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Affirmative Action in an Ideal Society

Affirmative action has been used in society as a remedy for racial and gender discrimination in the workplace and academia. Since this is the case, should it matter in a well-ordered society in which bias has been removed? I argue that the benefits of affirmative action are beyond that of mitigating discrimination. By transforming affirmative action into the realm of ideal theory and stepping away from non-ideal theory by making the purpose of affirmative actions' purpose diversity and not rectification, a well-ordered society would benefit more from affirmative action. The benefits of affirmative action will be demonstrated by showing the importance of diversity and demonstrating it is a better option than John Rawls's notion of fair equality of opportunity (FEO) for distributing employment and educational opportunities. Additionally, I will respond to the objections that certain factors of identity, specifically religion and geographical location, should be considered within the scope of affirmative action.

Rawls's theory of justice is known as ideal theory. Ideal theory is characterized as a thought experiment that attempts to visualize a perfectly just society.¹ This is not to say that there is a perfect society in existence. In ideal theory a perfect and just society is conceived of in order to solve issues of injustice that are faced on a daily basis.² Ideal theory is also utilized to discover how a fair justice system would look like. Ideal theory stands in contrast to non-ideal theory. Non-ideal theory, also known as partial compliance theory, does not attempt to envision a perfect society. Instead it tries to solve issues of injustice that occur within societies.³ These issues of injustice include, but are not limited

¹ John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), p. 9

² *Ibid.*

³ Rawls, *Theory of Justice*, p. 8

to war, punishment, civil disobedience, revolution, and institutional injustice.⁴ For example, issues of racism within a society would fall within the realm of non-ideal theory because racism is an issue of injustice. In contrast, ideal theory does not focus on injustice issues in a society. . Rawls is not deliberating about injustices that occur within society.

Citizens of the well-ordered society recognize and have agreed to certain rules of conduct and as a result view these rules as obligatory.⁵ These rules are agreed upon in the original position. The original position is a hypothetical scenario in which an agreement is reached about what is just in society.⁶ It is an initial situation, a starting point.⁷ This is not to say that the original position is the starting point of society or mankind, but that it is the moment in which justice is conceptualized and agreed upon by a society's citizens. It is a hypothetical contract that is devised by the participants in the initial situation. These participants are members of the society that will employ and follow the rules of conduct. In order to derive a fair view of justice the participants are shielded from facts about themselves and society.⁸ Facts that are within the veil of ignorance are class and social status, natural assets, the individuals conception of the good (such as their goal in life), and the economic features and political structure of the society.⁹ These factors are concealed from the individuals in the original position so it will not affect their view of what is and what is not just. For instance, if it were the case that an individual knew that they were part of the upper-class of society, they can attempt

⁴ *Ibid.*

⁵ John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), p. 4

⁶ Rawls, *Theory of Justice*, p. 120

⁷ *Ibid.*

⁸ *Ibid*, p. 137

⁹ *Ibid.*

to define justice in a way that would benefit upper-class individuals in order to be able to advance themselves in the society. Without the veil of ignorance concealing factors about individuals and society there would be bias in the original position. By means of the original position and the veil of ignorance individuals are able to conceptualize what will be considered just in the society.

It is assumed that under Rawls's well-ordered society racism and sexism have been removed. Recall that the in the original position individuals are shielded with the veil of ignorance so individuals would not try to benefit unfairly from the justice system, such as the example of the upper-class individual trying to benefit from a society that favored the upper-class.. Since racism and sexism are unfair and discriminatory the individuals in the original position would have conceptualized a justice system and rules of conduct that did not allow sexism and racism in society. To elaborate, Rawls states that, "racial and sexual discrimination presupposes that some hold a favored position in society".¹⁰ Racism and sexism do not exist because that would mean that some individuals would be favored over others in the society due to arbitrary factors; they would want to protect against any sort of discrimination in the society through the rules of conduct. Additionally, Rawls posits that racist principles would be unjust and irrational.¹¹ As mentioned earlier, individuals in the society would want to protect themselves against any form of discrimination because they would not want to be the oppressed in an unjust society. To elaborate, the elimination of racism and sexism from the well-ordered society would mean that discrimination would not occur in politics, the workforce, academia, or in the everyday conversations and encounters individuals have

¹⁰ Rawls, *Theory of Justice*, p. 149

¹¹ *Ibid.*

with one another. The assumption that race and gender do not exist within the well-ordered society cannot be made though. Since race and gender are social constructions, which I will argue for shortly, the possibility remains that a well-ordered society can have both race and gender even if racism and sexism have been eliminated from the society.

Although Rawls states that sexism and racism would be condemned within the well-ordered society, his discussion of race and gender are limited. There are few moments within Rawls's *A Theory of Justice* in which he chooses to acknowledge (WHAT about) race and gender. Recall that the original position is a hypothetical scenario in which individuals conceptualize justice and create rules of conduct for society.¹² As mentioned earlier, the veil of ignorance conceals from individuals the features and place of the society they are in.¹³ Race and gender can be included within the factors that the veil of ignorance conceals because they are part of an individual's identity and this can influence their decision in conceptualizing what justice is. He makes little attempt to infuse race and gender, which are two large influential factors constructed by society into his theory of justice. This is likely due to Rawls's definition of race, which I posit is incorrect. He defines race as a fixed and natural concept.¹⁴ He denies that race and gender are created by society and instead likens them to part of the natural world, much in the same way that the Earth revolves around the Sun.

Though diversity is a multifaceted notion, affirmative action focuses on diversity of race and gender. These two areas are picked over other forms of diversity because

¹² *Ibid*, p. 119.

¹³ *Ibid*.

¹⁴ Charles Mills, "Rawls on Race/Race in Rawls", *The Southern Journal of Philosophy* 47 (2009): p. 179

individuals cannot experience being different races or genders.¹⁵ Race is defined as the social construction in which faux biological and/or genetic traits are utilized to categorize human beings.¹⁶ Race is not wholly biological. There is nothing that naturally divides human beings in regards to biology. Additionally, there is nothing genetically different about people where they can be divided into categories such as race. Race has been constructed by societies through faux assumptions about human biology. Evidence of this social construction of race can be found in the several ways in which race is defined in different societies. Different societies have different categorizations for individuals. Examples Also, the human race is genetically homogenous. In non-ideal theory racial categorization already exists and individuals within societies are able to identify such categorizations. In ideal theory, one is not familiar with what the categorizations are, but because race is constructed by society it cannot be assumed that a well-ordered society will be void of racial categorizations. While individuals do not know the racial categorizations of well-ordered societies, they can still subsist and surface. Recall that in the original position individuals are unable to know about the economic, political, and social features of their society. Similar to race, gender is also a social construction. Again, gender is not biological. Gender is a concept in which categorizations and expectations of certain behavior are imposed upon individuals due to what genitals an individual was born with. For instance, an individual is born a woman because she has female reproductive organs and as such she is expected to follow certain gender roles like

¹⁵ While sexual orientation is another factor that cannot be experienced by other individuals it will not be focused on in this paper. Additionally, there is less LGBTQ theory and literature available than there is on race and gender theory. It is important to recognize this gap in hopes that there will be an expansion to LGBTQ theory and literature made in academia.

¹⁶ Mills, *Race in Rawls*, p. 179

being fond of the color pink, or being submissive to men. There is a distinction between sex and gender. Sex is in the naming of individuals due to the genitals they have. Individuals fall into the categories of male, female, and intersex. In terms of gender as it is conceived of today individuals fall into several categories: cisgendered man, cisgendered woman, transgendered woman, transgendered man, and genderfluid to name some of them¹⁷ Such as with race, one cannot know the categorization, but the possibility of categorizations cannot be dismissed. Since race and gender are social constructions a well-ordered society can have different constructions of the concepts. The concepts will not create structural discrimination because racism and sexism have been eliminated, but race and gender can still exist within the realm of ideal theory because racial and gender categorizations are social features of a society.

