

## **What Do We Owe to Distant Needy Strangers?**

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As an affluent person in a world of needy poor, I should probably do more to aid badly off persons around the globe. Many people subscribe to this thought, which prompts guilt and chagrin. However, the thought readily becomes an extremely demanding vice.

If I am contemplating using a few dollars of mine to go to a restaurant and a movie, I might reflect that the money would do more good, yield more moral value, if I refrained from the personal expense and gave the money to a relief agency serving the global poor. Transferred to the relief agency, the money would save a life or prevent a severe deterioration in the quality of someone's life. The vice tightens when I reflect further that if I give the few dollars to a relief agency, essentially the same decision problem recurs. I could contribute another similar increment of resources to a worthy cause and further reduce my expenditures to enhance my own quality of life. And another, and another, and so on.

Peter Singer has observed that virtually all of us would agree that if we chance upon a child drowning in a pond we ought to save the child's life even if the life-saving activity imposes a considerable sacrifice on us. We live in a world in which, in effect, children drowning in ponds or the moral equivalent are ubiquitous, and thanks to the existence of networks of

institutional aid already in place, we are always in the position of being well placed to act to save some of the many people whose lives are at risk.

Singer thinks that the reason we believe that we ought to save the drowning child, thought through, generalizes and becomes a principle of beneficence that has been called the Principle of Sacrifice: *“If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it.”*<sup>1</sup>

This formulation leaves it open that moral constraints of a deontological sort might limit the moral demands of beneficence. Maybe we should not tell a lie or steal or commit physical aggression against an innocent person in order to help prevent some significant bad from occurring, because the violation of the deontological constraint would be sacrificing something of comparable moral importance. As I understand Singer’s stance in this essay, he wants to set the issue of constraints to the side. Let us confine our attention to situations in which whatever moral constraints there are have no bearing on our situation, and the issue is how we should use resources that we legitimately own and could use to benefit ourselves, those near and dear to us, or distant strangers. In that setting, the Principle of Sacrifice dictates that we are morally required to use our resources in whatever way would bring about the best outcome, do the most good. The Principle of Sacrifice so construed is act consequentialism except that the issue of deontological side constraints on what we permissibly may do to bring about the best outcome is bracketed. Like act

consequentialism, the Principle of Sacrifice denies options. One is morally required (when constraints are not in play) to do whatever would bring about the best outcome and is not morally allowed to choose any course of action that would induce a less than best outcome.

Singer proposes that the best explanation of the truth that we ought to undertake rescue efforts to save a drowning child that we encounter in the circumstances he describes is that the Principle of Sacrifice is true and it implies that we ought to save the child from death in the specified circumstances. But now the vise is pinching hard. Given stable conditions in the modern world, the Principle of Sacrifice implies that we ought to keep giving to the relief of global destitution until another increment of aid would do more good spent on ourselves than transferred to any distant needy strangers. Roughly speaking, the implication is that we affluent persons should reduce our consumption levels to the point that leaves us just barely better off than the poorest of the global poor.

The “roughly speaking” qualifier of this last conclusion is needed because nothing stated so far warrants the identification of the goods that constitute moral value and with aggregate human well-being. Perhaps it is intrinsically morally more valuable to achieve a well-being gain for a saint than an identical well-being gain for a sinner. Perhaps bringing about a well-being gain for a person is more morally valuable, the lower her lifetime well-being would otherwise be. Perhaps it is intrinsically morally more valuable that friends help friends rather than strangers and that parents

help their own children rather than other people's children. Perhaps human well-being largely consists in excellent achievements and not pleasure or desire satisfaction. There are many issues here, but they are not relevant to settling the moral issue that Singer has pressed on our attention. No matter how we decide these and other issues concerning the nature of moral value, it will remain uncontroversially true, on any noncrazy conception of moral value, that affluent people reducing their consumption and massively transferring resources to the global poor would result in massive increase in aggregate well-being and in moral value. According to Singer, this is what each affluent person is morally required to do.

This Singeresque extreme demand is extremely counterintuitive. Hardly anybody feels obligated to such an extent, or holds others to this standard. Yet the argument that begins with the idea that we ought to save any drowning child near at hand and ends with the conclusion that we ought to contribute resources to Good Samaritan rescue operations to the point at which a further increment of expenditure would reduce the contributor's well-being more than it would enhance the potential aid recipients' well-being is hard to fault. This dialectical situation suggests a puzzle to be solved: find the flaw in the reasoning that issues in the extreme demand.

Proposed solutions to this puzzle abound.<sup>2</sup> Many are obviously unsatisfactory.<sup>3</sup> In the first three sections of this essay I examine two seemingly plausible closely related lines of argument that purport to show that the obligations of beneficence we ought to accept are not nearly as

demanding as the Singeresque extreme demand. In the end, both of these lines of argument peter out inconclusively. Our initial puzzlement remains standing. The final sections of this essay attempt to hold onto the Singeresque extreme demand while reducing its counterintuitive air of paradox. Here I venture gentle criticism of Singer. Further progress on this front requires that we move beyond the enterprise of paradox mongering to the enterprise of paradox defusing.

In broad terms, Singer's argument to the conclusion that well-off people in contemporary wealthy societies morally ought to contribute to the relief of the misery of distant needy strangers around the globe and keep contributing until the point at which they are only marginally better off than those they could help relies on a moral premise, the Principle of Sacrifice. It also relies on empirical premises, such as the existence of global poverty and frequent natural and man-made disasters and the existence of mechanisms through which giving aid can provide genuine relief to people.<sup>4</sup> One might challenge Singer's argument by attacking either its moral premise or the empirical premises or both. In this essay I shall focus exclusively on what might be said for and against the crucial moral premise. The factual issues are important and tricky but I set them to the side in order to frame a manageable issue for discussion.

