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Paper Title: On Eternalism and Rights: Posthumous Rights and Rights of Future Generations

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The ontological school of eternalism (Markosian 2003) offers valuable insights on questions concerning the moral rights of and obligations we owe towards two groups of individuals, the *dead* and *future generations*. Existing accounts of posthumous rights and future individuals’ rights have conventionally been confronted by the potent *Non-Existence Objection*: that as right holders and subjects of obligations must *exist* in order for moral propositions describing their rights or associated obligations to be *intelligible*, the non-existence of the deceased or the unborn renders talk of their rights vacuous at best (Fabre 2008). Moreover, there exists complexities to the *Non-Identity Problem*, which notes that the impact of present actions upon the identities of future generations may pose a problem for attempts to claim that those whose existence is causally fragile have moral claims against the present generation (Parfit 1984). Most existing accounts have taken the metaphysical claims underpinning the above two problems as a given, and offer largely mitigatory responses against them.

These accounts often fall short in crucially matching our intuition that there exist *specific individuals* whose rights can be violated, even if they are no longer alive or are yet to exist. This person-affecting intuition can be retained under eternalism, which argues that the past, present, and future (and all objects in those temporal states) exist and are real (in contrast to presentism, which reasons that only the present is real), even if objects from the past and future are not *present*. I briefly defend eternalism through three metaphysical arguments: that relativity renders presentism untenable as a position; that transtemporal causal relations are untenable without denying presentism, and that eternalism provides an adequate answer to McTaggart’s challenge (1927) that time is not real.

Under eternalism, past generations (the dead) remain existent *in the present*, such that they can constitute right holders. I reject the view that the dead’s inability to causally affect present states of affairs is a ground for denying them possession of rights, through i) hypothetical thought experiments that explore how we would accept the existence of moral obligations owed to individuals who are suddenly transported to spatiotemporally isolated possible worlds, and ii) drawing analogies to cases where mere frustration of preferences (as opposed to subjective conscious states) is deemed sufficient grounds to claim that a rights violation has taken place. Regarding future generations, I apply the above reasoning but also advance the claim that the Non-Identity Problem is not a *metaphysical*, but *subjective-epistemological problem*: our actions shaping future generations are predetermined such that there exists only one singular series of futures that *objectively exist****.*** Nevertheless, that we subjectively lack the ability to *know* what such futures entail is the reason why we intuit that the Non-Identity Problem is indeed a problem. I posit that we can owe *de dicto* placeholders obligations, in the absence of knowledge of their particular identities.

If successful, my argument establishes how posthumous and future generations’ rights can survive the Non-Existence Challenge, but also how metaphysical arguments can enrich responses to ethical dilemmas.

Keywords: Posthumous Rights, Future Generations, Non-Identity Problem, Eternalism, Metaphysics and Ethics