With the removal of racism and sexism from the well-ordered society affirmative action would not be used as a way to resolve injustice since injustice has not occurred. Taking this into consideration affirmative action will not be defined as a process to be able to allow access to individuals who have been historically underrepresented in careers and education such as people of color and women as it is defined by non-ideal theory.¹⁸ Instead affirmative action is placed in the realm of ideal theory, it is envisioned within a well-ordered society in which racism and sexism do not occur. Within ideal theory affirmative action is defined as a mechanism to flourish diversity and equally divide employment and education opportunities on the basis of race and gender. Since, I am not

¹⁷ Cisgender is defined as identifying with one gender, transgender is defined as identifying with a gender while not having the genitals society has imposed that gender to have, and genderfluid is defined as identifying with several genders at a time or different genders from time to time.

¹⁸ Charles Mills, "Rawls on Race/Race in Rawls", *The Southern Journal of Philosophy* 47 (2009): p. 162

working within the realm of non-ideal theory and as such not deliberating on issues of injustice in society, affirmative action is utilized for the sake of diversity and not to remedy any past injustice that occurred or is occurring in society because racism and sexism are not prevalent within a well-ordered society.

Outside of creating equal opportunity, affirmative action focuses on race because it is a large influential factor in the way in which an individual perceives the world. To elaborate, an individual cannot choose to change their race out of curiosity of what it would be like to be another race. Within the examples in this paper, I will utilize racial and gender categorizations present in society to several points about experience and perspective, it is unknown if the ideal society will have the same racial and gender categorizations (or the same terminology of for the categorizations), but nonetheless such terms will be utilized in order to avoid confusion through utilizing made up racial and gender categorizations. For instance, if a Latina¹⁹ were to want to be white and decided to transform her appearance in order to be white, she would still not be white. While the Latina may have changed her appearance she would not have fully experienced the cultural aspects of being white. The individual would just be a Latina attempting to be white and would experience the world in this way. In her attempt to be a white woman she would only be drawing from a bit of knowledge that she knows about the race. By doing so she runs a great risk of drawing from stereotypes about the race. Remember, that discrimination does not occur within the well-ordered society, meaning that individuals

¹⁹ While Latinxs are considered an ethnicity and Mestiza/o would be a better form of characterizing the race, I use them as a racial categorization in this paper because they have been racialized in United States society, and thus are viewed as a race. The term Latinx also demonstrates how race is constructed because of the way in which society defines individuals within that fall within this category.

follow rules of conduct in the society that impede them from racism in the workplace, academia, and in daily interactions. This does not mean that individuals have gained perfect understandings of other races. Since individuals have not experienced the lives of other races, they do not know the full array of knowledge about a race that the people who are of that racial categorization know about. So in the case of the Latina attempting to be white she can draw from stereotypes that do not represent, misrepresent, or do not demonstrate what it truly is to be white. This misrepresentation occurs because she has not experienced what it is like to live her full life as a white person. Having changed her appearance does not suddenly convert her race. She does not become white. She cannot just attempt to change her race out of the blue because she will never be part of that race, she does not have a life full of experiences as a white woman.

The distinctive experiences and perceptions of individuals can also be applied to gender. There are unique experiences that different genders have that other genders have not experienced. For instance, a man will not be able to experience the events and issues that women partake in such as motherhood or conceptions of femininity. Though men can be feminine, they experience being feminine in a different form than women experience what is feminine. For example, imagine a cisgender man decides to wear a dress for a day because he wants to experience what it is like to be a woman. He would still not experience being a woman. Instead he would just be experiencing the world as a man with a dress on. He would experience what it is like to be feminine, but not what it is like to be a woman. A change in appearance would be not change the individual's gender. These different experiences of gender are explicitly noticed when it comes to the experiences of transgendered people in contrast to the experience of cisgender people.

Recall, that a transgendered person is someone who identifies with a gender that society did not assign to him or her based on their genitals at birth. For instance, a cisgender woman does not have to experience taking estrogen, or go through an intensive operation to be able to express her womanhood like the transsexual woman has to. The objection can be raised that transgendered individuals are changing genders and as a result an individual can experience different genders. The clarification must be made that individuals that are transgendered are not changing their gender. A transgendered person has always identified with a particular gender; the fact that society associated certain genders with certain reproductive organs is what creates the confusion between gender and sex. Recall that sex is the biological, which includes reproductive organs, and chromosomes an individual possesses. When a transgendered person transitions, they are not changing their gender, they are changing their sex to match the gender they identify with. The unique experiences that different genders and races have cannot be experienced by one another and as a result, it is important to create environments in which they can communicate with individuals. Such environments would benefit from hearing about the unique experiences that people have lived through.

Not all forms of diversity contain these unique experiences instead they can be considered trivial, or not as significant as race and gender. Unlike race and gender people can experience other aspects of identity. For example, a diversity of hair color can be considered trivial because an individual can experience different hair colors by dyeing his hair. If a person were a natural brunette, but wanted to become a red head he can change his hair color by dyeing it. The change of hair color is unlike race and gender in which people cannot pick and choose their identity. The individual who wants to be a red head

can make the choice to change his hair color by dyeing it. The change is possible. He also has the ability to experiment with several hair colors. So if he chooses to dye his hair from red to blonde and then purple he can. Also, he is able to change back to his original hair color with ease. The hair dyer is able to experience different hair colors with ease unlike someone who attempts to change their race or gender.

Although race and gender bring about unique experiences Rawls disregards race and sex when distributing employment and educational opportunities. Instead he utilizes fair equality of opportunity (FEO). Fair equality of opportunity establishes that employment and educational positions are available to all individuals.²⁰ Additionally, FEO states that the distribution of wealth and income cannot be based on natural assets or historical fortune.²¹ Instead all candidates that are qualified for an employment position or admission into a university are chosen at random to be able to create fair conditions. Once all qualified candidates have applied for the position they have an equal chance of being chosen. To elaborate, suppose there are five candidates applying for one employment opportunity to work as a clown. All candidates are qualified because they all meet the requirements as they all have great jokes, colorful makeup, and balloon twisting talents. The candidate that is hired will be chosen at random to avoid any bias. Rawls states that fair equality of opportunity is the best method for distribution of employment and educational opportunities because it establishes a fair way to pick and choose from a pool of candidates.²² For instance, one candidate will not be chosen over another because their socioeconomic status is higher than another individual who is also applying for the

²⁰ Rawls, *Theory of Justice*, p. 302

²¹ Rawls, *Theory of Justice*, p. 74

²² Rawls, *Theory of Justice*, p. 73

same job.²³ Refer back to the clown example, without fair equality of opportunity a person may receive the job because her father is the owner of the clown company even though she is not qualified for the job because she is not funny, her balloons continuously pop, and she does not wear clown makeup. When fair equality of opportunity is placed into effect then only individuals who are qualified to be a clown would be considered for the employment opportunity. As a result, the owner's daughter would not even be placed into the pool of candidates and a qualified candidate would have an equally divided opportunity to receive the position as other qualified candidates.

The benefits of FEO lie in the equal ability for all qualified candidates to be chosen. In the clown example fair equality of opportunity was able to prevent bias from nepotism. As a result the owner's daughter was not considered for the position because she was not qualified for the job. Instead the individual who was qualified for the clown position was able to apply and had an equal opportunity to be given the job as other qualified individuals who applied. FEO is able to rule out social position as a factor as well as natural assets.²⁴ For instance, a person cannot be chosen for the clown job just because she is a red head and the interviewer is fond of red heads. Additionally, no individual can be given a higher opportunity for the job than another person on the basis of her hair color. So just like the red head is not able to receive the position on the basis of her red hair she does not have a higher probability of being hired than other candidates that are brunettes. Fair equality of opportunity prevents factors that are biased and unfair such as, classism from influencing the hiring and enrollment process.

