also not as strong as a general theory like act-consequentialism, which, Boonin claims (and many others would probably agree), violates the Modesty Requirement.

However, Boonin argues that MP fails to refute the Non-Identity Argument. He distinguishes two versions of MP, and argues that the version needed to refute P5 violates both the Modesty Requirement (MR) and the Independence Requirement (IR). The two versions of MP differ only with respect to what they assume is the class of individuals whose well-being matters for determining outcome-value. (For simplicity, I assume here that nothing other than well-being contributes to outcome value.) According to what Boonin calls the Inclusive Version of MP (or IMP), the value of an outcome is determined by aggregating well-being across everyone in that outcome. I will assume that on this version of MP, Act 2 produces a “significantly better” outcome than Act 1 if and only if the total of well-being for those who exist in the outcome of Act 2 is “significantly greater” than the total of well-being for those who exist in the outcome of Act 1, and that the difference in well-being between Pebbles and Rocks (the two possible children in the Non-Identity Case) is sufficiently large that the outcome in which Rocks is conceived has significantly more well-being than the outcome in which Pebbles is conceived. I will assume that any well-being difference larger than this one also counts as “significant”.

In contrast with IMP, according to what Boonin calls the Exclusive Version of MP (or EMP), the value of an outcome is determined by aggregating well-being across all and only those people who are actual. On this version of MP, Act 2 produces a significantly better outcome than Act 1 if and only if Act 2 produces significantly more well-being than Act 1 *for the actual people*.¹⁷

Boonin claims there is no rationale for accepting IMP (rather than EMP) except that this enables one to avoid the Implausible Conclusion and that therefore IMP violates the Independence Requirement (IR). I think Boonin is mistaken about this. There are many shortcomings of views, such as EMP, that take only actual people’s well-being to determine the value of outcomes, but these are *not* reasons to worry about IMP. For example, a rationale for accepting IMP instead of EMP is that only the former is compatible with the plausible claim that, other things being equal, an outcome is better if it contains *more well-being*. This implies, for example, that if outcome A is exactly like outcome B except that A has an additional person who is extremely well-off, then A is better than B. IMP is compatible with this claim, but EMP isn’t; according to EMP, if the people in B are the actual people, then the well-being of the extra person in A (who is *not* an actual person) makes no contribution to the value of any outcome, and so on EMP, A and B are equally good.

¹⁷ For discussion of versions of MP, see Boonin (2014), Chapter 6, Section 6.1.1.

2.2 Modesty and the weak principle

In this section, I consider Boonin's claim that IMP violates the Modesty Requirement (MR). I argue that if this is true, we can appeal to an alternative principle that satisfies MR.

Boonin raises three objections to IMP. I will focus only on two of these—I call them the Replacement Objection and the Procreation Objection. This section focuses on the Replacement Objection. The next focuses on the Procreation Objection. For simplicity, I omit the discussion of one of Boonin's objections, though the principle I introduce in this section avoids this objection in the same way that it avoids the Replacement Objection.

The Replacement Objection is based on the following case.

The Rescue Case: Greg faces a choice between two possible acts: Act 1: Saving the life of a young child (a stranger) who is trapped in a burning building. Act 2: Conceiving a child with his partner.

Acts 1 and 2 are mutually exclusive for the following reason: If Greg rescues the trapped child, he will be badly burned and become infertile, and will be unable to conceive children.

The welfare level of the child conceived under Act 2 is the same as that of Rocks—the better-off of the two possible children in the Non-Identity Case. The welfare level of the child rescued under Act 1 is the same as that of Pebbles. Therefore, for the same reason that, in the Non-Identity Case, the outcome of creating Rocks has significantly more well-being than the outcome of creating Pebbles, in the Rescue Case the outcome of Act 2 (conceiving) has significantly more well-being than the outcome of Act 1 (rescuing). Act 2 (conceiving) doesn't impose a significant cost on Greg or violate anyone's rights. Knowing this, Greg chooses Act 1 (rescuing).¹⁸

Greg's act of rescuing the trapped child seems not only permissible but supererogatory. However, IMP has the counterintuitive implication that it is *impermissible*. The Rescue Case satisfies all of IMP's conditions: Conceiving a child (Act 2) wouldn't impose a significant cost on Greg, wouldn't violate anyone's rights, and would produce significantly more well-being, and hence, a significantly better outcome, than would rescuing the trapped child (Act 1).

The Replacement Objection is powerful and may persuade some to reject IMP. However, there's a weaker principle that avoids this objection, namely

¹⁸ Boonin (2014), p. 274.