### **Demanding Too Much?**

Garrett Cullity advances a promising criticism of Singer's position.<sup>5</sup> He holds that Singer goes wrong in taking an iterative rather than an

aggregative approach to the demands of beneficence. The iterative approach is relentlessly forward-looking: whether one should contribute a further increment of aid or not depends only on the moral costs and benefits of using that resource in one or another way. (Of course what has happened in the past may affect the costs and benefits that alternative current courses of action would achieve.) The aggregative approach allows backward-looking considerations partially to shape the right answer to such decision problems: an agent may sometimes be justified in declining to contribute a further increment of aid on the ground that his past contributions have on the whole imposed a sacrifice on him that entitles him to resist further demands to give even when the cost of giving to benefit to potential beneficiary is very favorable.

Cullity supports the aggregative approach by arguing that the iterative approach assumed by Singer leads to contradiction. In a nutshell, his proposal is that we must reject the iterative approach in order to preserve options. Among the good reasons to supply easy rescue is that those we save from death or devastation will then be able to achieve the various goods contained in ordinary human lives, lives that do not conform to what he calls the Severe Demand. But if we ought to conform to the Severe Demand, then people's interests in gaining the goods of ordinary human lives, oriented to advancing their own interests and the interests of those near and dear to them, are interests that it is wrong for them to pursue and fulfill. But interests that it is wrong for people to fulfill, we ought not to

help them to attain. In Cullity's words, "If a gangster's gun jams, I ought not to help him fix it." But then it turns out that people's interests in achieving the goods of ordinary human lives, lives that do not conform to the Severe Demand, are not after all interests that generate good reasons for us to supply easy rescue of them if they are in peril. On the other hand, if these interests do generate perfectly good reasons to help people by providing easy rescue, as seems intuitively obvious, then the Severe Demand must be rejected.

The Severe Demand as formulated by Cullity is roughly this: Faced with a series of easy rescue opportunities, one should either (1) continue to contribute what is required for easy rescues until no further opportunities for easy rescues present themselves, or (2) stop contributing at the point at which "contributing another increment would itself harm me enough to excuse my failing to save any single life directly at that cost."<sup>6</sup> I shall broaden the idea of an easy rescue, so that it applies when one could at small cost to oneself bring it about that a person is saved, not from imminent death, but from some serious devastation such as chronic malnutrition or lack of decent shelter. I shall also stipulate that when an opportunity for easy rescue occurs, efficient rescuing action will result in a net increase in moral value (the cost to the rescuer and others is outweighed by gains to rescuee and others).

Cullity claims acceptance of the Severe Demand leads to a dilemma, which is best avoided by rejecting the Severe Demand and accepting instead

some less demanding norm of beneficence. The reasoning to this conclusion proceeds as follows:

1. Everyone ought to conform to the Severe Demand.
2. In order to satisfy 1, everyone ought to aim to satisfy the Severe Demand.
3. A person who aims to satisfy the Severe Demand must lead an altruistically-focused life. Cullity writes: "I have an altruistically-focused life if a guiding aim of mine is to constrict my pursuit of my own fulfillment as much as I bearably can, for the purpose of benefiting others," up to the point at which any further restriction would involve a sacrifice on my part that would not be required by the Severe Demand because the excuse specified in condition 2 of its definition above is triggered by that level of sacrifice.
4. A person ought to aim to satisfy the Severe Demand and contribute to easy rescues in order to satisfy the potential rescues' interests in leading lives rich in life-enhancing goods.
5. Potential rescues' interests in the fulfillments contained in non-altruistically-focused lives provide good reason to satisfy the Severe Demand.
6. But potential rescues' interests in the fulfillments contained in non-altruistically-focused lives are interests in gaining what it is wrong for them to have.

7. People's interests in gaining what it is wrong for them to have are not interests we ought to help them fulfill.

8. People's interests in gaining the fulfillments contained in non-altruistically-focused lives are not interests we ought to help them fulfill (from 6 and 7).

9. People's interests in gaining the fulfillments contained in non-altruistically-focused lives are interests we ought to help them fulfill (from 4 and 5).

8 contradicts 9. To avoid the contradiction, we must renounce the Severe Demand. So urges Cullity.

In response, I claim we should accept 9, so we should reject 7 and 8. Rejecting these claims eliminates the pressure to reject the Severe Demand.

Below I present an example in which a beneficent agent has good reason to assist another person by helping that person fulfill interests it is morally wrong for her to have. If example is convincing, we have reason to reject 7 and 8.

Suppose a well-off person, Wealthy, has only two choices: she can either pursue her own projects, which would yield one unit of moral value, or she can contribute some resources to a needy stranger, Needy, who predictably will use the resources to further her personal projects, which would yield two units of moral value. Needy could instead donate the given resources to a still needier stranger, Grim, located where Wealthy cannot assist her but Needy can. Grim would in turn devote the extra resources to

her own personal projects. This turn of events would yield three units of moral value. All else is equal here, so the only morally relevant differences between these choices and outcomes as regarded by moral principle are the net gains of one, two, or three units of moral value. In the situation as described, Needy's interest in using the resources given to her by Wealthy to further her own personal projects is an interest it is wrong for her to have, because according to the Severe Demand, Needy ought to pass the resources along to Grim. In this example I submit that even if Wealthy knows that Needy will not pass along the resources but will use them for herself, Wealthy ought to give the resources in question to Needy. This decision is vindicated when Needy spends the resources on herself and brings about an extra unit of moral value, compared to what would have happened had Wealthy kept the resources for herself. In this scenario Needy's interests in gaining the fulfillments contained in a non-altruistically-focused life are interests that Wealthy ought to assist Needy to fulfill.

