

Fringe Benefits, Side Effects, and Indifference: A Reply to Feltz

Thomas Nadelhoffer

Dickinson College

Abstract

In a previous paper, I suggested that if an agent is a morally praiseworthy person and one of the consequences of the action she knowingly brings about is morally positive, then this consequence isn't really a side effect for the agent. Adam Feltz has recently developed a case that purportedly puts pressure on my account of side effects. In the present paper, I am going to argue that Feltz's purported counter-example fails to undermine my view even if it happens to shed new light on the difference between negative side effects and positive fringe benefits. After responding to Feltz's criticisms, I will conclude by presenting the results of a pilot study that provide *prima facie* support for my view.

In the wake of Joshua Knobe's early work on the folk concept of intentional action (Knobe, 2003a, 2003b, 2004), researchers have tried to develop a better understanding of the myriad ways people talk about intentionality. One of Knobe's more surprising findings was that it in certain cases people judge that even if an agent *S* neither *wants* nor *intends* to bring about an anticipated side effect *q* by performing a particular action *p*, *S* may nevertheless be said to bring about *q* *intentionally*—especially if *q* is morally bad. In an earlier response to Knobe's view, I tried to show that things were not as neat and tidy as he had assumed (Nadelhoffer 2004a). Upon closer examination, it appeared to me that the cases Knobe used to motivate his view were problematic.¹

In short, I suggested that the main problem with Knobe's original CEO studies was the indifference both agents displayed towards the respective consequences of their actions. On my view, while it is not surprising to hear that a CEO doesn't care that adopting a business plan will *harm* the environment, it is particularly odd to hear that a CEO doesn't care that adopting a plan will *help* the environment. So, I

¹For Knobe's response to my criticism, see Knobe and Mendlow 2004. My reply to their paper can be found in Nadelhoffer 2004b.

suggested that the indifference expressed by the chairmen in Knobe's CEO studies was partly driving participants' ascriptions of intentional action. This suggestion has subsequently been supported by studies run by Mark Phelan and Hagop Sarkissian (in press) and by Alfred Mele and Fiery Cushman (2007).

The results of these follow up studies provide yet more evidence that an agent's indifference as well as her character may influence folk judgments concerning whether a side effect was brought about intentionally—just as I had originally claimed. In this respect, I believe that the main line of reasoning I adopted in my earlier criticism of Knobe has largely been vindicated. But instead of stopping while I was ahead, I went on to make some unnecessarily strong claims concerning the nature of side effects. More specifically, I suggested that if an agent is a morally praiseworthy person and one of the consequences of the action that she knowingly brings about is morally positive, then it isn't really a side effect for the agent after all.

Adam Feltz has recently developed a case that purportedly puts pressure on my account of side effects. (2007) In the present paper, I am going to argue that Feltz's purported counter-example fails to undermine my view even if it happens to shed some interesting new light on the curious nature of side effects. After responding to Feltz's criticisms, I will draw a distinction between negative side effects and positive fringe benefits and present the results of a pilot study that provide prima facie support for both this distinction.

Just Coaches, Bad Fathers, and Fragile Egos

Before examining Feltz's objections, it would be helpful to first examine what I actually said towards the end of my earlier paper about praise and side effects. While trying to explain the results of a new study I ran that appeared to put additional pressure on Knobe's view, I made the following suggestion:

If the agent is a good person and knows that her performing some action p will produce some other positive result q , then presumably q would simply become an additional part of her reason for p -ing. And once an agent desires both p and q and desires and intends to bring q about by p -ing – i.e. once q ceases to be undesired and unintended – q ceases to be a side effect. (Nadelhoffer, 2004a, p. 211)

This observation was motivated by my aforementioned concern with indifference. After all, if one reworked Knobe's CEO HELP case in a way that made it clear that the chairman was happy to help the environment, helping the environment would cease to be a side effect—instead, it would become an additional reason for starting the program. Feltz reconstructs my argument in the following way:

1. If something is a side effect, then it is not desired or intended.
2. If an agent S is morally praiseworthy and knows that her performing p will produce a morally positive q, then q forms part of S's reason for p-ing.
3. If q forms a part of S's reason for p-ing, then q is either desired or intended.
4. Therefore, if S is morally praiseworthy and knows that p will produce a morally positive q, then q is either desired or intended.
5. Therefore, if agent S is morally praiseworthy and knows that p will produce a morally positive q, then q is not a side effect. (2007)