The Weak Principle (WP): If you are choosing between [only] Act 1 and Act 2, then Act 1 is impermissible if (a) the outcome of Act 2 is significantly better than the outcome of Act 1, (b*) Act 2 wouldn't cause *anyone* to incur a significant cost, and (c) Act 2 wouldn't violate anyone's rights.

The only difference between IMP and WP is that WP's second clause, (b*), refers to costs incurred not only by *you* (the agent) but by *anyone*. WP doesn't apply to the Replacement Case because that case doesn't satisfy condition (b*). If Greg had conceived (Act 2) rather than rescued (Act 1), the trapped child would have incurred a significant cost—she would have died in the fire.

Unlike the inclusive version of the Moderate Principle (IMP), WP avoids the Replacement Objection. But like IMP, WP avoids the Implausible Conclusion. WP entails that in the Non-Identity Case, Wilma's conceiving Pebbles (Act 1) is impermissible. The Non-Identity Case satisfies all of WP's conditions: the outcome of Wilma's conceiving Rocks (Act 2) is significantly better than the outcome of Wilma's conceiving Pebbles (Act 1). Conceiving Rocks (Act 2) wouldn't result in a significant cost to anyone; and it wouldn't violate anyone's rights.

2.3 Procreation

Unfortunately, WP cannot avoid *the Procreation Objection*. To illustrate the objection, consider

The Procreation Case. Jane is considering having a child. Due to the significant amount of well-being this child would have, the outcome of having it would be significantly better than the outcome of not having any child. Having a child wouldn't impose a significant cost on anyone or violate anyone's rights. Jane decides not to conceive.

The Weak Principle entails it's impermissible for Jane not to conceive. Call this *The Harsh Conclusion*. Some will find this conclusion counterintuitive, and to avoid it they may wish to further qualify our restricted consequentialist principle, WP.

But I think we can bite the bullet. Even if the Weak Principle (WP) entails the Harsh Conclusion, it doesn't violate the Modesty Requirement (MR). WP violates MR only if it has some implication that is more implausible than the Implausible Conclusion; and I don't think the Harsh Conclusion is more implausible than the Implausible Conclusion.

One way of garnering support for the claim that the Harsh Conclusion is less implausible than the Implausible Conclusion is to consider scaled-up versions of the

Non-Identity and Procreation Cases. Suppose Wilma can either create billions of people at Rocks's welfare level or create the *same number* of (different) people at Pebbles's welfare level (they would be happy overall, but have chronic pain and a significantly curtailed lifespan), and suppose Wilma chooses the latter option. Creating the billions at the higher welfare level wouldn't have imposed a significant cost on anyone or violated anyone's rights.

Next, suppose Jane can either create billions of people at Rocks's welfare level or create no one, and she does the latter. Creating the billions wouldn't have imposed a significant cost on anyone or violated anyone's rights.

Now consider the following pair of claims:

(1) Wilma's act of creating the billions at Pebbles's welfare level (rather than creating the billions at Rocks's welfare level) *isn't impermissible*.

(2) Jane's act of creating no one (rather than creating the billions at Rocks's welfare level) *is impermissible*.

I am strongly compelled to judge that (1) is *more implausible* than (2). And this compels me to judge that the Implausible Conclusion is more implausible than the Harsh Conclusion. For the only difference between claims (1) and (2), on the one hand, and the Implausible Conclusion and the Harsh Conclusion, on the other, concerns the number of individuals that the claims in each pair refer to. But if this is the only difference, then it seems one who accepts a certain implausibility ordering for the claims about the scaled-up cases should accept the analogous implausibility ordering for the claims about the scaled-down cases.

Conclusion

Boonin has given an argument, the Non-Identity Argument, for biting the bullet in response to the non-identity problem. Boonin's defense of his argument depends on a set of conditions for determining the success of any refutation of it. I argued that Boonin's conditions are unreasonable; they are inherently problematic and make it harder to defend the Non-Identity Argument, since, once they are made fully general, they seem to undermine this argument. I also argued that if we accept these conditions, we should reject the Implausible Conclusion by rejecting P5. Boonin thinks perhaps the most promising way to reject P5 is offered by the inclusive version of the Moderate Principle (IMP), but that this principle violates the Independence and Modesty Requirements. I argued that IMP doesn't violate the

Independence Requirement and even if it violates the Modesty Requirement we can appeal to the Weak Principle (WP), which appears to satisfy this requirement.

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