This example hinges on a fact about the nature of moral requirements that will prove important later in this essay. Actions are not merely morally right (permissible) or morally wrong. The wrong acts vary in degree of wrongness. The same goes for interests. Some interests, though wrong, are less wrong to have and pursue than others. The interest that a very well off person has in hoarding resources and using them for herself when she should transfer them to other people is more or less wrong

depending on the degree of shortfall in moral value between pursuing her interests and pursuing the fulfillments of other needier people. Hence in our example Wealthy's interest in using resources for herself is "wronger" than the comparable interest that Needy has in using those resources for herself (if they are given to her) rather than transferring them to a still needier person. I submit that Needy's interest in using the resources in question to gain the fulfillments of a non-altruistically-focused life is less wrong than the interest Wealthy has in using these resources for herself and that accordingly Needy's interest in gaining these fulfillments provides good reason for Wealthy to transfer these resources to her.

The conclusion we should draw is that Cullity's argument against the Severe Demand (and with it, the iterative approach) fails, so this defense of options collapses.

### **Allowing Personal Projects**

Although Cullity's argument is unsuccessful, merely pointing this out does not dispose of the main considerations to which he appeals in the course of building his case.

One such consideration is the problematic status of immensely valuable components of human life such as friendship and family ties and other personal commitments according to the Principle of Sacrifice applied to the conditions of the modern world.<sup>7</sup> These personal projects are thought to share a special feature. Participation in these projects does a lot of good, but for the most part this good accrues only on the condition that the

individuals involved are devoted to them. One is devoted to a project only if one is disposed to channel resources to it beyond the level that would be justified by neutral values as mediated by Singer's Principle of Sacrifice or act consequentialism or the like. It might seem that the advocate of Singer's position must endorse devotion to personal projects (it produces good) and condemn it (it leads us to do bad).

There is no paradox lurking in this train of thought. All that follows is that if we are Singerites we should engage with these personal projects in ways that achieve an optimal trade-off of goods and bads. Consider this argument articulated by Bernard Williams.<sup>8</sup>

1. If utility is maximized, people are devoted to personal projects.

2. If people are devoted to personal projects, they are disposed to pursue their projects sometimes even when pursuing a different course of action would produce more utility.

3. If people are disposed to pursue their personal projects sometimes even when pursuing a different course of action would produce more utility, they are not disposed to act in conformity with act utilitarianism.

4. If utility is maximized, people are not disposed to act in conformity with act utilitarianism.

The conclusion 4 is an empirical claim that may well be true, and that is true if the empirical premises 1 through 3 are true. If true, it is an interesting fact of moral psychology. Notice that it does not bear on the

normative question, whether act utilitarianism is a correct moral principle that states the correct criterion of morally right and wrong action. Act utilitarianism is one specification of the more generic act consequentialist doctrine, which says that one morally ought always to do an act that would bring about an outcome no worse than the outcome that would be brought about by any other act one could instead choose.

Consider friendship. It may well be the case that forming and sustaining a friendship do a lot of good but also lead one to sometimes to act in ways that show loyalty to one's friends when that act does not lead to the best outcome and is morally wrong according to the act consequentialist standard. That being so, if the amount of good that friendship generates is sufficiently large, sometimes the acts of forming and sustaining friendship are what one morally ought to do according to act consequentialism even though these acts predictably lead one to do some further acts that according to act consequentialist assessment are wrong. What holds for friendship may hold for many other personal projects, including devotion to family, kin, communal goals, job and career, accomplishments of many types, and so on.<sup>9</sup>

With these points in mind, return to Cullity's Severe Demand and his claim that to fulfill it, one must lead an altruistically focused life. Recall that an *altruistically-focused life* is defined as one in which "a guiding aim of mine is to constrict my pursuit of my own fulfillment as much as I bearably can, for the purpose of benefiting others." Cullity adds that having

that aim “would mean adopting an attitude of vigilant self-constraint toward your friendships” and other personal projects. But wait a minute. A penny-pinching attitude toward friendship (and other personal projects) that seeks to make one’s choice of friends and engagement with them as cheap as possible in resources that might be used to help distant needy strangers is itself a force that greatly reduces the good that friendship generates. This does not mean that one is never morally required to pinch pennies to comply with the demands of beneficence. It does mean that one should balance the good and bad that vigilant self-constraint generates and optimize, presumably by adopting an attitude that mixes vigilance and money-is-no-object caring.

Recall also the point that one might be morally required by act consequentialism sometimes to act in ways that will increase the chances of acting against the moral requirements of act consequentialism on other, less consequential occasions. Consequentialism morally requires me to devote myself to some personal projects in ways that will lead me to act from this devotion in ways that consequentialism forbids me to do. Singer’s Principle of Sacrifice, a close cousin to act consequentialism, bids me to do the same.

One needs to distinguish what one is morally bound to do over one’s life as a whole and what one is morally bound to do, situation by situation, as each occasion of choice arises. Situation by situation, one morally ought to conform to the Severe Demand and strive to lead an altruistically-focused life (taking on board the optimizing qualification). Over one’s life as a

whole, one can be morally required sometimes to act in ways that ensure that over one's life as a whole, one will not conform to the Severe Demand and will not lead an altruistically focused life.

### **Following Common Sense?**

Perhaps the simplest response to the Singer argument is just to assert baldly the common sense view about the limited demandingness of the moral requirements of beneficence that Singer has challenged. The common sense view is vague, in that it allows that we are required morally to some extent to help distant needy strangers but does not include any quantification of the extent. The common sense view insists that ordinary persons living their own lives without doing anything that harms others in ways that might be thought to violate their rights have considerable moral freedom to live as they choose in any of a wide variety of innocent ways pursuing any of a wide variety of innocent pursuits. This claim too is vague, but maybe this is not a problem. The project would then be to elaborate a consistent and coherent approach to the problem of what we owe distant needy strangers that above all does not wander off the tracks and end up in denial of the common sense starting point. Success in executing this project is achieved when we are able to exhibit a stable mutually supportive set of views that cohere with common sense and do not latently or inchoately give any support to the claim that morality properly understood is extremely demanding.