As Feltz correctly points out, the first premise has been widely accepted in the action theory literature—and for good reason. A cursory glance through on-line dictionaries reveals the following definitions of “side effect”:

- a) a secondary and usually adverse effect (as of a drug) <toxic *side effects*> called also *side reaction* (Merriam Webster);
- b) any accompanying or consequential and usually detrimental effect: the side effects of air pollution (Dictionary.com);
- c) any adverse and unwanted secondary effect (Ultralingua Online Dictionary);
- d) a peripheral or secondary effect, especially an undesirable secondary effect of a drug or therapy (American Heritage Dictionary);
- e) an usually undesirable secondary effect (Encarta).

Similarly, the Oxford English Dictionary (OED) lists two definitions of “side effect”—namely, (a) “a subsidiary consequence of an action, occurrence, or state of affairs; an unintended secondary result, and (b) “an effect (usu. for the worse) of a drug or other chemical other than that for which it is administered.” Of the eight examples used by OED with respect to these two definitions, seven are negative—e.g., casualties of conflicts, the unfortunate side effects of reformatory penal treatment, deadly fatigue, and hemorrhaging.

These kinds of examples suggest that at least according to ordinary usage, side effects are normally conceived of as negative. However, Feltz nevertheless thinks that the first premise in my aforementioned argument is false. On his view, side effects can be both positive and negative. In his effort to show that this is the case, he constructs the following example:

Conflicting Reasons (CR):

John loves his son Billy very much. John is the coach of a baseball team on which Billy plays. John knows that it is fair that only the best players should start. John also knows that Billy very much wants to start and that starting will do wonders for Billy's fragile ego. But if John starts Billy even partly out of love for Billy or concern for Billy's ego, then that would be unfair to the rest of the players. John decides only to start the nine best players. Billy is one of the nine best players. So, John decides to start Billy. Sure enough, Billy's fragile ego is fortified. (2007)

According to Feltz, it "seems clear that the fortification of Billy's ego is a side effect of John's decision to start Billy" (2007). On his view, John decides to start the nine best players *solely* because that's what justice and fairness require. And even though John *knows in advance* that Billy is one of the nine best players when he decides to start the nine best players, Feltz nevertheless thinks that starting Billy—thereby fortifying his fragile ego—is an unintended side effect of John's plan. Of course, as Feltz correctly points out, despite the fact that starting Billy is purportedly an unintended consequence, it is nevertheless something that John desires to bring about. For John surely wants to fortify his son's fragile ego—even if he does not value doing so more than he values doing what fairness requires.

Not only does Feltz believe that CR shows that the first premise of my argument is false, but he believes that it calls the truth of the second premise into question as well given that (a) John is purportedly praiseworthy, (b) John believes fortifying Billy's ego is morally positive, and (c) fortifying Billy's ego nevertheless does not appear to be one of John's reasons for starting the nine best players. If (a) through (c) were true, then the second premise of my argument really would be in trouble. But I am less confident than Feltz that they are. For present purposes, I am willing to concede that (b) is true—but by my lights (a) and (c) are on shakier footing. Is it really praiseworthy for a father to care more about justice and fairness with respect to a game such as baseball than the fragile ego of his own son?

Let's assume for the sake of argument that Billy *was not* one of the best nine players. Is it necessarily true that in this case if John decided to bench his son in the name of fairness—knowing all the while that it would *harm* Billy's already fragile ego—that he is praiseworthy for having this particular set of ordered preferences? I suppose it would depend on a number of issues that Feltz leaves open. For instance, just how fragile is Billy's ego? I can imagine his ego being so fragile that his father's valuing justice in baseball over his son's emotional well being would be morally problematic rather than praiseworthy. In a case such

as this, it is unclear that the damage done to Billy's fragile ego would be outweighed by the unfairness the rest of the players would suffer at John's hands if he decided not to start the best nine players.²

Minimally, I think Feltz's argument for John's praiseworthiness—which essentially consists of the singular claim that, “an agent who acts in the interest of justice deserves some praise” (2007)—is far too breezy. The issue is not whether he deserves *some praise* for doing what justice in baseball requires. The issue is whether, all things considered, John's valuing justice in baseball more than his son's psychological well-being is praiseworthy. In order to establish this, Feltz would need to put more meat on the lean bones of his argument. As it stands, his example is simply too underdeveloped to draw any definite conclusions concerning these issues.

