

Velleman and Parfit on Immoral Imprudence: Up in Smoke?

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AT first blush, it might seem mysterious why anyone would begin smoking tobacco. Smoking increases the risk of a litany of harms: from cancer and heart disease, to reduced fitness and lung function, to impotence and infertility (Musk 287–88). It is an expensive and often addictive habit. It is clear why James I of England called smoking a

custom loathsome to the eye, hateful to the nose, harmful to the brain, dangerous to the lungs, and in the black, stinking fume thereof, nearest resembling the horrible Stygian smoke of the pit that is bottomless. (Musk 288)

Despite the risks of smoking, however, I believe that some philosophers overstate or misstate the case against it. In this essay, I will consider two arguments offered by Derek Parfit and J. David Velleman—both hold that smoking is immoral. Parfit argues that smoking is immoral because it impermissibly restricts and harms one’s future selves (319–20). Velleman argues that smoking, since it constitutes “trading one’s person in exchange for benefits,” fails to meet the Kantian requirement to respect personhood (614). I will reconstruct these arguments and argue that they both lead to similarly implausible and restrictive conclusions. While smoking is often wrong, it is not wrong for the reasons Parfit and Velleman offer us.

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I am not a smoker, nor do I think smoking is wise. Why, then, do I choose to challenge these arguments against it? First, I find it interesting that Parfit and Velleman, in broader works devoted to a wide range of topics, both discuss smoking and take a similarly hard line against it. Parfit, in *Reasons and Persons*, is presenting an innovative and well argued version of utilitarianism, while Velleman's "A Right of Self-Termination?" makes an argument in the Kantian tradition against failing to respect one's personhood. I am curious about what feature of smoking makes it so apparently deplorable that it brings two widely disparate theoretical pictures into agreement.

Second, I think there may be more to smoking than *akrasia*, addiction, willful ignorance, or even purely hedonistic pleasure. In some cases, smoking constitutes a genuinely meaningful part of an individual's personal aesthetic. Richard Klein, for example, suggests that the

moment of taking a cigarette allows one to open a parenthesis in the time of ordinary experience, a space and a time of heightened attention . . . evoked through the ritual of fire, smoke, cinder connecting to hand, lungs, breath, and mouth. (16)

Smoking can also express one's identity or serve as a marker for values and beliefs: Patricia Berman suggests that during the Bohemian period of the late nineteenth century cigarettes "constituted an emblem of Bohemian or Decadent culture" as well as performed numerous other important functions of social significance (627). Smoking may produce some positive health effects, such as greater resistance to neurodegenerative disease and inhibition of acne and herpes blisters (Wolf et al. 108–9). Smoking also provides self-medication benefits for some schizophrenics (Kumari, Veena, and Postma 1021–34). These effects, while they do not outweigh the harms of smoking in general, may do so for individuals who care especially about the benefits in question.

Ultimately, my aim is not to defend smoking, but rather to suggest that Parfit's and Velleman's arguments do not make the best case against it. (I think an appeal to the harms smoking inflicts on others, and the addictive nature of cigarettes, might be more effective.) I will argue that both Parfit's and Velleman's views, as stated, ask us to sacrifice too much of our autonomy and our right to engage in risky projects and activities that could lead to our being harmed or disabled; this theoretical flaw affects

not only their attitudes towards smoking, but their stances towards other, more important human aims and goals. Ultimately, part of what it means to be a person is to be free to autonomously choose projects, even when they seem to be projects that will shorten our lives or curtail their quality. I think that Parfit and Velleman underrate this feature of personhood in their arguments and miss the mark as a result.

Velleman's and Parfit's Views

Velleman begins "A Right of Self-Termination?" with a vignette. This vignette, which at first glance seems to be a bare moral intuition based on personal experience, is used to argue that smoking is morally wrong:

Getting cancer changed my feelings about people who smoke. I remember hearing a fellow philosopher expound, with a wave of his cigarette, on his right to choose whether to live and die smoking, or to quit and merely survive. I was just beginning a year of chemotherapy, and mere survival sounded pretty good to me. But I was the visiting speaker, and my hosts were unaware of my diagnosis. Several of them lit up after dinner as we listened to their colleague's disquisition—they with amused familiarity, I with an outrage that surprised even me and would have baffled them, if I had dared to express it. (606)

Rather than bracketing his reaction as a personal outrage against smoking, Velleman uses the story as a starting point for arguing that smoking is universally immoral.