Richard Miller follows the strategy of response to Singer just described.<sup>10</sup> He supposes that common sense endorses the judgment, on which Singer relies, that if one encounters a drowning toddler close at hand and can bring about a rescue at reasonable cost one morally is required to do so. Part of his task then is to find a way of endorsing Singer's judgment about the drowning toddler case without eliminating options across the board. If scrutiny reveals that Miller's project runs into serious difficulties, that provides some support for the suspicion that the plain common sense beliefs that oppose Singer's view of obligations of beneficence are in tension and do not form a coherent and plausible set.

Miller explicitly rejects Singer's Principle of Sacrifice and proposes that we should instead accept this Principle of Sympathy: "One's underlying disposition to respond to neediness as such ought to be sufficiently demanding that giving which would express greater underlying concern would impose a significant risk of worsening one's life, if one fulfilled all further moral responsibilities; and it need not be more demanding than this."<sup>11</sup>

An initial response is that the Principle of Sympathy imposes nil or next to nil requirements of responding to need. In a world such as ours in which strangers often will be afflicted with serious unmet needs unless they receive help, any nontrivial disposition to help will require one to give up personal resources that could otherwise have been spent to improve one's own life. Any disposition to help will worsen one's life, unless one restricts

the disposition so that it is triggered only when giving aid is costless. This proposal sounds more like a principle of stinginess than one of sympathy. However, Miller is of the opinion that being deprived of some resources that would have enabled one to satisfy a few extra desires does not per se worsen one's life. Worsening only occurs if one passes some threshold of lessened satisfaction. So we might read his Principle of Sympathy as setting this upper bound on the required disposition to give: having a stronger disposition to give would impose a significant risk of significantly worsening one's life. (A disposition to respond to neediness could be stronger by involving a tendency to respond to a lesser level of need or to respond to a given level of need with greater aid or to be less prone to fatigue in responses to repeated episodes of neediness or some mix of these.)

Even with this clarification, Sympathy looks remarkably undemanding. Why is it written in the stars that the requirements of beneficence must be so undemanding that fulfilling them never significantly worsens one's expected well-being? We impose no such constraint on any other moral duty.

Sympathy is also counterintuitively unbending in a certain respect. Even if the fans of common sense moral opinion reject Singerism, they surely want to allow that the requirements of beneficence can vary in their demands depending on circumstances and in particular can impose greater sacrifice on those placed in the giving role as the ratio of the cost of giving

to the giver to the gains that giving would yield for its beneficiaries becomes more favorable. Even if one need not give a thousand dollars to save a single life, one might be required to give a thousand dollars when that would save several lives. On its face, Sympathy lacks this feature. If giving a thousand dollars imposes on oneself a significant risk of worsening one's life, the disposition that requires such giving cannot be morally required, according to Sympathy. A qualification is needed here, but with the qualification in place, the criticism against Sympathy stands. The qualification is that according to Sympathy it is having the disposition that cannot impose risk of worsening one's life; the disposition that Sympathy licenses might be to give to the point where further giving would involve a ratcheting upward of the disposition past the no-significant-worsening line, but within that limit, to give wherever and whenever giving will do the most good to alleviate neediness as such.<sup>12</sup> However, it remains the case that the location of the threshold line beyond which Sympathy judges a sympathetic disposition to be excessively demanding does not itself vary depending on the ratio of the cost to the giver to the gains to potential beneficiaries that would be associated with boosting the threshold line upwards.

Miller elucidates the no-worsening constraint on sympathetic disposition as follows. The constraint becomes binding when making an individual's disposition to respond to neediness more expansive would worsen the individual's life "by depriving him of adequate resources to pursue, enjoyably and well, a worthwhile goal with which he is intelligently

identified and from which he could not readily detach.” On this interpretation of the constraint, its bite for each person is relative to the goals that particular individual happens to have embraced, provided the goal is worthwhile and relinquishing the embrace would take some doing. The more ambitious and expensive the pursuit of the goals one has embraced, the less demanding the requirements of beneficence that Sympathy imposes on one. If a person grows up in an affluent community and forms the life aim of owning all of the world’s best thoroughbred racing horses or any comparably stupendously expensive but worthy life aim, the requirements of beneficence according to Sympathy for that person shrink to insignificance. If on the other hand one grows up in destitute surroundings and forms very modest life aims, the no-worsening constraint on the demands of beneficence binds much less tightly. Miller explicitly avows this implication of his doctrine, so I hesitate to press it as an objection, beyond noting that he makes no effort to demonstrate that enlightened common sense really shares these particular opinions that are shaping his account.

Miller places his Principle of Sympathy in a contractualist framework and asserts that this placement justifies Sympathy. He distinguishes the moral attitude of equal concern for all people and equal respect for all people. Having equal concern for all, I would count a utility or well-being gain for any person as having exactly as much weight as a same-sized gain that might be obtained for any other person instead, in the

calculation of gains and losses from actions one might perform that determines which action one morally ought to do. Except for saints and fanatics, nobody has the attitude of equal concern for all, and this does not seem to be any sort of moral failing. Lacking equal concern for all is fully compatible with having equal respect for all, and it is the latter that Miller finds the attitude that the moral point of view prescribes for each of us.

What then is having equal respect for all? I found this idea as deployed by Miller to be oddly elusive. He often says that *this* is compatible with equal respect and *this other thing* is not, but I could never see what was supposed to be determining these judgments. He ties the equal respect norm to a general contractualist framework for determining what is morally required, permissible, and forbidden.<sup>13</sup> According to contractualism, acts are wrong just in case they are forbidden by moral principles that no one could reasonably reject as a basis for living together with others motivated in this very same way—to live together with others on a mutually acceptable basis. As Miller puts it, “a choice is wrong if and only if it could not be made in the circumstances by someone displaying equal respect for all persons; equivalently, a choice is wrong if and only if it is incompatible with the ascription of equal worth to everyone’s life.” As I see it, the cash value of these phrases about “equal respect” and “equal worth” is just this: one shows equal respect for everybody (every rational agent) by always behaving in ways that every fully rational agent will endorse. In short, one should always behave according to correct moral

principle. Even shorter: One should morally always do what one should morally always do. Miller's formulations under scrutiny reveal themselves as lacking in content. One does not disagree, because there is nothing substantive here to agree or disagree with.

