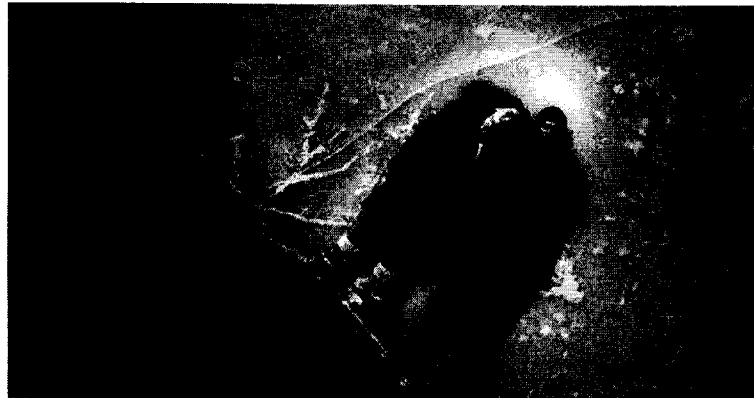


Chapter 5

Julia Driver

MEMORY, DESIRE, AND VALUE IN *ETERNAL SUNSHINE OF THE SPOTLESS MIND*¹



Caption to come

IN *ETERNAL SUNSHINE* CHARLIE KAUFMAN explores the cost of mental peace and tranquility when it comes at the price of authenticity. The plot centers on the issue of voluntary memory purging. A new, rather seedy, business, Lacuna, has opened up and offers clients memory purges that are fairly selective. One can, for example, have the memories of a specific person deleted. Joel Barish decides to have the memories of

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his relationship with an ex-girlfriend, Clementine Kruczynski, erased. He decides this after finding out that she has had her memories of their relationship erased. His motives are partly reciprocal, but primarily he wants to avoid pain—not only the pain of their relationship but also the pain regarding the knowledge that she erased him from her life. This feature of the plotline in *Eternal Sunshine* raises a host of extremely interesting ethical issues. We would clearly regard erasing memories non-voluntarily as immoral, as we would taking advantage of the memory loss (as Dr Howard Mierzwiak does with his assistant Mary, and as Stan does with Clementine). But I'm interested in the issue of what we owe people we used to love in terms of memory. My initial reaction when viewing the film was shock that Clementine had done it; and the shock was not just because she is cutting out an important set of memories that reflect part of her life—there was also shock for Joel's sake. Aside from the issue of whether or not it is a good thing for the agent to erase painful memories of a relationship, there arises the issue of whether or not the other person in the relationship has been harmed.² I certainly don't want to argue that people ought not have memories erased—that would be much too radical. But if the other person is harmed, as Joel seems to have been, then that harm would at least have to be weighed in the balance.

The ethics of memory

A good deal of work has already been done on the ethics of memory—often the work relates to the Holocaust, and the issue of whether or not there is a duty to remember others, even when the memories are extraordinarily painful. Some argue “yes”—for example, Avishai Margalit argues that there is a duty that exists at least under certain radical conditions, such as when the shared humanity of persons is attacked, and attacked by profound evil, as happens in genocides.³ The question, again, that I want to look at is not that of a duty to remember, though the account I suggest certainly has implications for why we would have such a duty. Rather, my focus is whether or not a failure to remember, and, indeed, an active trying to forget, constitutes something bad for the forgotten. Nevertheless, Margalit's framework for his account gives us a useful place to start.

The idea that Margalit has is that memory serves to connect us to others, and is necessary for what he terms “thick” relations. These are the really substantive relationships in our lives, those of love and friendship,