Velleman first reconstructs an argument for the permissibility of smoking, representing the right to smoke as following from a proposed right "to live and die in the light of . . . [one's] own conclusions about why [one's] life is valuable and where its value lies" (Dworkin et al. 41–47; Velleman 607). This right, Velleman thinks, relies on two premises:

(1) "A person has the right to make his own life shorter in order to make it better—to make it shorter, that is, if doing so is a necessary means or consequence of making it a better life on the whole for him." (607)

(2) “There is a presumption in favor of deferring to a person’s judgment on the subject of his own good.” (607)

Velleman then argues for another principle that potentially conflicts with (1)—morality does not countenance actions that fail to respect the dignity of persons. Furthermore, according to Velleman, what determines the dignity of a person is not up to that person:

The dignity of a person is a value that differs in kind from his interest. Unlike his interest, for example, his dignity is a value on which his opinion carries no more weight than anyone else’s. Because this value does not accrue to him, he is in no better position to judge it than others. (611)

Since dignity is not a value about which agents have a say—it is not part of an agent’s “own good”—premise (2) cannot come into action.

Velleman then makes the overly quick move that life-shortening in general threatens the dignity of persons; thus, since principle (1) permits life-shortening acts, it violates the maxim that we must respect the dignity of persons. Since, on Velleman’s view, the dignity-of-persons principle is a core moral principle on which all others—including (1)—depend, we must abandon (1) because it undermines the principle on which it depends. Lastly, since invoking a right to smoke depends in turn on (1) there is no right to smoke:

I think Kant was right to say that trading one’s person in exchange for benefits, or relief from harms, denigrates the value of personhood, respect for which is a criterion of morality (Kant would say, *the criterion*). That’s why I think that smoking is a vice—at least, when practiced for the reasons given by my host. (Velleman 606)

On Velleman’s view, smoking is wrong because it fails to respect the universal value of personhood.

In contrast to Velleman’s vignette, Parfit begins his objection to smoking with a much simpler and more abstract set of moves; he presents a simple example:

Reconsider a boy who starts to smoke, knowing and hardly caring that this may cause him to suffer greatly fifty years later.

This boy does not identify with his future self. His attitude towards his future self is in some ways like his attitude to other people. This analogy makes it easier to believe that his act is morally wrong. We should claim that it is wrong to impose on *anyone*, including such a future self, the risk of such a death. (319–20)

Parfit's evaluation of this situation relies on his metaphysics of personal identity, which claims that a person's life can be subdivided into the lives of a set of successive selves. He states that seeing identity in this way "has long seemed natural, when there is some marked weakening of psychological connectedness" (305, 319–20). Since Parfit believes that identity consists in relations of psychological continuity and connectedness, breakdowns in these relations over time will produce a successive-selves model of identity: "After such a weakening, my future self will seem alien to me now" (319–20).

When Parfit's theory of identity is conjoined with the harm of smoking, the conclusion that smoking is wrong seems to follow. Parfit suggests, "We ought not to do to our future selves what it would be wrong to do to other people" (320). If future selves really are like other persons, this principle would be obvious: if my smoking affected you the way it affects me, it would seem an impermissible imposition on you; no smoker should force others to smoke. Ultimately on Parfit's view, smoking is wrong because it imposes impermissible risks on others. While for Velleman it does not matter whether dignity violations affect oneself or others, for Parfit one actually *becomes* (in a sense) the "others" whom one should not negatively affect.

The Restriction of Autonomy

Smoking is an appealing example for Velleman's and Parfit's views because it involves putting a dangerous substance into one's body. Smoking clearly shortens one's life and does to oneself what no one ought to impose on others. However, despite these life-shortening effects, many smokers find smoking a valuable activity; thus, I suggest that we must take the positive value that some smokers place on smoking into account as well. Given some smokers' desire to smoke and endorsement of smoking as valuable, my first worry against Velleman's and Parfit's arguments is

that they produce conclusions that are extremely restrictive of personal autonomy. Although Parfit grants that his theory “reduces the claims of personal autonomy” (320), I am concerned the effects will be far more devastating to autonomy than he believes.

I want to motivate this worry by reference to a practical case. My example will also be one of placing a harmful substance into one’s body; however, rather than consider the consumption of tobacco, I want to consider the consumption of food. Consuming food is, for most persons, a far more central source of enjoyment than tobacco smoking. More than this, food consumption is central to innumerable cultural and religious practices and plays a crucial part in forming and cementing familial and interpersonal relations: consider the importance of dining with one’s family, or of “breaking bread” together with one’s comrades. Food, in fact, along with clothing and shelter, is considered one of the core human needs.