When Miller asserts that not giving aid to distant needy strangers because one is favoring oneself or those to whom one is closely connected does not fail to show equal respect for all or is compatible with moral principles that nobody who respects all could reasonably reject, he is saying he believes not giving aid to distant needy strangers in deference to this sort of moral partiality is morally permitted. He is asserting his conviction that the demands of beneficence are limited and moderate, not extreme as Singer would have them. Despite the appearance of the rhetoric he employs, in using the language of equal respect and equal worth he is reasserting his opinion that beneficence requirements are limited not providing any sort of argument for that opinion.

A slight retraction might seem to be called for at this point: Maybe talk of equal respect and equal worth does have miniscule content. Equal respect may rule out certain kinds of partiality that are bad such as racism and sexism and tribalism. Some kinds of partiality are morally OK and some sorts are morally bad and the norm of equal respect rules out the bad sorts as impermissible. Of course, if one asks, which kinds of partiality are OK and which kinds are not, the norm of equal respect and equal worth is

silent. Once again it is functioning as a slogan not as a substantive argument.

Although Miller might be right to insist that the moral demands of beneficence are moderate not extreme, his norms of equal respect and equal worth and the contractualism to which they allude provide no argument to support this insistence, so should not stampede anyone not initially inclined to agree with Miller against Singer to reject Singerism. I turn now to a genuine argument offered by Miller in support of the position he affirms.

Miller says that the main argument offered by Singer to support his extreme interpretation of the moral demands of beneficence is that it provides the only, or perhaps the best explanation of why if one happens to encounter a drowning toddler and can rescue the endangered child without incurring undue risk or cost one is morally required to do so. Miller then argues that he can provide an alternative explanation of why we must save the drowning toddler, an explanation that coheres with his moderate doctrine of the demands of beneficence and does not lend support to Singer's rival view of this matter. If this explanation succeeds, he will have removed the main support of Singer's doctrine and undermined his position.

Miller's alternative explanation of why we should save the drowning toddler invokes what he calls the "Principle of Nearby Rescue: One has a duty to rescue someone encountered closeby who is in imminent peril of severe harm and whom one can help to rescue with the means at hand, if the

sacrifice of rescue does not itself involve a grave risk of harm of similar seriousness or of serious physical harm, and does not involve wrongdoing.”<sup>14</sup>

Straightaway one might object that the Principle of Sympathy is flatly incompatible with the Principle of Nearby Rescue. If one happens to find oneself in the rescuer role in a Nearby Rescue scenario, one’s life may be worsened. However, Sympathy is constrained by no-worsening.

As it stands, this objection fails. Sympathy requires that one’s disposition to respond to neediness be such that if the disposition were stronger, it would then impose a significant risk of significantly worsening one’s life. Miller asserts that from a suitable *ex ante* perspective, acceptance of Nearby Rescue when others accept the same principle as well is advantageous. The possible costs of finding oneself in the rescuer role are more than offset by the benefits of finding oneself in need of nearby rescue. Having a disposition that conforms to the requirements of Sympathy and that is fine-tuned to include a disposition to Nearby Rescue would not require one to incur a significant risk of significantly worsening one’s life.

However, the reference here to a suitable *ex ante* perspective should set off alarm bells. What is “suitable”? Notice that if one is choosing principles of beneficence from behind a thick veil of ignorance that blocks knowledge of one’s particular circumstances including one’s talents, inherited traits that will render one more or less likely to suffer accident or

illness, one's personal wealth, how wealthy one's society is and how comparatively well off one's society is compared to others, and so on, then Singer's Principle of Sympathy will be ex ante advantageous and I submit more advantageous than weaker requirements of beneficence including Miller's Sympathy. Miller's Sympathy or something close to it might be expected to emerge as a social contract agreed to by people who know their expected wealth and vulnerability. In this setting the wealthy would have a reason of self-interest to object to schemes of beneficence that require significant transfers of wealth to the poor. But Miller himself rejects egoistic contractarianism.<sup>15</sup> At this point I have no idea how one is supposed to choose a veil of ignorance of any particular degree of thickness and with it a suitable ex ante perspective that sets the requirements of beneficence. Since this choice is so unconstrained by reasons of principle, nothing blocks Miller from choosing an ex ante perspective that delivers a Principle of Nearby Rescue tailored to his antecedent moderate convictions about the limits of beneficence.

One thought that appears to influence Miller's choice of formulations is that if it were morally permissible to decline to give aid to someone immediately endangered on the ground that giving aid would expose one to any risk however tiny of suffering significant harm oneself, morality would endorse refusal to respond in cases in which the ratio of expected costs to the giver to expected gains for beneficiaries is immensely favorable. The requirement that only significant risk of significant harm to

self gets one off the hook of moral obligation to aid sets some limit to the permissibility of declining to give aid on the basis of possible cost to oneself.

Nonetheless, Miller does not succeed in justifying a set of beneficence requirements that accounts for the judgment that one must help the drowning toddler without doing so in a way that opens the door to wider beneficence requirements. First, if Nearby Rescue is to be clearly justifiable without conflicting with Sympathy, the requirement will be to be disposed to offer Nearby Rescue provided other people are similarly disposed. But the moral judgment in the drowning toddler case is not that rescue must be supplied if there is a social norm to that effect generally accepted in one's society. The judgment is that rescue must be supplied, period.

Second, Nearby Rescue makes distance relevant to obligation, but this is counterintuitive. Nearby Rescue also makes obligation vary with vagaries of personal encounter, but this also is a counterintuitive feature of the view. Suppose that one could save one person nearby with whom one has made eye contact. This person is sitting on a rock soon to be covered by the tide. Alternatively one could save many persons who are not nearby and in fact are out of eyesight. They too are sitting on a rock that is about to be covered over by the rising tide. One cannot save both the one and the many. Nearby Rescue applied to this setting gives the clearly wrong verdict that one ought to save the nearby person with whom one has established

personal contact, since that person's plight triggers the special requirements of that rescue principle. Since the many are located just beyond the jurisdiction of Nearby Rescue, no special requirement to save applies to them.