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for example, as well as those of others we feel connected to, but perhaps to a lesser extent—neighbors and compatriots. What underlies these relationships is caring. Margalit claims that it is caring that is “at the heart of our thick relations.”⁴ What underlies the caring is memory. He further relies on the distinction between ethics and morality revived by Bernard Williams—ethics is broader, and concerned with living the good life that involves these thick relations—to argue that thick relations are concerned with more than mere morality, more than mere right and wrong. Morality is the sphere of mere right and wrong directed towards others as “bare human beings.”⁵ I’m skeptical of a distinction between ethics and morality. However, I do believe that some of our relations are “thicker” than others. These are typically the sorts of relations that challenge “impartiality” for those who argue that morality need not be impartial—they give rise to special obligations. In most of the literature these relations are understood as being to specific identifiable individuals, such as a parent’s relationship to their child. One of the interesting implications of Margalit’s thesis—and potentially problematic—is that some of these relations will be between individuals who don’t even know each other, they only know of each other. Indeed, the duty to remember can involve a duty to remember events that happened to a group of others, when one does not know the others in question particularistically. Thus, when Margalit argues that “because it is enmeshed with caring, memory belongs primarily to ethics, not to morality” he is mistaken. One can care about other human beings independently of their particular relationship to oneself. This care underwrites a desire for their well-being, which in turn assumes that the well-being of others is good. Depriving them of this good is a harm. If people desire to be remembered—for whatever reason—then failure to fulfill the desire is a harm (given some qualifications). This does not commit one to a desire-satisfaction view of value. It simply recognizes that one way to harm a person is to fail to fulfill that person’s desires, and is compatible with many other types of harm. In *Eternal Sunshine* it is clear that Joel wants to be remembered by Clementine as Clementine’s boyfriend, just as Mierzwiak does not want to be remembered by Mary as Mary’s lover. Margalit’s point that memory underlies our thick relations seems plausible.

Some critics have argued that Margalit is wrong to hold that memory is crucial to thick relations. Galen Strawson, for example, wrote of Margalit’s claim:

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[A]re actual, explicit memories the cement of thick relations? It sounds attractive, but again I don't think it's generally true. It depends what kind of person you are. Don't worry, reader, if you have a lousy memory, because it doesn't follow that you're no good at thick relations. Michel de Montaigne, famous for his friendship with Etienne de la Boétie, reckoned that he was better at friendship than at anything else, but thought himself ill-equipped to write about memory because "I can find hardly a trace of it in myself; I doubt if there is any other memory in the world as grotesquely faulty as mine is!" When asked why their friendship was as it was, he gave the right answer: because it was him, because it was me. Same with love. Nothing to do with memory.⁶

This seems too strong. Margalit's thesis is compatible with the view that one needn't remember every single detail of a past experience of a person in order to live up to the duty to remember. Of course, how detailed the memory should be is open to more reflection. But if the relationships are special due to their caring nature, then a place to start would be to require the relevant memories be the ones that underlie the caring. One needn't remember that the loved one wore a red shirt to the party, only that he was there with you and you had a good time. So, some memories will be more significant when it comes to underlying the thick relationships that Margalit discusses.

Note, too, there is an overtone of respect to this sort of caring. One owes it to those who are gone or absent. And this is precisely the direction I want to explore in this paper. My focus is not on the issue of memory's significance to personal identity and its value in preserving personal identity. Much of the philosophical interest in films with a "memory disruption" theme has centered on how the disruption of an individual's memory either does or does not change that person into a wholly new individual. This topic is very interesting, but my focus is on how memory *benefits* others. This is why the caring that Margalit discusses really needs to be viewed as *positive* caring. If the caring were instead simply viewed as caring in *some way* or other, even in a *negative* way, the claim would lose all plausibility. There may be people in one's life who have been vicious, nasty, and utterly destructive. One may still care about them in the sense that one is interested in what happens to them. But one doesn't, and maybe oughtn't, desire their well-being. The caring that underlies

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the thick relationships will, I take it, be positive, however, where one desires the well-being of the one who is cared for.

This seems quite plausible. An amnesic would be lost and alone. Memories are what tie us to the past and what underlie our sense of duty and reciprocity. Without the memory of a favor, one would not feel gratitude. Without the memory of harm, one would not feel appropriate resentment. Some of these emotions are negative, and painful, but still serve a useful purpose in focusing our thoughts on things we know to be avoided. In that way, Clementine's erasure of her memories of Joel may not be good, even by her own lights, as she is having them removed. In the end, she and Joel are drawn back together. Maybe it's well worth it—and certainly Joel's experience with Lacuna shows that he thought, in the end, before the memories were completely stripped, that it was well worth it. It is with memory that one can decide whether it is worth it or not. Without the memory one is left without the information. And at the conclusion of the film, after Mary has sent the tapes to Lacuna's patients, Joel and Clementine have some of the information back, though with less intensity than they would have had with the actual memory. The film concludes with the implication that even though it wasn't spotless, the relationship was still precious. Given some of the Nietzschean references in the film as well, there is almost a sense of its inevitability. But it's the loss of memory that would result in that "eternal recurrence," not a cosmic recurrence of the physical events leading up to the relationship. If one can't remember the previous relationship, there is no choice to repeat it, and all its mistakes, in the present world. And one doesn't even realize that there is repetition. When Mierzwiak's assistant Mary sends the tapes of the procedures to his patients, Joel and Clementine have the choice returned to them. Certainly people want to be remembered, especially by those who are important to them. Evidence for this is that we apologize and feel bad when we've forgotten someone we feel we ought to remember—an old high school friend, for example. The apology indicates that there is something to apologize for, and feel bad about. In these sorts of cases it's an indication to the other person that they just weren't significant enough to remember, that you didn't care enough to remember. And this is just a case of passive memory loss. When the memory loss is intended, the harm, if there is harm, must be worse. We can see this by looking at typical reactive attitudes. When a harm is unintentional the harmed person is upset, but when the harm