However, it is certainly true that *what types* of food one consumes can affect the length of one’s life, most likely as much as smoking can if not more so. As Sugimura states, “Three major factors for human carcinogenesis are cigarette smoking, infection and inflammation, and nutrition and dietary carcinogens” (387). Furthermore, people do not need to engage in extraordinarily risky practices in order to put themselves at risk of death: the dietary carcinogens Sugimura discusses are not produced by esoteric or exclusively harmful substances but by commonly consumed and even staple food products such as grilled meat and fish, cured sausages, cultivated mushrooms, and citrus fruits. One might bite the bullet (or the tofu) and give up these foods; however, it is probable that extreme caloric restriction extends the length of human life (Roth et al. 305). Thus, assuming caloric restriction does lengthen life, our choice not to consume a reduced-calorie diet shortens our life spans and causes us to begin aging earlier than we otherwise would.

Thus, Velleman’s argument seems to imply that choosing anything other than essential nutrition, if it is likely to make your life shorter, shows disrespect for the value of personhood. Parfit’s argument, meanwhile, suggests that choosing to consume these foods runs the risk of imposing harms on future selves, harms that we would not impose on others. Yet this argument threatens to mandate a world in which persons live in bubbles, eating calorie-restricted diets and refusing to participate in risky projects.

Worse, persons who provide foods that have life-shortening potential would be engaging, on Velleman's account, in an "immoral enterprise" (614).¹

Velleman could attempt to distinguish smoking from eating by providing a definition of a sufficiently long life. On this view, smoking would be immoral because it makes one's life *too* short, but eating would not be immoral because eating a normal diet does not decrease lifespan below some arbitrary minimum, even though not eating a normal diet would extend one's life further. Just as Velleman might save his claim by providing a definition of sufficiently long life, Parfit could try to provide a definition of "acceptable risk," where there are some risks that are acceptable to impose on others (including future selves), while other risks may not be imposed. Smoking, on my revision of Parfit's view, could fall into the latter category.

The above attempt to distinguish smoking from eating by appealing to risk is too arbitrary. Different levels of risk may seem more acceptable to some people than others, and risks may be taken on for different reasons. It is possible that, for example, a sumo wrestler's lifespan is shorter than a smoker's lifespan, and certainly shorter than an average office worker's lifespan. Yet telling a sumo wrestler that engaging in sumo wrestling is wrong because the weight gain involved runs the risk of shortening his lifespan and thus violates his dignity seems wrong. And condemning a sumo wrestler for inflicting health problems and excessive weight on a future self seems equally wrong. A chef who prepares deadly Japanese puffer fish or a deepwater diver should be equally free to pursue their projects. While my argument is so far as intuition-based as Velleman's, I suggest in the next section that it has a theoretical basis. Furthermore, the idea of a minimally acceptable life-length or an allowable risk amount seems contradictory to the idea that persons have absolute dignity or that future selves may never be treated in ways that we would not treat others.

In the end, both Parfit and Velleman seem committed to the view that people who engage in lives that are riskier than the safest possible life are doing something morally wrong. Such a normative claim strikes me as both unattractive and incorrect. While having personhood implies the

¹ Note that some persons have thought this about fast food establishments—but Velleman's view seems to license this objection equally (if not more so) against Le Cirque or some other five-star French restaurant serving bearnaise sauces

possibility of losing it, a life lived merely with the aim of maximizing its length and minimizing the risk of harm seems a poor one.

Theoretical Worries and Conclusions

More theoretical is the worry that the case of food consumption shows that the move from larger theoretical principles (to which Parfit and Velleman are committed) to condemnations of particular acts or act-classes as immoral looks poorly founded. Let us say that we accept Velleman's claim that we are under a duty to respect the dignity of persons, whether in our own person or in others. Equally imagine that we accept Parfit's metaphysics of identity where persons are successive selves over time. What I suggest is that *even if we accept* these broad principles, they fail to justify the moral restrictions that Parfit and Velleman think they do.

First, I believe that there is good reason to doubt Velleman's claim that a person does not have the right to make his own life shorter in order to make it better. Velleman's argument, as we have seen, does not merely imply that one should not unduly endanger one's life, but that one must aim to make one's life—one's "mere survival"—last as long as possible (606). But why should we think that to lengthen one's life, or to avoid shortening it, is what preserving the dignity of persons consists in or requires?

Though Velleman claimed that "mere survival sounded pretty good to [him]," it is not clear how he can get from this view to the view that shortening one's life is an insult to the dignity of persons. For those committed to a Kantian dignity-of-persons view, Richard Arneson's view that each person has "a moral duty to make something worthwhile of her life, something good for herself and others," (11) seems much more plausible than Velleman's. Arneson restates Joel Feinberg's argument that the Kantian stance Velleman embraces, seems to wrongly "make a fetish of rational agency capacity" (14). And Jeff McMahan points to the problematic results of Velleman's position when he observes that Velleman's Kantian position on suicide also commits Velleman to rejecting anesthesia for pain relief (459). In the same way, I argue that Velleman's position on smoking makes a fetish out of length of life, and that the result that his position requires caloric-restriction diets is therefore unsurprising.