Another feature of the Nearby Rescue Principle renders its implications counterintuitive when the principle is applied to a broad range of cases. Nearby Rescue as formulated by Miller limits the duty to rescue those in imminent peril whom one encounters nearby *whom one can save with the means at hand*. But why does it matter whether the tool one needs to save a life is at hand or available at a distance? Surely what matters in rescue scenarios is how much good one can do, in a setting in which the good one leaves undone will likely be done by no one else, at what cost to self.

Miller proposes reasons that in his view support Nearby Rescue. The one that strikes me as having most heft is his assertion that this norm efficiently coordinates rescue efforts that we feel morally should be undertaken. However, the two rock case described two paragraphs back shows that Nearby Rescue does not efficiently coordinate rescue efforts. It tells people to channel their beneficence to those close at hand in imminent peril rather than wherever beneficent aid would do the most good in one's circumstances. This objection shows that Miller fails in his task of showing the latent coherence and good sense of common moral opinion in this area.

### **Further Anti-Singer Strategies**

Although I have raised objections against Miller's defense of a moderate view of the demands of beneficence, his strategy might yet be broadly defensible even though his execution of it is flawed.

In broad terms, the issue is whether or not each individual is morally permitted to give extra weight to her own interests and personal concerns in deciding what to do when deontological constraints are not in play.

Coherent moderate doctrines can be constructed along this line. Singer himself in his 1972 essay suggests one. Alongside his favored Principle of Sacrifice he sketches a principle that I would render in these words: if one can prevent something bad from happening, without thereby violating anyone's rights or whatever other moral side constraints there may be, and without incurring a significant cost as assessed from the perspective of one's reasonable personal concerns, one ought morally to do the act that prevents the bad from materializing.

This version of moderation is problematic in that it is unbending: In any case in which helping others would cause one to suffer some significant cost in terms of one's personal concerns, the obligation to extend help ceases, no matter what amount of help to no matter how many people is at stake. This feature is eliminable. A more plausible replacement is the idea that the greater the absolute amount of good that one can bring about by beneficent action, and the more favorable the ratio of the cost to one's personal concerns if aid is provided to the net gain that would accrue to

beneficiaries and others indirectly affected if the aid is provided, the stronger the reason to do the beneficent action. The principle of moderate beneficence then becomes: If one can prevent something bad from happening, without thereby violating anyone's rights or whatever other moral side constraints there may be, and without incurring excessive cost as assessed from the perspective of one's reasonable personal concerns, one morally ought to do so. A personal cost is excessive just in case the net moral value of the gain to beneficiaries and others indirectly affected if one does the beneficent act is smaller than the moral disvalue of the net loss to one's personal concerns multiplied by a positive number  $M$ , where the value of  $M$  is constant in all such decision problems and registers the extent of the morally appropriate extra consideration that one is entitled to give one's own personal concerns when deciding on an innocent course of action.<sup>16</sup>

Notice that the version of moderation just sketched gives up the thought that fundamental moral norms should distinguish nearby rescues and other opportunities to extend aid. Spatial distance and personal encounter are neither morally significant in themselves nor reliably correlate with anything that is per se morally significant. Spatial closeness and personal encounter are psychologically powerful triggers to dispositions to respond to neediness, but these factors do not per se have normative significance. In this important respect this version of moderation renounces Richard Miller's project.

The version of moderation currently under review also dispenses with the attempt to defend an aggregative rather than an iterative approach to the issue of the moral limits of beneficence requirements. In this important respect this version of moderation renounces Garrett Cullity's project.

I suggest that an adequate assessment of the plausibility of moderation, the idea that the demands of beneficence are not so strong as to eliminate options, must take seriously the idea that options and constraints are not independent and separable features of fundamental moral principles but are to be considered together. Options and constraints are a package deal requiring holistic assessment. Although investigation of the logical space of theoretical alternatives here might always turn up surprising new candidate moral theories possessing unexpected virtues, my own hunch is that the most plausible representative of the moderate family of beneficence doctrines will be some version of Lockean natural rights theory.<sup>17</sup> The rough idea of the Lockean tradition is that each and every person has basic moral rights not to be harmed in certain ways such as theft and fraud and physical aggression and that along with these rights is a complementary right to live as one chooses, doing whatever one wants, so long as one does not thereby violate anyone's basic moral rights. A slightly less rough version of this doctrine allows that people's basic rights include moderate rights to be given aid but that the correlative duty to aid the needy is subordinate to the negative duty not to harm in specified ways. On this

version of the doctrine of side constraints, these constraints pose limited demands, and within those limits, one is at liberty to do whatever one chooses. The world being as it is, generally respect for people's rights leaves one at liberty to choose among a wide array of morally acceptable options.

The Lockean tradition is associated with a conception of moral rights as absolute exceptionless constraints, and no one has articulated a plausible list of such exceptionless constraints. But in the apt phrase of Judith Thomson, rights might take the form of spongy side constraints, that give way and may acceptably be infringed if the consequences of not infringing them are excessively bad.<sup>18</sup>

The consequentialist will wonder why certain traditional negative moral rights should have pride of place in a moral theory. Her hunch is that the imperative to respect rights is most appealing when we suppose that respecting rights is an efficient and generally reliable strategy for bringing about good outcomes, and lacks appeal otherwise. But the issue of consequentialism versus broad Lockeanism is unresolved in the present state of ethical theory.<sup>19</sup> Insofar as the issue of moderation versus extremism on the issue of the moral demands of beneficence aligns itself with that monumental stand-off, there will I predict be no quick resolution of it.