²³ *Ibid.*

²⁴ Rawls, *Theory of Justice*, p. 511

Although an equal opportunity is given to qualified candidates through fair equality of opportunity, FEO disregards the benefits that diversity can bring to education and the workplace. Since FEO disregards race and gender as a factor it can be the case that after the hiring process the office is full of all white men. The same can occur within academia. Once all qualified candidates are considered and the positions are chosen at random, a university can be predominantly white. While the process is fair, it also creates an environment in which people have similar experiences and perspectives and consequently ideas and tasks are not unique. A homogenous work and school environment is possible because once applicants are qualified they are chosen at random, so if the applicant pool was predominantly filled by one race and gender then there is a higher probability of that race and gender having more applicants hired than other demographics. Consider a drawback of fair equality of opportunity through the following example, in which all students in the university are white men and as a result, the knowledge they produce and share is similar. They will be unable to share different experiences that can add a unique perspective to papers and projects. Instead the ideas produced in academia are narrow. This is taking into account that experiences influence how knowledge is perceived. Additionally, different perspectives and experiences impact what type of knowledge is produced. The same can be said in the workplace, after a hiring process it can be the case that there are only women working in an advertisement company. Though it may not seem problematic at first it can also lead to only one perspective in the workplace. For example, assume that the advertisement company has the task of creating a commercial to sell men's deodorant. Without prior experience this task not only becomes difficult, but can result in a commercial that does not convince

men to buy the deodorant because it does not focus on men's hygienic needs or it does not aesthetically appeal to men.

The benefits of affirmative action in the workplace have been noted through the example of selling deodorant in the advertising company, the benefits of affirmative action can also be demonstrated in the academy. For instance, suppose that one is in a literature class full of Latino students who are reading J.K. Rowling's *Harry Potter and the Sorcerer and the Stone*. The individuals in the class would all have similar perspectives in terms of interpreting the culture of Hogwarts. They may all come to the interpretation that the novel is about a boy coming to age in a magical world. In contrast to the class full of Latino students a class with the demographic of four white women, five Asian men, five Latinas, four Latinos, three Asian woman, six Black women, three white men, and four Black men would be able to interpret the culture of the books in several ways. For instance, the woman might interpret how Harry's journey through Hogwarts was not just a coming of age for him, but also would be a coming of age for Hermione as a strong young girl. Additionally, other individuals will be able to make comparisons about how Hogwarts and Harry are similar to them. For instance, the white men can speak of similarities between Harry and themselves. Other individuals can talk about differences between the culture of Hogwarts and their own culture. While all the races and genders have never experienced being a wizard or witch, the similarities and differences they find within the work will be different because being of a certain race or gender gives people different perspectives about the world.. The fact that all of these women are of different races will have an impact on the interpretations of the characters. The same way all the other students in the literature class will have different

interpretations of Hogwarts's culture and the way in which each character in the book engages in that culture.

By utilizing affirmative action in the workplace and academia individuals can produce various forms of knowledge as well as different perspectives on projects through the sharing of different experiences. During the hiring process, only qualified candidates would be considered during the process, but diversity would also be considered afterward.²⁵ The goal of the hiring process would be to have employees that not only meet the requirements of the position, but the company would also strive to have a diverse environment. Employers would know that the unique experiences of their employees would generate a broad array of ideas for projects since they all have experienced the world in different ways. For instance, if the advertisement company had used affirmative action as the hiring process and they had six positions, they could offer the jobs to a white man, a Latina, an Asian man, a Black woman, a mixed race woman, and an indigenous man all of which are qualified for the job. Though not all races and genders are represented in every applicant pool there is more diversity than with fair equality of opportunity. Additionally, the admissions and hiring process would be fair because all candidates are qualified for the job unlike in the case of the daughter applying for the clown position. To elaborate, while race and gender are considered a factor for admissions and the employment position, this does not mean that it will be a top priority in picking candidates. All candidates must be qualified for the position. After applications have been reviewed for qualifications and requirements of applicants, then race and gender will be considered. For example, if four positions are open in the advertisement

²⁵ Judith Jarvis Thomson, "Preferential Hiring", *Philosophy and Public Affairs* 2 (1973): p. 366

company and there is a wide diversity of applicants, but not all applicants are qualified, the applicants that are not qualified for the positions will not be hired even if the company has no employees from that race and/or gender working for it.

Moreover, the diverse environments can benefit companies and universities. For instance, take an advertising company. Due to the diversity of the company, and the insights into his or her own cultures that they can share, the men's deodorant commercial can have a greater appeal to men of different cultures.

An objection can be raised as to what experiences should matter. It can be proposed that religion or geographic region should also be placed into consideration in the hiring or enrollment process. The objection is significant because unlike the hair example that is previously mentioned in the paper, it can be argued that religion and geographic residency are not trivial. Having diversity of religion will allow individuals to share their experiences as a Catholic, Protestant, Muslim, Atheist and so on, which can be beneficial to the workplace and academia. Additionally, religion is considered an extremely influential factor in a person's life. The same can be said about geographic region since every part of the world has different cultural traditions. A diversity of geographic location would also allow different perspectives from around the world to be communicated. By adding geographic region into the factors considered in affirmative action people would be able to speak of the different experiences they have gained from living in various locations.

Although the objection raises important points, unlike with race and gender others can experience both religion and geographic regions. For instance, it would be unnecessary to hire an individual because their country of residence is Italy. If an

individual wanted to experience what it was like to live in Italy they could just do so by flying to Italy. The experience can occur either by vacationing or living in Italy for few months. In both scenarios an individual is able to learn about the different customs and traditions that Italy has. Also, religion should not be included in diversity because someone's religion can change over their lifetime and because religious literature and places of worship can be experienced first hand. For instance, if religion was considered in affirmative action and a person was hired because she was a Christian, but then decided to become a Buddhist would the person have to be fired? Hiring on the basis of religion becomes problematic because the employer may choose to fire her because she no longer is practicing the faith she did during the hiring process. Also, an individual can experience several religions either because they changed religions like in the case of the Christian who became a Buddhist or because they read religious literature of various faiths or attend different religious ceremonies such as mass. Additionally, both geographical location and religion are impractical forms of establishing diversity in affirmative action because of the ability to change religion and geographic location. Since an individual can change her religion and geographic location over the course of her lifetime, admissions committees and hiring staff cannot take into these factors. The religion and geographic region argument thus are refuted because both can be experienced and changed over time.

The objection can be raised that experts are more qualified to understand different races and genders than individuals that are part of that race or gender. The objection is significant to consider because there is a belief among academia that objectivity exists and that an expert's opinion can be considered objective knowledge. As a result, it is

assumed that by studying a certain group of individuals a person can know about their experiences. While it is true that an expert such as a researcher or other academic can study a certain group or gender and observe their behavior, it is not true that an individual is able to better understand that subset of individuals. There is something very different about observing groups of individuals and interpreting them from being a part of that subset of individuals. When a researcher is observing a certain race or gender they are doing so through their own perspective. The expert may try to stay objective, but they are looking at the behaviors and customs of a group through the perspective in which they were raised. For instance, an Asian researcher can have devoted his life to learning about the lives of Black women. He may have learned about the race and gender, but the researcher has never experienced what it is like to be a Black woman. Even with a life's work of observation the researcher would still not be able to comprehend what it is like to be a Black woman. He may understand certain customs or behavior, but these acts are interpreted through the perspective of an Asian man. It would be absurd to state that the expert knew the subset of people better than the people themselves because the race and gender possess something that the expert does not have. The race and gender have first hand experience. It is this first-hand experience that allows bias, stereotypes, and misinterpretation to be avoided.

It can be the case that after affirmative action has been applied to the workforce and academia an applicant pool is homogenous. The objection is significant to consider because if it is the case that applicants are from one specific race and gender then this means that affirmative action has failed at its end goal to increase diversity. Even if an applicant pool only pertains to one race and gender affirmative action has not failed.