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is intended the harmed person feels anger and resentment directed towards the person who harmed them.

Memory is important, too, when it comes to providing relevant information for practical deliberation—information about oneself and others. Again, the amnesic would be at a loss when it comes to a certain type of prudential reasoning. How can one work to achieve one's life goal if one cannot remember what it is? In the case of the amnesic, what seems to be prudential is a kind of mental archeology—trying to figure out what one's goals were, to fill in the memory gaps. The agent's perspective in practical deliberation is impersonal rather than timeless; there is a switch from prudence to altruism.⁷ "Practical deliberation" refers to the sort of deliberation agents make use of in deciding how to act. Thus it involves "practical" rather than "theoretical" reason. Intuitively, there are two types of practical deliberation: (1) prudential, which employs self-regarding reasons, or those that reflect one's own well-being; and (2) moral, which employs other-regarding reasons, and often expresses a concern for the well-being of others. But if one can't remember one's own goals, one loses a grip on what counts as a prudential reason, and instead one regards the self as a kind of other person for whom one has to discover goals to help satisfy. It reflects the way one regards time-slices of the self—as really part of the self, or as another person whose interests are intimately connected to one, but only causally. In his discussion of prudence and altruism Nagel notes that people can take different stances and consider different sorts of reasons in practical deliberation. The timeless reasons are the ones underlying prudence. The stance where one considers the timeless reasons in practical deliberation is one where the agent considers the present time as only one time among many others in their life. The stance of altruism is the stance where one considers impersonal reasons—where one considers oneself as one person among others in the world. Of course, these impersonal and timeless reasons come into play when we consider other cases of altruism. When one considers the future well-being of others as opposed to the self, the reasons will be both. Their future is a time, among other times, just as their lives are lives among other lives including the agent's own. In the case of Joel and Clementine, when they look at the tapes at the end of the film, and review what happened, they are getting back information. But they are taking the impersonal stance. Joel sees someone he, in effect, has no first-person knowledge of.

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Of course, in the film, Joel is told about his past with Clementine via Mary's revelations. So he knows that the man in love with Clementine was himself. But instead of knowing via memory, he knows via a description of a situation he used to remember. It is like the knowledge of the past someone gets looking through a very old photo album. "That was me in the picture playing with the kitten, but I have no memory of it." Thus, Joel has information about his past, but no first-person knowledge of it, since he is lacking the memory of it.

The loss of the first-person perspective can't simply be reduced to loss of information. The tapes provide information. Indeed, it is even possible that watching the tapes gives one higher quality, more reliable, information about one's past life. Rather, the special quality has to do with the causal chain, and how one is cognizant of that information. One reason is that lack of memory is sometimes taken to indicate lack of care, or feeling. One might feel vaguely guilty for failing to remember the name of someone, for example, because it might be seen to indicate that when one met the person one couldn't be bothered to remember his name.

First-person knowledge, the actual memory, then, is extremely important in how we appreciate the experience of recalling information. Here is a thought experiment: Rob suffers a head injury in a skiing accident. He wakes up in the hospital. He remembers nothing about his past. However, he believes the woman who talks to him and tells him that she is his wife, and he believes the two children who come to visit him are his children, though he doesn't remember them. His wife shows him extensive home movies, and he comes to know certain things about what he did in the past, and so on. He has lots of information, and lots of knowledge, though it is not first-person. His physician tells him that a new procedure would restore his memory, though it would be costly. How much would he be willing to pay, nevertheless, to get the memories back? Probably quite a bit. His family would want him to do it as well. So more than having just the information about the past, memory seems to carry with it certain emotional connections that are valuable. Losing those is a real harm, then. The same kind of a sense of loss is reflected in the character at the end of *Memento* who knows abstractly that he has had his revenge, but really wants the first-person memory of it, to savor it and fully appreciate it.