### **Swallowing Singer's Stone**

So far this essay has defended Singer's arguments against two critics. The flaws in the critics' positions point the way toward a more plausible moderate doctrine of beneficence, but even as lightly sketched, this doctrine looks complex, hedged and qualified, and not obviously superior to Singer's simple powerful reasoning. Despite the cogency of the principle that powers Singer's reasoning, there remains a huge stone to swallow. The conclusion of his argument is extremely counterintuitive.

Singer sometimes incautiously expresses the thought that we should not be troubled by this fact, because our moral intuitions about cases have no particular epistemic authority anyway.<sup>20</sup> They likely just reflect the fact that we are socialized in a bad society that grossly underestimates the true moral demands of beneficence. But the trouble is that reliance on moral intuitions (judgments concerning what is morally so) cannot be avoided.

Suppose someone proposes a clever argument to a clearly incredible conclusion, for example, "No human person has ever suffered pain." If the argument consists in a derivation of the conclusion, the deductive reasoning may be valid or invalid, suppose it is clearly valid. If the conclusion of the argument is sufficiently incredible, it can never be rational to accept the argument and its conclusion—a more sensible response is to reject one or more of the premises from which the crazy conclusion follows. If the premises in question all look pretty good, we may not be sure which one or more to reject, but we may provisionally decide that some of them must be

defective even if we are not sure which these are, if the only alternative is believing something that after reflection and thought we simply cannot believe.

The same goes if someone proposes a clever argument to a clearly incredible moral conclusion, for example, “Hitler’s plan to exterminate the German Jews was just and fair.”

Of course, there is no specifying in advance any limits on the novel conclusions to which we might eventually be led by novel moral reasoning that reveals undetected prejudice and presses unnoticed similarities on our attention and proposes hitherto unformulated moral principles that after scrutiny and reflection command our allegiance. Practical reason goes where it goes. But the fact that what seems incredible to us at one time may not seem so at a later time after absorbing the force of novel reasons does not mean that it is rational at any time to accept as true what all things considered strikes us as incredible and so false.

The difficulty that Singer’s train of thought imposes on us can be simply stated:

1. We are morally required to rescue a child drowning at our feet in a shallow pond when the gain from rescue outweighs the moral cost.
2. The same reasoning that justifies claim (1) also justifies a parallel claim that we are morally required to aid distant needy strangers when the gain from aid outweighs the moral cost.

3. It is not the case that morality requires us to distant needy strangers up to the point at which the moral gain that could be secured by providing any further aid would be outweighed by the moral cost of providing such aid.

1, 2, and 3 conflict. I agree that the best response is to reject 3. The challenge then is to reduce the counterintuitive sting of this response. So far in this essay my criticisms of two critics of Singer suggest that any available stance on this terrain will be counterintuitive to some extent, and that defenders of plain common sense will have their own problems once they try to articulate an explicit and detailed consistent position. I have also urged that act consequentialism by its own lights is committed to accommodating goods that are generated by devotion to personal projects when they are really conducive to aggregate human well-being. Moreover, act consequentialism can accommodate personal devotion without becoming trapped in inconsistency. So far, so good. What else can be done to mollify grouchy anticonsequentialist “common sense”?

The next two sections of this essay answer this question. I pursue two lines of response. One involves (a) distinguishing between acts that are wrong according to fundamental moral principle and acts that fail to comply with the moral code that either actually is or ideally should be established in the agent’s society and (b) tying blameworthiness to moral code noncompliance. The idea would be to allow the Singerite to deny that people are blameworthy generally for failure to live up to the very demanding requirements of Singerite beneficence requirements. This gambit is only partially successful, it turns out. A second line holds that the act consequentialist should downplay the distinction between acts

that are right and wrong. Her more important task is to grade acts as “righter” and “wronger” depending on the extent of the shortfall between the act being evaluated and the best that could have been done in the circumstances. Once this task is taken seriously, one sees that although the act consequentialist must deny options as understood by the deontologist, she will accept options of a sort.

### **Distinguishing Moral Principles, Moral Codes, and Blameworthiness**

In his 1972 essay Singer had raised the worry that acceptance of his strong view of the moral requirements of beneficence might be counterproductive. That is to say, perhaps if a society were to attempt to train people to accept the Principle of Sacrifice as part of its moral code, people might become alienated from such a demanding moral code, and become less disposed generally to conform to the code’s requirements. In this way the consequences of instituting a less demanding moral code might be better than the consequences of promulgating a more severe code.

Singer countenances the possibility that in practice ratcheting up the requirements of morality beyond some threshold point in a code to be socially enforced might be counterproductive. He then adds, “it should be emphasized that these considerations are relevant only to the issue of what we should require from others, and not to what we ourselves ought to do.” This comment sounds to me both correct and incorrect, but obviously we then need to sort out the mixture of insight and error it expresses.

Correct: Whatever moral code has been established in the society I inhabit, that code does not by itself settle the issue, what I myself should do here and now.

Suppose for good reasons a law code has been established, which as applied to my situation says I am not obligated to give more to distant needy strangers. For all that, the moral reasons for me giving more now may be stronger than any opposed reasons. Then surely what I morally ought to do here and now is whatever the balance of moral reasons that bear on my particular circumstances singles out as the thing to do.

Incorrect: But if a moral code is instituted in society, and internalized by its members including myself, then that code guides my sense of what is morally acceptable and unacceptable for me to do. How can the code be irrelevant to the assessment of my choice of conduct as right or wrong and of me as culpable or praiseworthy for doing it?