Instead the homogenous applicant pool in the workforce and academia demonstrates the there is a lack of appeal that the job is having toward other races and genders. In this case companies should attempt to determine why their applicants tend to be from a homogenous group. Homogenous pools may occur at the time that applications are submitted because there is not much interest in the job or university by different races and genders. One homogenous applicant pool does not mean that all applications for the job or school will be from the same race and gender all the time. This scenario that all applications will be of the same race and gender is extremely unlikely though considering the diversity of the human race. At the vary least there will be diversity of race or diversity of gender even if there is not a wide array of diversity within the applications. To elaborate, the probability of all applicants being of the same race and gender is quite unlikely. Consider the previous example of the advertising company. All of the employees in the company were women, but they were all different races. Although, there was a lack of diversity amongst gender there was still diversity of race that allowed for the contribution of different perspectives.

Affirmative action that considers diversity in the form of race and gender becomes the best choice when distributing employment and enrollment opportunities. It not only allows for only qualified applicants to be placed into the pool of candidates like in fair equality of opportunity, but it also eliminates environments in which ideas are narrow-minded and only demonstrate similar perspectives. Sharing various experiences about race and gender benefit the workplace. Affirmative action and diversity is a benefit in its own right. Also, the purpose of utilizing ideal theory is to be able to create a

foundation to tackle issues of non-ideal theory.²⁶ Knowing that affirmative action is beneficial in ideal theory, it can also be utilized to help societies in which racism and sexism is present. If one can envision what a just society can look like then it can aid in attempting to structure that society in the realm of non-ideal theory. Additionally, since the well-ordered society is one in which racism and sexism have been eliminated there is no need to strive to rectify injustices, but even so affirmative action that focuses on diversity can prevent any future discrimination that may arise since individuals will gain a better understanding of other races and genders. By understanding the benefits of affirmative action in ideal theory society can apply those benefits to non-ideal theory. Thus, affirmative action benefits the well-ordered society by creating better comprehension of different races and genders by sharing experiences within the workplace and academia.

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²⁶ Mills, *Rawls on Race*, p. 177

“The Phenomenology of Temporal Experience”

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Abstract

In this paper, I will explore the dissonance between “physical explanation” and “human experience,” while focusing on the experience of temporal passage.

As a starting point, I will introduce J.E. McTaggart’s A-Series theory of time and B-Series theory of time. The A-Series illustrates how humans intuitively experience time; the past is fixed and expired, while the present moment seamlessly unfolds forward into an open future. On the other hand, the B-Series is very unlike the intuitive experience of time; “time” is merely the culmination of “static snapshots,” where each snapshot

possesses different properties than the preceding snapshot and succeeding snapshot. Furthermore, there is no present moment or direction of time. For the purposes of this paper, and in agreement with McTaggart's thesis, I will assume that the B-Series theory of time is true.

Second, I will consider two problematic implications of the B-Series, *i.e.* the *knowledge asymmetry* and the *experience asymmetry*. If the past and future are equally real and fixed, why do we only possess knowledge about the past, and know nothing of the future? Moreover, why do we exclusively experience time as unfolding in the direction of the future, and never toward the past?

Third, I will consider four possible explanations, which are grounded in physical mechanics or neural architecture, that aim to reconcile physical explanation with human experience, *i.e.* the static snapshot world of the B-Series with the dynamic present as we experience it. These four theories are the *Specious Present Theory*, *Retention Theory*, *Neuron Theory*, and *Blind Spot Theory*. I will argue that no physical explanation can provide the reconciliation that I am looking for.

Fourth, I will consider cases that highlight the inconsistent and subjective nature of temporal flow to further motivate the peculiarity of and explanatory gap between physical explanation and human experience.

Finally, in section V, I will argue that the puzzle of temporal experience, *i.e.* the explanatory gap between physical explanation and human experience, boils down to a problem of *qualia*, and thus, is a result of the “hard problem of consciousness.”

0. Introduction

The Phenomenology of Temporal Experience

In this paper, I will explore the dissonance between “physical explanation” and “human experience,” while focusing on the experience of temporal passage.

As a starting point, I will introduce J.E. McTaggart’s A-Series theory of time and B-Series theory of time. The A-Series illustrates how humans intuitively experience time; the past is fixed and expired, while the present moment seamlessly unfolds forward into an open future. On the other hand, the B-Series is very unlike the intuitive experience of

time; “time” is merely the culmination of “static snapshots,” where each snapshot possesses different properties than the preceding snapshot and succeeding snapshot. Furthermore, there is no present moment or direction of time. For the purposes of this paper, and in agreement with McTaggart’s thesis, I will assume that the B-Series theory of time is true.

Second, I will consider two problematic implications of the B-Series, *i.e.* the *knowledge asymmetry* and the *experience asymmetry*. If the past and future are equally real and fixed, why do we only possess knowledge about the past, and know nothing of the future? Moreover, why do we exclusively experience time as unfolding in the direction of the future, and never toward the past? Third, I will consider four possible explanations, which are grounded in physical mechanics or neural architecture, that aim to reconcile physical explanation with human experience, *i.e.* the static snapshot world of the B-Series with the dynamic present as we experience it. These four theories are the *Specious Present Theory*, *Retention Theory*, *Neuron Theory*, and *Blind Spot Theory*. I will argue that no physical explanation can provide the reconciliation that I am looking for. Fourth, I will

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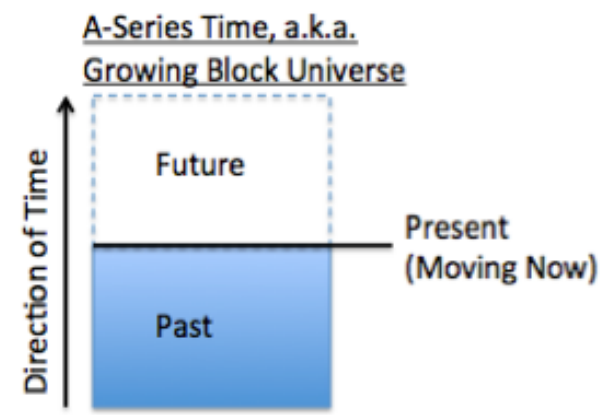
consider cases that highlight the inconsistent and subjective nature of temporal flow to further motivate the peculiarity of and explanatory gap between physical explanation and human experience. Finally, in section V, I will argue that the puzzle of temporal experience, *i.e.* the explanatory gap between physical explanation and human experience, boils down to a problem of *qualia*, and thus, is a result of the “hard problem of

consciousness.”

I. Defining the B-Series

In his “Unreality of Time,” J.E. McTaggart outlines two theories of time, called the “A-Series” and “B-Series” (McTaggart 1908).

In the **A-Series**, *i.e.* the Growing Block Universe, events in time are categorized as past, present, or future. The past is the expired trace of the present, and the present is the “moving now” that unfolds forward in the direction of an unknown and open future. Events in the A-Series are relational, rather than intrinsic, because the same event will be future, present, and past depending on the frame of reference. For example, the event in which Van Gogh painted *The Starry Night* was present in 1889, future in 1888, and past in 1890. Moreover, in the A-Series, the present moment is experienced as dynamic and evolving, *i.e.* movement and change are fluid. For example, a bird flies seamlessly across the sky, and the horizon fades from blue to orange. The bird moves through each coordinate it passes, and the sky touches each point in the gradient of color between. This is the intuitive experience of time, change, and motion (See Figure 1).