So, off hand, one might propose that first-person experience that is recalled in memory has much more vivacity to it than mere propositional

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memory, which is memory of the information of one's past. Propositional memory is memory of learning the proposition that contains information, and here is used in contrast with memory that is essentially experiential rather than memory of learning a particular proposition. I can remember having propositional knowledge conveyed to me—as when Joel watches the video that provides information to him about his past, and then later remembers that information—but recalling the information is not the same as having experienced the state of affairs in question. So, my belief that I was a cute baby, for example, is based on my memory of my mother telling me “You were a cute baby,” not memory of my cuteness itself.

Our ordinary reaction to failures to remember indicates that there is something in a failure to remember that is bad. But is it harmful to the person who has been forgotten? For example, one could argue that the failure itself is not bad but is evidence of the person's failure to care—that is, evidence of a character failure. I think in many cases that's what is going on. But it doesn't capture the full story—the case above, where the skier loses his memory shows that its badness must at least to some extent be linked to some other consideration or set of considerations since the skier, Rob, did not choose to lose his memory. It happened to him. He was just unlucky rather than morally deficient in some way that is reflected in his memory.

One possibility that seems promising is that when someone has lost his memory of loved ones it affects the way he cares about them, if he cares about them at all. We need to use the distinction between *de re* and *de dicto* belief and desire to make this point salient. For example, desire *de re* is a desire for something specific or particular. Desire *de dicto* is a general unspecific desire. One example used by Quine is “I want a sloop.” Read *de dicto*, the subject simply wants to have some sloop or other. Read *de re* the subject wants a specific sloop.⁸

Now consider our case of the skier again. When he wakes up in the hospital and is told he has a wife and children, the following can be said of him:

- (1) Rob believes that he is married and has children.

On a *de dicto* reading of this, Rob believes that he is married to someone or other, and has some children, though he doesn't know who they are. He simply believes that the proposition “I have a wife and children” is

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true. On a *de re* reading he believes that he is married to a particular person, *Maria*, and that belief carries with it a range of specific beliefs about *Maria*. The emotions attached to each belief will be different. When Rob first wakes up, his belief is *de dicto*. Rob may also have a desire to be a good husband to his wife, and at first this desire is *de dicto* as well. He as yet has no desire to be a good husband specifically to *Maria*, particularly since he lacks specific knowledge of *Maria*'s likes and dislikes, and can only form the most general beliefs about what he ought to do in being a good husband.⁹ Michael Smith noted in his discussion of moral motivation that we think of good persons as being motivated not by abstractions (i.e. "I desire to do the right thing, whatever it is") but by something more substantive and rich—by particular non-derivative right-making considerations (i.e. "I desire to do it because it's kind"). If a person, in his view, is motivated by desire *de dicto*, then she is alienated "from the ends at which morality properly aims."¹⁰ Similarly, Rob's wife will feel distressed to learn that he doesn't remember her, even knowing that he has told his doctor he wants to be a good husband. She knows it's not the right kind of desire upon which to have the kind of relationship that involves love and commitment to a particular person. With that level of emotional commitment stripped out, the relationship is very much lacking. Of course, over time, there will be the shift from *de dicto* to *de re*.

This move is similar to that made by Robert Kraut, who employs the *de dicto/de re* distinction to try to account for how we love particularistically.¹¹ That is, when we love someone, that person is irreplaceable in our love—love is focused on the particular individual, and not on similar objects. Indeed, it is taken to be incompatible with true love if Jennie loves Jeff and anyone similar to Jeff. Loving Jeff rules out the love of someone in particular who is very similar to Jeff when Jennie's history is informed only by the experiences she has with Jeff, rather than the person similar to Jeff.¹² Kraut notes that, on one theory of how we name objects using proper names, or names that refer to particular individuals or objects, those names refer in such a way that they can't shift over to other objects, even very similar ones. This kind of designation is called "rigid designation." So, for example, when a particular baby is born, let's say that her parents dub her "Alice Smith." She and no one else is that Alice Smith. If someone refers to her as "Sarah Smith," that person is mistaken. If someone refers to her clone as "Alice Smith," that person is mistaken as well. The clone may be like Alice, but the clone is not Alice. Kraut

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exploits this feature of naming in an analogy with love—love has that same non-transferable quality to it.