Similarly, why should we think that future selves can claim the same sorts of rights against us that other persons standardly can? In particular,

why can these persons claim a right to have a healthy body held in reserve for them? Parfit equivocates in two ways when he says, “Autonomy does not include the right to impose upon oneself, for no good reason, great harm. We ought to prevent anyone from doing to his future self what it would be wrong to do to other people” (321). The two equivocations are about what a “good reason” to impose great harm on oneself would be, and what sort of “other people” the future self is morally analogous to. I will consider them in reverse order, but I believe they are connected issues.

First, are future selves similar to *existing* persons, or are they other *future* persons? If future selves are like *currently existing* persons, we should not impose any risks on them at all. Indeed, since I cannot permissibly impose a risk of death on a present person, I might not even be permitted to bring a future self into existence since that involves imposing a risk of death on that self.² Parfit does specify that

our future selves are like future generations. We can affect them for the worse, and since they do not now exist, they cannot defend themselves. Like future generations, future selves have no vote, so their interests need to be specially protected. (319)

However, this introduces massive puzzles about what exactly future selves are entitled to and whether harms (or risks of harms) to future selves should prevent us on moral grounds from engaging in practices for which we *do* think that we have a good *prima facie* reason—for example, smoking as part of a religious belief or ritual, or as part of a value system or aesthetic.

What obligations we owe future generations cannot be solved simply, but I do not think that future selves and generations have “veto rights” over what present selves and generations do. One might think, for example, that we must not make future selves’ lives worse than nonexistence, or worse than some baseline, which is compatible with coming into existence in a smoker’s body. Determining what future selves would prefer their bodies and histories to be like is also difficult. For these reasons, I am more sympathetic to Feinberg’s suggestion, which Arneson reconstructs:

Suppose young adults would voluntarily choose to develop the habit of smoking cigarettes, perhaps because the practice fits an

² But see David Benatar’s “Why It Is Better Never to Come into Existence.” In this article, he falls into this difficulty.

ideal self-image. Suppose they know that older people tend to disavow these youthful choices and regret the decision to start smoking. The older people, compared with their younger selves, give more weight to the value of good health than to the value of stylish demeanor that conflicts with it. Still, the youths' voluntary enough choice now is to smoke. In these circumstances, there is no soft paternalist rationale for prohibition of smoking to save the future stages of these people from their present voluntary choices—that would be usurping the rightful role of the present self. In much the same way, people today may voluntarily incur debts that their older selves will regard as unwise, but the contract that gives rise to the debt is not null and void on that account. Nor is there a soft paternalist rationale for banning such contracts. (5–6)

This notion of the “rightful role of the present self” is what I think is missing in Parfit, and its absence makes his account of smoking similar to Richard Posner's claim that the young should often be morally required to be fiduciaries of the interests of the old rather than pursuers of their own interests (*Aging and Old Age*).

Finally, note that Parfit's view may allow smoking in some cases where most others would not: if the barriers between selves are not as high, perhaps earlier selves may permissibly treat future selves unfairly to achieve a greater sum total of happiness—for example, earlier selves may smoke if they highly value smoking, it may bring them more pleasure than it would cost their future selves in terms of pain. Parfit's consequentialist argument has difficulty explaining why this action is wrong—or worse, why a smoker may not inflict smoking-related harms on entirely separate persons who are not even future selves.³

Parfit's argument against smoking comes very close to the true reasons why smoking can be wrong. Smoking is wrong to the extent that it affects *real, existing* persons in a way that is impermissible and rights-violating. Whether this justifies prohibiting smoking is a further question: arguments from the wrongness of inflicting “passive smoking” or environmental smoke on others seem strongest, as opposed to the arguments that smokers

³ See Parfit 336–45 for a discussion of this issue.

require expensive health care (since this could equally be applied to sumo wrestlers or French chefs).

Ultimately, Velleman's and Parfit's discussions of smoking suggest a problem with many paternalistic arguments. Many self-affecting practices seem distasteful or imprudent. However, many of these practices are valued by their practitioners, and the same arguments that we raise against these practices can equally be raised against more commonly performed ones. This is not an argument for relativism or egoism: no person, no matter how much she values smoking, may blow smoke in someone else's face or steal money in order to buy cigarettes. What I do ask for is a greater sensitivity to morally condemning apparently imprudent self-affecting acts: taking a position consistent with Parfit or Velleman requires not just condemning *ad hoc* those acts others perform that we do not like seeing performed, but also giving up many other practices that we think permissible and even enjoyable. This suggests that we should think twice about whether morality can demand that *we* (not just "they" or "those wasteful smokers") give up so much autonomy.⁴

⁴ See also Seana Shiffrin's "Paternalism, Unconscionability Doctrine, and Accommodation."

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