II

Figure 1

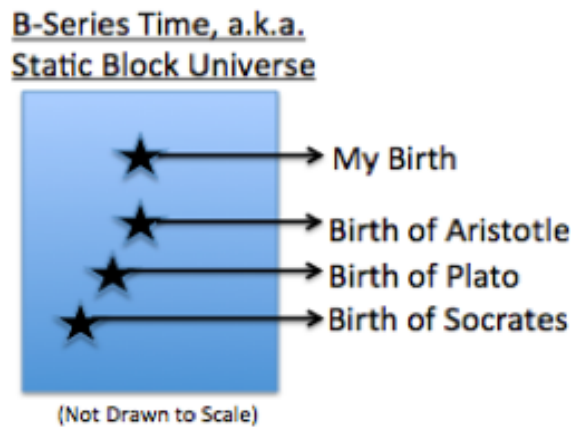


Figure 2

In the **B-Series**, *i.e.* the Static Block Universe, events in time are categorized as earlier than, simultaneous with, or later than other events. For example, the birth of Socrates is earlier than the birth of Plato, and my birth is later than the birth of Aristotle

(See Figure 2). The B-Series is a “static block” because the relations between events will *always* be the case, *i.e.* they do not depend on the frame of reference. For example, my birth will *always* be later than the birth of Aristotle. Moreover, there is no intrinsic difference between past and future because *all* events, *i.e.* those considered “past” and “future,” are equally real and in existence (Ismael 2011). There is no “present moment” that moves from the past and into the future. B-theorists view time like space, “as an extended dimension of co-existent locations” (Dainton 2010). Further, movement and change are not dynamic and evolving events, but more like static snapshots that possess different properties than the preceding and succeeding snapshot. For example, at Time 1, the bird was at coordinate (7,12) and the sky was blue. At Time 5, the bird was at (10,6), and the sky was orange. At each moment in between Time 1 and Time 5, the bird and sky possessed different properties. This view is very unlike the intuitive experience of time,

change, and motion.

McTaggart presents several arguments to illustrate why the A-Series is false, and motivates why the B-Series is true. Moreover, physics seems to agree with something similar to the B-Series theory of time. I will not present and motivate these arguments here because it is outside of the scope of this paper. For further clarification, see McTaggart (1908) and Dainton (2010). Instead, I will assume that the B-Series is true, and explore the phenomenological implications of this unintuitive picture.

II. Asymmetries in a B-Series World

There are two problematic implications of the B-Series that are antithetical to the human experience of time. They are the knowledge asymmetry and the experience asymmetry.

The premise that “there is no intrinsic difference between the past and future” is difficult to grapple with. The **knowledge asymmetry** acknowledges this problem. First, it explains how we have accurate and detailed information about the past, but we know nothing for certain about the future. We may have reliable predictions, expectations, or hopes for the future, but we don’t *know* what will happen. For example, I *know* for certain that Barack Obama won the 2012 presidential election. I recall seeing the results on television, and there are articles written about it that I can locate in archives. However, no one *knows* who will win the 2080 election. There is no information in circulation on the matter. Second, we cannot change events in the past, but we feel that we can encourage or prevent events from happening in the future. The past feels closed, while the future feels open to possibilities. Perhaps there is no *intrinsic* difference between the

past and future, but there is certainly an *experiential* difference in the way we relate to both past and future.

Jenann Ismael attempts to make sense of the knowledge asymmetry in terms of “memory” and “expectation.” She explains how our knowledge of the past is the result of episodic memory weaved into an autobiographical narrative, and how the future is a series of expectations that *will* eventually become known near the end of our life (Ismael 2011).

IV

However, the fact that we will never *know* the content of the future before it happens still remains a mystery. Further, we will only know the events of our own lifetime, and nothing beyond that. Perhaps an outside observer, *e.g.* a deity, can experience the static block universe as it is, and it may be a mere epistemic limitation of human experience that we cannot. However, it remains a large and loaded question why this is the case.

Second, it is difficult to comprehend that the experience of a “moving now,” which unfolds in the direction of the future, is an illusion. The **experience asymmetry** acknowledges this problem by explaining how our lives always feel like they move forward into the future, and never backwards into the past. This feeling is known as a “phenomenal future-directed arrow.” The following two thought experiments illustrate how the experience asymmetry is legitimate because it will *always* be the case.

- (1) The Reverse Universe: You fly a spaceship into a universe where all events occur in reverse. However, you would still feel your experiences unfolding forward

(Dainton 2010).

- . (2) The Past is the Future: You wake up one day to find that the past is completely unclear, yet you know with absolute certainty what the rest of your day, and life, will look like. However, your experience would still unfold toward the future you know for certain. This thought experiment intends to illustrate how memory is independent of phenomenal flow (Dainton 2010).

Consider a third thought experiment – Avicenna’s “Flying Man” in new context. (3) The Floating Person: Imagine you are in a sensory deprivation chamber. Your five primary senses are muted, and you have no memory of the past or expectations for the future. You will still perceive your experience as being in the present, and time as passing and moving forward. These cases are meant to highlight that, in regards to human experience, it will always be the case that experience unfolds forward into the future. We experience a phenomenal future-directed arrow, even though the B-Series and physics make it clear that it does not exist outside of our experience. Even the most convincing evidence in support of the B- Series cannot mute the intuition that the knowledge and experience asymmetries are puzzling.

III. Reconciling “Static Snapshots” and “Dynamic Present” with Physical Explanation

If events in the world consist of static snapshots, then it appears to be a feature of human psychology that makes us experience time as “flowing.” I will discuss four theories, which attempt to close the gap between physical explanation and the human experience

of time, that consider possible physical mechanisms responsible for temporal experience. They are Specious Present Theory, Retention Theory, Neuron Theory, and Blind Spot Theory.

First, there is the **Specious Present Theory (SPT)**, which was coined by the E.R. Clay, but further developed by William James (James 1890). James aimed to provide a theory about why our experience is phenomenologically fluid. SPT describes the present moment as a “temporally extended window” that consists of an indefinite number of moments. The edges of the temporal window are undetectable because each temporal window overlaps with the window before and after it to create a continuous flow of experiences. For example, at Time 1 there are moments A B C D E, at Time 2 there are moments B C D E F, at Time 3 there are moments C D E F G, and so on (James 1890).

Sean Kelly illuminates problems in SPT by asking the following three questions. First, how can one directly experience something in the past? In the window A B C D E, how could one directly experience A at D? If it is in the past, it is no longer being directly experienced. Second, how can one be directly aware of an extended duration? In other words, how could one experience A B C D and E simultaneously? Third, how can one be directly aware of an event that is about to happen? In other words, how could one directly experience D at A? If it is in the future, it is not being directly experienced (Kelly 2005). Kelly shows that the Species Present Theory raises more questions than it answers. Further, what are the biological mechanisms responsible for the Specious Present? What is the size of the temporally extended window, anyway? SPT is not as parsimonious as Ockham would have liked.

The Retention Theory (RT), introduced by Edmund Husserl, attempts to solve these problems by eliminating the claim that past and future are directly experienced, which is the main cause of contention in SPT. Instead, RT introduces “retention” and “protention.”

Consider the case of music. When I listen to a piece of music, the notes flow like water in a stream. With the addition of each note, I don’t replay every previous note in my mind to make sense of the music. However, the previous notes seem to be *retained* in my mind to form a coherent representation of the song, all while harmony, melody, and notes continue to be added. Husserl calls this phenomenon “retention.” It is the act of perceiving an event as “just-having-been” (Husserl 1893-1917). Modern cognitive science calls this “echoic memory” (Friedenberg 2015). Further, with the addition of each note, we form an expectation of what is about to come next; Husserl calls this is “protention.” In RT, we don’t directly perceive moments in the past and future, like in SPT, but instead maintain an immediate memory and an immediate expectation of moments (Ismael 2011). However, Kelly rightfully argues that Husserl merely names it, but fails to explain it, and explanation is what we are trying to achieve (Kelly 2005). Furthermore, RT may name and describe the illusion of the dynamic present that we are concerned with, but it fails to make any sense of the knowledge and experience asymmetries.

I will call the third theory **Neuron Theory (NT)**. The purpose of NT is to explain temporal experience through the realization of physical processes, *i.e.* by correlating representational content with neural states (Lee 2014). Neurons in the brain are constantly firing. The anatomy of neurons is not significant here, but the following information is. Neurons often fire in rapid succession; this is called “temporal

summation” (Pinel 2014). According to Geoffrey Lee, neuron firings that overlap in time are responsible for producing representational content that is continuous (Lee 2014). This may account for the experience that time is felt as *moving forward*.