In the case of Rob, over time, as desire goes from *de dicto* to *de re* desire with respect to the particular individuals in his family, he will get a lessening of that feeling of alienation from the thick relationships that are such an important part of his life. But it probably will not ever go away completely as long as he fails to remember. So this won't fully explain the problem. However, it does give a way to unpack Margalit's insight. What Margalit terms "thick" relationships—spousal, parental, and so forth—are relationships to particular people that one is connected to by one's first-person experiences, some of those being memories of events that form a part of the relationships. These provide the basis for the beliefs and desires that influence how the relationships are understood in the present and how they are to develop in the future. The sorts of reasons one needs to be responsive to have a desire *de re* are "thick" ones—particular to the event or individual. What one is lacking in a good thick relationship, then, is mere desire *de dicto*, or only desire *de dicto*. In the case of our amnesic, Rob, he can begin again accumulating those first-person experiences and memories, and thus *de dicto* transforms into *de re*, but at the start his connection to the ones that he is told he cares about does not qualify.

It is really clear that this state of affairs is a misfortune for Rob, but it is also a misfortune for his wife and children. They want something they don't have, and that, as his family, they are entitled to. The harm they suffer, then, is tied to their desires. This means that being forgotten is not always a bad thing for the person who is forgotten. Someone may want to be forgotten, because he's in danger, or he thinks he won't be remembered fondly, or for any number of reasons. We see this at work in *Eternal Sunshine* in the form of Howard Mierzwiak. He does not want Mary to remember their relationship. He rationalizes this by appealing to the pain it caused her and the recurring pain the memories of it would cause her. But, as with Joel and Clementine, she is more likely to repeat the painful error if she doesn't remember having made the same mistake before. And note that Mierzwiak keeps his memory of the relationship, and puts himself in a position that the audience is invited to infer is completely morally bankrupt because he is in a position to take advantage of her crush, based on her new ignorance, yet again. He changes her contempt into adoration and he does so without having to change himself.

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Other examples will involve more than embarrassment but actual hatred. Sophia may hate Constance to the point where she would love it if Constance completely forgot her. The satisfaction of that desire is then good for Sophia. But it's interesting to point out that this isn't always the case when one hates somebody. Some thick relations involve hatred—deep and abiding hatred. Revenge, for example, may involve the desire to be remembered by the person revenged upon. As in the *Memento* case—not only would the agent like to remember, he would also like to be remembered as the agent of his enemy's suffering.

A memory has to have the right kind of causal history. In *Blade Runner* engineered humans could have implanted "memories" that were actually, for them, pseudo-memories. These "memories" would not have the same value as genuine memories even if they had exactly the same feel as genuine memories. As with our other experiences, there is a preference for the veridical.

So far we've been considering cases of very personal sorts or remembering, remembering as a two-person relation— x is remembered by y ; or even e in x 's life is remembered by y .

There is a more open-ended sort of desire that some have—the desire to be remembered, though not by a specifically identifiable individual or set of individuals. Notice that here the desire is *de dicto*—one desires to be remembered by someone or other, but there's nothing specific about the identity. This desire is what motivates people to have their names put on buildings and scholarship funds. This is not motivated the same way as the other desires we've discussed. Joel desires that Clementine cares for him, even if the care is tinged with feelings such as exasperation. The non-specific *de dicto* desire of the donor is for something like future, long-term, appreciation. He or she desires to be known as someone who made a positive difference. Though it would be misleading to call this kind of memory as important to "thick" relationships, it is this kind of memory that in part underlies discussions of duties to remember the past. *We* may have a duty to remember the past, but that duty is not based on the desire of those people in the past to be remembered. I take it that Margalit would argue that even if they had no such desire, we would still have a duty to remember some past events in individuals' lives since those events are important in understanding social bonds. This is compatible with the approach I articulate here, since I have no intention of holding that the desire-satisfaction is exhaustive of value. Further, the "we" in this claim

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is vague. It seems that most of the time what's important is that there is a cultural memory of the past embodied in the present institutions—such as schools, museums, etc.