Of course, insofar as Billy *was* one of the best nine players—something John knew when he adopted the plan—John did not have to worry about harming his son's ego. By adopting the plan to start the nine best players, John not only knew that he would maximize the team's chances of winning, he also knew that he would be able to do both what justice required and what was needed to fortify his son's fragile ego. Consequently, the natural response for John to have in this context would be to happily adopt the plan because it brings about all three of these positive consequences. Under these circumstances, I can imagine him thinking something along the following lines, “Billy has a fragile ego and he happens to also be one of the nine best players. So, by deciding to play the nine best players, I will also be giving my son a much needed ego boost. What a fortuitous plan! I should definitely play the best nine players. It's a win-win situation.”

In essence, I am suggesting that given that John adopted the plan knowing that he would do both what justice required and what was needed to boost his son's fragile ego, this latter consequence should have been viewed by John as an additional reason to adopt the plan rather than a reason wholly extrinsic to his deliberations. Not surprisingly, this is a move Feltz anticipates and rejects. On his view, “however tempting such a reply might be, it does not work. John decides to start the nine best players only out of considerations of justice. Because of this, he decides to start whoever the nine best players are. John does not allow himself to take into consideration his son's welfare when he decides who to start” (2007).

My first reaction to these remarks is to question once again the praiseworthiness of both John's narrow-minded focus on what justice in baseball requires and his unwillingness to take his son's emotional

²I can even imagine that the other players—some of whom are surely Billy's friends—would prefer to start the game on the bench rather than seeing their friend's ego further damaged.

well-being into consideration. But my worries don't stop there. By my lights, the move Feltz makes here in his effort to stave off my aforementioned reply reveals yet another problem with CR. Keep in mind that on Feltz's view, John "does not allow himself to take into consideration his son's welfare when he decides who to start" (2007). My objection to this line of reasoning is two-fold. First, I wonder whether it is psychologically realistic to assume that John has the capacity to ignore this consideration without at the same time undermining his moral character. Some people—including myself—might suggest that under these circumstances, John should worry more about being a loving and supportive father than being a fair and just coach. More importantly, even if we assume that John is able to perform these kinds of deliberative gymnastics, the case then seems to entirely fall apart.

What Feltz is essentially suggesting is that given John's ordered preferences—i.e., given that he values justice in baseball more than boosting his son's fragile ego—John forces himself to be indifferent *qua* coach to his son's emotional well-being even if he nevertheless cares about his son's well-being *qua* father. If this is correct, then bolstering Billy's ego is *not* something John desires or intends to bring about with respect to his role as a fair and just coach even if it is something he happens to desire secondarily as a father. It appears that Feltz may have unwittingly smuggled indifference in through the back door. Given John's felicity to justice, he is forced to be indifferent to Billy's well-being when it comes to figuring out who should start in the game.

In the final analysis, I think Feltz's argument trades on the dual role played by John—for even if John is a praiseworthy coach, it is entirely unclear that he is a praiseworthy father. Moreover, even if John the father cares about his son's fragile ego, John the coach is entirely indifferent and impartial to this consideration. His sole goal is doing strictly what justice in baseball requires. On my view, when all of these considerations are taken together, they reveal that Feltz's CR has several problems of its own. And while I am certainly willing to concede that there may be counter-examples to my claim about the inherent negativity of side effects, at this stage I do not believe Feltz's own example does the trick. But before closing, I would like to shore up my view about side effects by examining what I take to be two distinct kinds of consequences.

Side Effects and Fringe Benefits

As we saw earlier, side effects are normally viewed as aversive, unwanted, and unintended consequences of our actions. But then what are we to call the positive consequences that our actions sometimes produce? I propose that we should call them fringe benefits rather than side effects. In assigning these respective valences to side effects and fringe benefits, I am simply following the lexical definitions of the

two terms. For while side effects are typically defined as negative, fringe benefits are normally defined as beneficial. Consider, for instance, the following definitions:

- a) any additional or incidental advantage derived from an activity (Encarta);
- b) any additional benefit (increased energy is a fringe benefit of regular exercise) (Merriam Webster);
- c) a perquisite or perk (Wordnet);
- d) an additional benefit, especially one given to an employee (OED).³

And while both side effects and fringe benefits are species of consequences, they play very different roles in our deliberations.