I find this theory fascinating because it has explanatory power inline with the values of cognitive science, *i.e.* neural states correlating with representational content. However, this theory still suffers from a metaphysical elephant in the room, the problem of causation, which causes contention in most theories provided for the experience of fluidity in a static world. It is unclear how movement and change occur at all in a B-Series world. The firing of neurons is an extended process of cause-and-effect, and yet the B-Series hiccups when addressing movement and change as “different events have different properties at different times.” It is difficult to explain how this cause-and-effect dependent process occurs at all, when events in the B-Series world are disconnected. However, aside from the important metaphysical elephant, this theory seems to be the most promising. With further research and investigation on the matter, examining neural correlates could bear some promising explanations on why time is felt as moving forward.

Finally, the fourth theory to consider is the **Blind Spot Theory (BST)**. Humans, and most other vertebrates, possess a spot in the back of our eyeballs that contains no photoreceptors so the optic nerve can extend out of the eyes and connect to the brain. Because of the way our anatomy is structured, there is a spot in our vision where we do not receive any visual data, *i.e.* the “blind spot.” However, our brain fills in the gaps to create a phenomenological picture that is complete, *i.e.* cognitive “completion” (Pinel 2014). It is very likely that the brain also conducts completion to blur static snapshots of

the world together to produce the appearance of a fluid continuum. But again, the knowledge and experience asymmetries remain untouched.

The four theories just described are not mutually exclusive; it is possible for them to operate together to produce a phenomenology of the world that appears dynamic and fluid, even if in reality, events are disconnected and static. Further research in biology, chemistry, and physics may illuminate physical truths regarding these matters. The sciences certainly succeed in showing us that the world is *very* different from the way we experience it. But that is precisely the thread I want to pull on. It seems that no physical explanations, or their future advancements, are capable of explaining away the asymmetries that are deeply woven into our experience of the world and time.

IV. The Subjective Nature of Temporal Extension

Clocks and calendars operate in an objective manner. Milliseconds, seconds, minutes, hours, days, weeks, months, years, and decades are held to quantifiable standard and measured in systematic intervals. However, our *phenomenological* experience of time appears to be relative and subjective in nature, even when measured by objective intervals. For example, two periods of time can be of the same objective measurement, *e.g.* “two hours” or “one day,” yet the *phenomenology* of the experiences, *i.e.* what they feel like, can vary greatly within the same person and across persons. Here, the explanatory gap becomes an explanatory abyss. Consider the following cases.

- . (1) Hard and Easy: Imagine you are in a one-hour yoga class. The sequence is difficult and the room is hot. When in a difficult pose, every passing second is

acknowledged and felt. But after the class, the time it takes you to eat dinner and commute home is also one hour, yet it passed much quicker. Seconds escaped without notice.

- . (2) The Identical Twins: Imagine a pair of identical twins, Y and Z. They are sitting in the same lecture. Y is intensely interested in the subject matter, whereas Z is bored and uninterested. For Y, the same two-hour lecture passes quickly, but for Z, the lecture seems to drag on...
- . (3) New and Old: A twenty-year-old complains that the next year, when they finally turn twenty-one, is dreadfully far away; the year feels especially long. However, for a ninety-year-old, the next birthday arrives too quickly; the same year feels especially short.

The following three cases are intended to illustrate how intervals of time can be measured using clocks and calendars; yet, the experience of them can differ greatly within and across persons. It is possible that we can tell some sort of psychological story to make sense of this.

The first case may be explained by *attention*. It is possible that when I am in a challenging yoga pose, the present experience is highlighted and my attention is completely fixated on the task at hand. I discard any irrelevant thoughts and focus on survival. Hence, time appears to pass slower because I am attending to every passing second. The same is not required of me when I am partaking in casual activities after-the-fact.

The second case may be explained by *mindfulness*. When we are undergoing a pleasant experience, *e.g.* learning something that is intriguing, we tend to become more mindful. We purposely activate our focus and attention on the subject of interest. In mindfulness, it seems as if we purposely slow our experience of time to collect all the data before us. When we are uninterested, our focus and attention loosens its grip, and we allow time to pass quicker.

The third case may be explained by *novelty*. The twenty-year-old has not had as many life experiences as the ninety-year-old. The former experiences novelties around each twist and turn, whereas the latter is more accustomed to the conditions of life. Moreover, the attention of the twenty-year old may be extremely sensitive to the passage of time because they are fixated on a point in the future, *i.e.* their twenty-first birthday. The ninety-year-old is probably more focused on the present.

Carla Merino-Rajme composed a theory to make sense of the varied phenomenology of duration, which she attributes to “absorption.” She explains how our experience of duration depends on the activity we are absorbed in at the moment, relative to other activities expired or forthcoming around it. The “timeline” of the activity we are absorbed in, is weaved into a greater timeline consisting of different activities with their own timelines (Merino-Rajme 2014).

Merino-Rajme’s paper inspired the following thought. If I am in a difficult yoga pose, my temporal points of reference are the beginning of the pose and the end of the pose. The timeline of the pose is relatively short, and thus, my attention is distributed more potently across each passing second. However, if my temporal points of reference are spanned

farther apart, my attention is allocated less to each passing moment. Time and attention operate under the law of supply and demand.

It is clear that no matter how hard we try to objectively measure time, experiences will always possess a subjective duration. For these reasons, in the following section I will argue for the thesis of my paper: the puzzle of temporal experience is a problem of *qualia* and a result of the “hard problem of consciousness.”

V. The Puzzle of Temporal Passage and the “Hard Problem”

Sean Kelly explicating states that the puzzle of temporal experience is not a result of the “hard problem of consciousness” (Kelly 2005). I disagree. I will argue that the puzzle of temporal experience *is* a result of the problem of *qualia*, and thus, the “hard problem of consciousness” (Chalmers 1995) on the basis of three reasons:

- 1) Biological mechanisms responsible for temporal experience and temporal experience *itself* are not identical.
- 2) The length of duration is objectively measureable, but the experience of the duration is subjective.
- 3) I will never know how time is experienced by other beings outside of myself.

First, I argue that the biological mechanisms responsible for temporal experience and temporal experience *itself* are not identical. This point is similar to the fact that physical explanation does not completely align with human experience. If I could experience the world outside of my human perspective, the world would be unrecognizable. I would

experience solids, liquids, and gases as masses of atoms, molecules, and ions in motion. Further, I would experience light and color as wavelengths, and I would experience more wavelengths than I was previously capable of detecting. It is clear that my human perspective is a representation of something outside of myself, assuming that the world outside of myself exists.

As a result, I am inclined to consider distinct perspectives of the world as “dimensions,” or facets of the world that is being represented. For example, if the grand objective reality was “R,” my experience would be “r1,” yours would be “r2,” and every other person and species would have their own representation of “R” in the form of “rX.” It would be foolish to argue that objective “R” and my measly “r1” were identical. Sure, my perspective is a *result of, a representation of* “R,” but they are not the same.

Consider this example. The HTML coding for a website and the design it produces are not identical. They represent the same thing, but they are not the same *in themselves*. An HTML code is a compilation of brackets, letters, and numbers, *e.g.* the code for the color white is “FFFFFF.” However, if you put the HTML code and the final website design side-by-side, it is apparent how different the two are. The code “FFFFFF” surrounded by brackets symbols, and the white background it produces, look very different. Here, the code is the physical explanation for time, and the appearance of the background itself is the *phenomenology* of the experience of time. We could conduct years and years of scientific research to pinpoint the exact mechanisms responsible for the experience and perception of time, *e.g. advancements in the Specious Present Theory, Retention Theory, Neuron Theory, Blind Spot Theory*, as well as new theories, yet we would have nothing objective, *i.e.* independent from experience, to say about the fabric and texture of time

itself. Just like “R” and “r1” are not identical, time and the experience of time are not identical.

Second, the length of duration is objectively measurable, but the experience of the duration is subjective. A calendar day is objectively measured as “24 hours.” It is strange, however, how my experience and your experience of the same calendar day can feel very different. For example, if I am engaging in a particular exciting day at school, *i.e.* my classes are challenging and fascinating, I have several meetings to attend and work to complete at the library, 24 hours seems to fly by. However, imagine you have a particularly boring day. No work requires your immediate attention, no meetings or classes are scheduled, and you decide to spend the day partaking in slow and relaxing activities. The same “24 hours” may feel like it takes longer to elapse.