I have been arguing that failure to remember someone is harmful to that person under certain circumstances, such as when the agent desires to be remembered. This has the appearance of plausibility, and I have tried to explain what specifically is at work in such putative harms. But a critic might argue that in spite of the appearance of plausibility it is in fact just false. Consider the Parfit-style cases where, let's say, Rob has a desire to be remembered five thousand years into the future.¹³ But five thousand years after his death no one remembers Rob. Has he been harmed? Parfit notes that on what he terms a Success theory, Rob will be harmed by this only if the desire was crucial to the way he lived his life in some way—if, for example, he worked hard to ensure that he is remembered in the distant future, by constructing big, solid, erosion-resistant monuments to himself, for example. If the desire deeply figured in how he led his life, and it was something he very, very deeply cared about, it does seem as though Rob has been harmed. If, on the other hand, Rob has the desire but it is not something that is really operational for him—it doesn't structure how he lives his life, etc.—then intuitively it does not seem that he has been harmed by the failure of the desire to be satisfied.

We can use this in articulating a plausible account of why Joel is harmed in *Eternal Sunshine*. The way in which the desire goes unfulfilled is also relevant. If Rob truly has a desire to be remembered five thousand years from now, and this desire is *operational* rather than passive, then it does seem that Rob is harmed by a failure to remember, even though no specific individual has harmed him. This would be an analogy with a person who has been harmed by a failure to receive charity, even though no specific individual has harmed him. But if the desire is passive rather than operational, he has not been harmed. The desire is one that has not shaped his life, his plans, his projects.

Conclusion

When persons, as they often do, have a desire to be remembered, failure to remember them constitutes a harm to them. This is independent of the issue of whether or not we have an obligation to remember them,

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or the past, more generally. It may be that we have an obligation to remember even if others are harmed. It may be that we have no obligation to remember even if others are harmed. Separate arguments would have to be made, and my view on these issues is that it will depend on the balance of benefits and harms in a given case. But irrespective of the obligation issue, failure to remember—when it conflicts with a desire—can thereby constitute a harm to the person who wants to be remembered. Sometimes this is very specific— x desires to be remembered by y . Sometimes it is open ended— x desires to be remembered in a more open-ended sort of way. This memory is not something that underlies thick relations except in a very derivative sort of way, by supporting institutions that improve quality of life, which in turn enhance thick relations (as well as simple individual well-being). When a desire that figures into the nitty-gritty of an agent's practical deliberations in life—an operational desire—goes unfulfilled, the agent has experienced a harm. The agent in such cases may or may not have been harmed by a specific individual. Clearly, in the case of Joel Barish, he has been harmed by Clementine's willful erasure of him from her mind. Again, this is completely independent of whether or not she has an obligation to remember him. We know from the film that Joel desired that Clementine remember him, and that his relationship with Clementine was incredibly important to him. After he finds out about what she did, he goes to her. His subsequent behavior, his attempt to erase her from his mind and to eliminate those desires by eliminating memories of her, can be seen as an attempt to eliminate or cancel out the harm she did him. But what Joel discovered as he was losing those memories was that he didn't really want to eliminate the harm, at least not in that way. There is a little bit something of bad faith, perhaps, in excising a desire like love rather than letting experience transform it. Losing a limb is bad, but then making yourself not want the leg anymore may not be the right sort of response to the harm.

Notes

- 1 I would like to thank Carl Craver and Christopher Grau for helpful comments on earlier versions of the paper. Some of the material in this paper was presented at a talk to the Philosophy Department at the University of New Hampshire in Spring 2008. I would like to thank the members of the Department and their students for a great discussion.

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- 2 Many authors on the ethics of memory tend to focus on the first issue—that is, how losing memory can diminish the quality of one's life. See Michael Meyer's discussion of this in relation to *Eternal Sunshine of the Spotless Mind* in Meyer 2008, pp. 77–87.
- 3 Margalit 2003.
- 4 Margalit 2003, p. 37.
- 5 Margalit 2003.
- 6 Strawson 2003, a review of *The Ethics of Memory*.
- 7 See Nagel 1979.
- 8 Quine 1956, pp. 177–87.
- 9 I here follow Michael Smith's use of the desire *de re* and desire *de dicto* distinction. See Smith 1994.
- 10 Smith 1994, p.76.
- 11 Kraut 1986, pp. 413–30.
- 12 This is debatable. A recent episode of *Doctor Who* has Rose arguably in love with the Doctor's humanized replica.
- 13 Parfit 1986. See the discussion of various factors that make a life go well, particularly discussion of the Success theory, pp. 149 ff.

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