Typically, negative side effects give us reasons not to perform certain actions. If we perform these actions knowing all the while that something bad will happen as a result, then we bring about the side effect in question intentionally—regardless of whether we intended to bring it about. This is one of the lessons we learned from Knobe's early studies. Fringe benefits, on the other hand, always give us additional incentives to engage in the behavior that will produce them. To the extent that an agent *S* knows that doing *p* will bring about some fringe benefit *q* that *S* desires or values, then *q* gives *S* an extra incentive to *p*. So, whereas side effects always provide us with *reasons against* doing something, fringe benefits always provide us with *reasons to* do something. On my view, morally positive fringe benefits inevitably play a motivating role in the deliberations of morally praiseworthy agents who recognize them as such.

On this view, doing wonders for his son's fragile ego is a fringe benefit and not a side effect of John's starting the nine best players—especially given that he knows all the while that his son is one of these players. After all, had Billy not been one of the best nine players, this would have provided John with a reason not to start the nine best players—even if it need not necessarily be an overriding reason. Minimally, it would be a reason against his narrow-mindedly doing solely what justice requires. And in the event that he chose to start the best nine players knowing that (a) Billy was not one of them, and (b) Billy's fragile ego would be injured, then harming Billy's ego really would be a side effect. But, as we have already seen, Billy *is* one of the nine best players. So, by choosing to start the nine best players, John is also thereby choosing to bolster his son's fragile ego. By my lights, this is enough to show that boosting his son's ego is a fringe benefit of John's

³It's worth pointing out that most definitions of "fringe benefit" refer to employment benefits. The important thing for present purposes is that these benefits are always conceived of as additional incentives.

actions *qua* father even if it may not be one of his reasons for starting the nine players *qua* coach.

But rather than simply relying on my own intuitions, I thought it would be more appropriate to run a pilot study to test whether my distinction between negative side effects and positive fringe benefits settles with the way people ordinarily talk about intentionality. Participants were thirty three undergraduates at Dickinson College—each of whom received a vignette based on Feltz's aforementioned CR. Participants were then asked the following questions:

1. Does it sound more correct to say that fortifying Billy's fragile ego was a side effect of John's plan or a fringe benefit?
Please circle one: (a) side effect (b) fringe benefit
2. Do you think John is being a good *coach* in caring more about justice than fortifying his son's fragile ego?
3. Do you think John is being a good *father* in caring more about justice than fortifying his son's fragile ego?
4. On a scale of 1 to 7, please state how much praise you think John deserves for fortifying Bill's fragile ego—1 being no praise and 7 being maximal praise.

The results were as follows:

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|------------------------|---------------|
| 1. Side effect | 39% |
| Fringe benefit | 61% |
| 2. Good Coach | 88% |
| 3. Good Father | 60% |
| 4. Avg. Praise Rating: | 3.00 out of 7 |

Not only did the majority of participants judge that fortifying Billy's fragile ego was a fringe benefit rather than a side effect of John's decision to start the nine best players, but they also viewed John's role as a coach differently than they viewed his role as a father. Moreover, the participants' praise ratings were relatively low given the positive nature of the outcome in CR.

All of these results settle with my analysis of Feltz's example. And while this is admittedly a very small sample, I think the results nevertheless weaken the force of Feltz's attempt to criticize my view. At the same time, the data from this pilot study also provide *prima facie* support for my distinction between side effects and fringe benefits. But as is often the case in experimental philosophy, more research is needed before we can draw any firm conclusions concerning the different roles that negative and positive consequences play in our deliberations about intentional action. If nothing else, we need to strive for a better understanding of why indifference makes such a difference when it

comes to folk ascriptions of intentional action—especially in cases involving either side effects or fringe benefits. But that is a task for another day.

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Correspondence concerning this article should be addressed to Thomas Nadelhoffer, Department of Philosophy, Dickinson College, Carlisle, PA 17013. Email: tnadelhoffer@gmail.com