I would like to point to something here. In his *Being and Time*, Heidegger makes a distinction between “ready-to-hand” and “present-at-hand.” When an object is ready-to-hand, *e.g.* a cellphone that is functioning properly, we are “absorbed” in the use of it in the ordinary sense, perhaps to achieve some end, without contemplating it for what it is. But suppose the cellphone is to lose battery power, suddenly it becomes “present-at-hand,” or present to us for exactly what it is, a hunk of metal and glass. The “brokenness” and dysfunction of the phone rips us out of absorption, and reveals the characteristics of the object itself and the value of it to us (Heidegger 1962).

The point of this discussion of Heidegger is this. Perhaps when we are “absorbed” in our day, *i.e.* busy engaging in particular activities, the passage of time is ready-to-hand. However, when we are bored or no longer engaged we are ripped out of absorption, and

there is a brokenness or dysfunction that is achieved. The brokenness of our own boredom or fixation makes the passage of time as suddenly present-at-hand, and we are fully aware of it for what it is, and thus, time passes more slowly.

I find Heidegger's discussion of absorption and brokenness to be very apt in explaining our experience of time. But it serves another purpose. It highlights the *phenomenology of temporal passage as phenomenology*. It illustrates the subjective nature of the experience of time. It seems as if no discussion of neural correlates or biological architecture can explain the fact that experience can be varied in this way. No amount of objective measuring of time, *e.g.* minutes, hours, days, can account for the *feeling* of the duration of those measurements. An experience of temporal extension will be measured in objective intervals, but the experience of duration within those intervals is subjective.

Third, I will never know how time is experienced by other beings outside of myself. A person who has never experienced the color green but possesses every piece of physical data about the experience, *i.e.* the neurophysiology of vision science, the structure of the wavelength of the color green, the resulting mechanism in the nervous system, etc., will still not understand *what it is like* to see the color green (Jackson 1982). Moreover, it is impossible to explain what C minor sounds like to a deaf person who has never experienced the sound of it. You can tell me in terms of minutes how long it took for a certain event to elapse for you. But I will never know how long that event *felt* for you.

The point is, just like there appears to be an "explanatory gap" between molecules and mind, there also seems to be an explanatory gap between the account of time made by physicists and the experience of temporal passage itself. Just like how I will never know

if I have an inverted spectrum, or what it is like to be a bat (Nagel 1974), *I will never know how you experience time, and if it is different from the way that I experience time.* Clocks and calendars may attempt to measure these intervals objectively, but it seems like they are hardly touching the measurement of our *experiences*. Our subjective experience of temporal passage occurs in accordance with objective intervals, *i.e.* seconds, minutes, etc, yet the experience of them can be very much distorted depending on the activity, person, or frame of reference as illustrated in the thought experiments above. There is no way to tell how a person outside of you, or even a species outside of you, is experiencing the passage of time. For these reasons, I argue that the puzzle of temporal experience is a problem of *qualia*, and as a result of the hard problem of consciousness.

VI. Concluding Remarks

Philosophy of Time is a difficult topic to write and think about. To borrow Heideggerian terminology once more, we suffer from the “paradox of proximity” (Heidegger 1962). Temporal experience is so intimately weaved into the fabric of our experience, that it is almost undetectable and difficult to isolate.

I am confident that a further development in the study of cognition, as well as, further research and experimentation on the matter will illuminate problems and reveal some answers regarding the mental and neural architectures that are responsible for temporal perception and experience. I *do not* argue that there is “no point” in conducting further research or that we will never make advancements in our understanding of temporal experience. Furthermore, it is correct that sometimes “five minutes” really feels like “five

minutes.” My intentions are to shed light on the strange cases, peculiarities, and non-ideal cases of temporal experience to acknowledge how strange it is really is. Philosophy of Time is a very fascinating and underrated area of research. I am sure with more time and resources, this paper could be a long thorough exploration and investigation of the topics at hand.

My opinions and arguments presented on the matter are the result of intuition. I find it very difficult to reconcile the fabric of experience, particularly regarding temporal experience, with physical explanation. I am extremely sensitive to the explanatory gap between Physicalism and phenomenology, and the puzzle fascinates me to no end. That being said, I am certainly open to literature and dialectic against my views regarding the explanatory gap, the puzzle of temporal experience, qualia, and the hard problem itself. However, I have yet to find any satisfying discussions on the matter, which completely hit the mark, in my studies thus far. But until then, I remain curious and receptive.

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The Compatibility of Frankfurt's Notion of Respect, and the *Robust Minima*

Shushan Ginosyan

In "Equality as a Moral Ideal," Harry Frankfurt argues, "...economic equality is not in its own right a morally compelling ideal..."²⁷ In the first portion of this paper, I will explain what Frankfurt means by this conclusion. Then I will exposit two arguments in support of this conclusion. In "Equality and Respect," Frankfurt argues that respect and equality are distinct commitments that may be co-extensive with

²⁷ Page 22 article 1

one another. To exposit his argument for this conclusion, I will explain the concepts of equality, and then the concept of respect. I will then explain how they are co-extensive. In the third part of this paper, I will highlight an inconsistency between the two arguments by giving an illustrative example. In the fourth part of this paper, I will explain why this inconsistency does not give me an immediate reason to doubt his conclusions.

First, Frankfurt claims that economic equality²⁸ is not in its own right a morally important ideal.²⁹ This is because a concern for economic equality will force all humans to compare the amount of goods they possess, to the amount possessed by all others.³⁰ This will force people to engage in a comparative venture that constantly keeps tabs on the goods and belongings of others. Thus, a concern with economic equality will force people to shift their focus away from endeavors that will assist them in discovering what they truly care about in life.³¹ This will cause people to lead unsatisfying lives, since they will never discover, nor pursue the thing they care about most. For this reason, Frankfurt argues that economic equality cannot be an intrinsically valuable moral good.

According to Frankfurt, economic equality is not in its own right morally important.³² Yet, it is not something that should be avoided altogether.³³ Rather,

²⁸ Economic equality requires all citizens within a society to have the same amount of income and wealth.

²⁹ Page 21 article 1

³⁰ Page 23 article 1

³¹ Page 23 article 1

³² Page 21, 24 article 1

³³ Page 22 article 1

economic equality may help bring about other desirable ends. For example, economic equality would eliminate some of the undesirable social discrepancies that exist within our society. For example, economic equality would eliminate socioeconomic classes. It would also eliminate Political Action Committee's thus (arguably) establishing equal political influence among all the citizenry of a society.³⁴ Thus economic equality, though not intrinsically valuable, may sometimes be desired as a moral ideal because of certain moral goods it can help bring about. However, since economic equality is not intrinsically morally important, but only morally important derivatively, it is not necessarily desired or valued as a moral ideal.³⁵ Thus, the violation of economic equality, again, is not an intrinsically valuable moral good.

Frankfurt notes that several arguments for the intrinsic value of economic equality, by appealing to cases in which the human intuition leads one to conclude that economic inequality is the cause of moral concern. However, Frankfurt believes that the moral intuitions of the human are misled when they consider economic inequality to be of moral concern.³⁶ For example, the economic inequality that exists between those who are unable to afford housing, and those who are able to afford moderate housing is morally concerning. However, the economic inequality that exists between those living in moderate housing and those living in lavish housing are not always of moral concern. For instance, the owner of the most lavish home may have done some extra deed that made him deserving of his or her lavish home.

³⁴ Page 24 article 1

³⁵ Page 25 article 1

³⁶ Page 32 article 1

Frankfurt notes that if economic inequality were of moral concern, then all instances of economic inequality would be morally concerning. But since that is not the case, we cannot assume that economic inequality is intrinsically morally concerning. Thus Frankfurt concludes that economic equality cannot be considered an intrinsically valuable moral ideal, since economic inequality does not necessarily (or always) raise moral concern.

Frankfurt believes that human's exhibited a strong moral concern in the first example, not because of the economic inequality, but rather, because the homeless do not have enough wealth and income to be able to live a richly satisfying life, while those who live in Brentwood, do have enough wealth and income to be able to live a richly satisfying life.³⁷ Similarly, we do not find the economic inequality between a person who has an annual income of 200k and another who has an annual income of 300k to be of moral concern, because both people have enough wealth and income to be able to live richly satisfying lives. I shall refer to the level of wealth and income that is sufficient for securing the ability to live a richly satisfying life as the "robust minimum."³⁸ Thus, Frankfurt establishes the principle of sufficiency, which states that what is of moral importance, is that all people be guaranteed the robust minimum, so that all people have enough wealth and income to live richly satisfying lives. Thus, he claims that, as long as everyone has the robust minimum of wealth and income, economic differences, or inequalities that exist above the robust minimum will be arbitrary from the perspective of morality.³⁹

³⁷ Page 33 article 1

³⁸ Professor Shiffrin's Lecture

³⁹ Page 33,34 article 1

In his second article, “Equality and Respect” Frankfurt argues that respect and equality are distinct concepts.⁴⁰ In this paragraph, we will discuss the concept of equality. Equality is the equal assignment or distribution of benefits and burdens. Some believe that equality is in its own right a morally compelling ideal. That is, they believe that equality is always desirable. Such people hold that an equal distribution of benefits and burdens does not need a further justification for why it is a fair or good distribution of benefits and burden, since equality is intrinsically desirable.⁴¹ Thus, they find equality to always be desirable, they think of equality, as the default setting for what is a good, or just, distribution of benefits and burdens. They believe that the distribution of benefits and burdens only requires justification when said distribution is unequal—i.e. when it veers away from equality.⁴² For example, if we had a cake, and were to distribute slices of cake to multiple people, and do so in a moral or just way, equality would require that we give everyone a piece of cake that is the same size, unless we have a good reason to do otherwise.

Respect, requires two things. First, it requires that benefits and burdens be assigned based on considerations that are relevant to the thing being distributed. Thus, respect requires that the distribution of any benefits and burdens be justified through an appeal to relevant considerations.⁴³ For example, imagine four people went to Ralphs and purchased ingredients to bake a cake. Of the four people only two of them, Suzy and Margaret, spent time in the kitchen baking the cake. If the

⁴⁰ Page 150 article 2

⁴¹ Page 146 article 2

⁴² Page 151 article 2

⁴³ Page 150, 151 article 2

relevant consideration to the distribution of the cake, in this example, is (1) whether or not a person went with the group to Ralphs to purchase cake supplies, and (2) whether or not a person spent time in the kitchen baking the cake, then all four people deserve a slice of cake, but respect would require Suzy and Margaret get a bigger slice of cake than the other two individuals, since they both went to Ralphs and baked the cake. Second, respect requires the impartial distribution of benefits and burdens. This means, that respect requires those who have the similar relevant consideration receive the same distribution of benefits or burdens.⁴⁴ In other words, impartiality is the similar treatment of similar cases. In this example, Suzy and Margaret had similar relevant considerations. Namely, they both went to Ralphs, and baked the cake. Thus, impartiality would require Suzy and Margaret to receive similar benefits—namely, slices of cake that are of similar size. Respect⁴⁵ also requires that irrelevant factors not be considered when determining the distribution of benefits and burdens. In the previous example, race and ethnicity would be considered irrelevant factors to the distribution of cake, and ergo should not be considered when determining the distribution of the cake.

In this paper, Frankfurt highlights that respect and equality are co-extensive. For example, if all four individuals in the previous example went to Ralphs, and spent time baking the cake, then they'd all deserve an equal slice of cake, because that is what respect would require. Thus, equality may be desirable, but only for the

⁴⁴ Page 150, 151 article 2

⁴⁵ I will also mention that Frankfurt thinks that morality requires respect to be upheld.

sake of preserving respect.⁴⁶ Thus, the preservation of respect may require an equal distribution of benefits and burdens. Thus, respect and equality can be co-extensive with one another.

Now I will explicate the discrepancy I see between Frankfurt's two papers. In the first paper,⁴⁷ Frankfurt argues that economic equality is not an intrinsically valuable moral principle. Instead, Frankfurt establishes the principle of sufficiency. This principle claims that the only thing that is of moral importance in the distribution of wealth and income is that all people have enough wealth and income to live richly satisfying lives. This commits Frankfurt to the belief that if everyone reaches the robust minimum, then all moral issues regarding the distribution of wealth and income will be solved. In the second paper, Frankfurt argues for the distinctness of respect from equality, and argues that respect should always be valued and maintained.⁴⁸ He highlights that respect requires that the distribution scheme of all benefits and burdens be justified through an appeal to relevant considerations. Income inequalities are essentially, a difference in the distribution of benefits and burdens among a group of people. Thus, Frankfurt would argue that the preservation of respect would require that said differences in income and wealth be justified through an appeal to relevant considerations. However, in his first article he states that the only thing that is of moral importance in the distribution of wealth and income, is that all people have enough wealth and income to live richly satisfying lives. If we are to take the second article seriously, then the sufficiency

⁴⁶ Page 151 article 2

⁴⁷ Here, I refer to "the first paper" as the first paper discussed in this essay.

⁴⁸ Here I refer to the second paragraph of the paper.

principle cannot be the only relevant factor one takes into consideration when determining the morality of distribution of wealth & income. Rather, one must also ensure that the distribution of wealth and income upholds respect for those involved.⁴⁹ This would require that the distribution of wealth and income not only satisfy the robust minimum for all people, but also, that it be distributed in accordance with all of the relevant considerations, and no arbitrary considerations.⁵⁰

For example, let's imagine we are given a bag of tootsie rolls, and instructed to pass them out to a classroom of students. Let's imagine that the only thing we know about all of the students is that they all have wealth and income above the robust minimum and that they are students. According to the first article we discussed, our distribution of the tootsie rolls would be of no moral concern, since all of the students have wealth and income above the robust minimum. However, according to the second article we discussed, the distribution of these tootsie rolls would be of moral concern, since the distribution of any benefit or burden must be justified by an appeal to some relevant consideration. Thus, the second article would claim, that our distribution of the tootsie rolls could be of moral concern, if they are not distributed in a fashion that maintains respect for all of the individuals involved.

Now, I will state why I find this inconsistency to not be detrimental to either of his works; and thus, why I have no immediate reason to doubt his conclusions. To reconcile the two articles, Frankfurt must simply revise his first conclusion so that the ability of all persons to live a richly satisfying life is not the only factor that is

⁴⁹ Presumably, these would be members of a society.

⁵⁰ Professor Shiffrin, Lecture.

relevant in determining whether or not a distribution of wealth and income is morally correct; but rather, that a second factor, namely the maintenance of respect, is also required for a distribution of wealth and income to be morally correct. If he accepts this caveat, and thereby accepts the idea that there are not one, but two necessary matters that determine the moral standing of any distribution of wealth and income (namely, that everyone have the robust minimum, and that all distributions of wealth and income be justified through appeals to relevant factors), then the inconsistency I highlighted will be eliminated, and my immediate reason for doubting his conclusions, remedied. I think that Frankfurt would be willing to make this change, because it would preserve the two principles he seems to argue for most adamantly in his papers—namely, that morality requires everyone to have the robust minimum, and that all distributions of wealth and income be justified through appeals to relevant factors.

In this paper, I have introduced two conclusions Frankfurt argues for in two of his published articles. I have explained the arguments he uses to argue for these conclusions. I have identified a possible inconsistency between the two articles. Then I explain why this inconsistency does not give me an immediate reason to doubt his conclusions.

Works Cited

Article 1:

Frankfurt, Harry. "Equality as a Moral Ideal." *Ethics* 98.1 (1987): 21-43. *JSTOR*. Web. 01 Dec. 2015.

Article 2:

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