The key here is to see that the issue is not what we demand of ourselves versus what we demand of others. We should rather distinguish fundamental moral principle and derived public code, both principle and code being applicable both to self and others. The distinction I have in mind is essentially R. M. Hare's distinction between the critical and intuitive levels of moral thinking. At the critical level, one seeks to discover fundamental moral principles that constitute the theoretical criterion of morally right and wrong action—what is morally required, permitted, and forbidden. At the intuitive level, one responds to moral decision problems on the basis of moral rules that people in a society are trained to accept as the guide to their conscience. From the standpoint of an act consequentialist critical morality, the social code that ought to be maintained in a given society and time is the one that would function best as assessed by the

consequences of its operation. Since humans have cognitive, affective, and volitional disabilities, and also lack access to information relevant to choice of conduct, the moral rules to be established even in perfect compliance with critical morality standards will be coarse-grained and designed to produce good results when imperfect people are guided by them. The moral code of one's society, even if the moral code is as good as it could be, may tell one that the acts one might do have a moral permissibility status different from the status they have from the critical morality standpoint.

The question then arises, is blameworthiness and praiseworthiness determined from the critical morality standpoint or from the moral code standpoint? Suppose we try the latter option: then fitness for blame to be administered by self or others would be triggered only by acts that violate the code of moral rules that is, in the down to earth sense, actually established in the agent's society, and in an ideal sense, would be established if the code were selected by whatever standards ought to govern this choice. An act consequentialist will suppose that the ideal code to be established in society is the one, the selection and institution of which here and now would be productive of best consequences.

One might hope that this line of thought will reduce the counterintuitiveness of Singer's stringent morality of beneficence. Given that human beings are by nature prone to selfishness and to favoring those near and dear, the best moral code will not make war against human nature but will compromise with it. The best moral code will then not be act consequentialism,

nor will it be a set of rules equivalent in practice to act consequentialism. The code will be less demanding than act consequentialism (or Singer's Principle of Sacrifice) in its beneficence requirements. This will all be compatible with holding that act consequentialism is the correct theory that at the critical level determines what one morally really ought to do. But blameworthiness is generated not by failure to conform to critical level morality but rather by the unexcused failure of a competent agent to conform to the moral code that is actually established in practice at least if that moral code is best according to critical theory standards.

An alternative stance on blameworthiness would also have the effect of mitigating the conflict between Singerism and common-sense morality. The alternative stance holds that an act is blameworthy only if some act of punishing it is warranted, and adds in a consequentialist spirit that punishing is warranted only if it would produce better consequences than any alternative course of action. Since in many cases not even the smallest reproach directed against someone who fails to aid distant needy strangers in a society with a social code that regards aiding as morally optional would produce any good consequences, once again the Singer position's opposition to common sense opinion is muted. His position will imply that the person who fails to give aid according to the Principle of Sacrifice is standardly morally wrong but probably not morally blameworthy.

However, the line of thought just sketched is incorrect. It blurs the distinction between holding someone responsible and someone's being responsible. We hold people responsible for the quality of their actions in various

ways by praising and rewarding in response to good quality and reproaching and punishing in response to bad. These holdings are (I claim) acts to be judged by their consequences. Supposing it to be wrong in some case to blame me for my action, this still leaves open the possibility that I am blameworthy. Whether or not I am blameworthy in doing an act surely depends only on the assessment of features of *my moral performance in the process that caused the act* and not at all on the consequences of acts of punishment that other persons might or might not perform.

The line of thought that tries to tie the praiseworthiness and blameworthiness of an agent's conduct to whether or not it conforms to the established moral code is also going crookedly astray. When an agent does what is morally wrong but permissible according to the established moral code of her society, the presumption is that the wrong act is not seriously culpable. But the relevant standard of blameworthiness is whether the agent had a reasonable opportunity to behave rightly. To the degree that in her circumstances it would have been difficult or painful or both for the agent to have done the right thing, to that degree culpability is lessened, and at some threshold vanishes altogether. Since the established moral code exerts a massive gravitational pull on individual judgment and choice, when doing the morally right act requires the agent to act against the code, often we should judge that the agent lacked a reasonable opportunity to do the right thing. Often, not always: there still may be cases in which the agent who does the right thing against the grain of the established moral code is hardly praiseworthy for doing so, because in her circumstances doing the

right thing was as easy as falling off a log and as pleasant as eating ice cream, and likewise cases in which the agent who conforms to the established moral code and does what is morally wrong is seriously blameworthy for doing so, because doing the right thing in her circumstances would have been easy and pleasant.

The consequentialist need not conflate an act's being blameworthy and its being the case that any act of blaming the agent for having done the first act would be morally right according to act consequentialist standards. Nor should we identify the blameworthy act as one that is of a type the blaming of which would generally be productive of the best outcome. These standards would render culpability (and the same goes for praiseworthiness) independent of the quality of the agent's moral performance itself. Whether what I do is blameworthy depends on the character and quality of what I do and not on the further question whether blaming me or administering sanctions would produce good consequences. My act is blameworthy if a blaming attitude to it is appropriate on the merits of the case, which could be so even if no act of forming such a blaming attitude in oneself or another would be desirable by consequentialist standards.

### **Reintroducing Options of a Sort**

Considerations about the necessary conditions for reasonably holding people blameworthy for doing morally wrong actions interact with another feature of an act consequentialist morality that Singer's position should adopt. The upshot is to modify the denial of options that Singer affirms.

Ordinary common sense morality insists that so long as one does not violate what are in most circumstances fairly undemanding rights of other people not to be harmed in certain limited ways, one is morally free to live as one chooses. Any act that does not violate anyone's moral rights is a legitimate option eligible for choice, according to common sense. Singerism denies options and insists that one must do whatever (without violating constraints) would bring about the best outcome. Leaving aside the possibility of acts tied for best in their consequences, this position denies options altogether. In any situation there is one act one morally must do.

However, this denial of options is relaxed once one notes that act consequentialism properly construed holds that acts are righter or wronger depending on the amount of the shortfall in value between the outcome of what one actually does and the outcome of the act that would in one's circumstances have led to the very best outcome. A wrong act can be trivially wrong, a whisker away from the best one could have done, or it can be a horrendously wrong act that, for example, prevents millions of people from enjoying decent lives without giving rise to significant offsetting benefits. We can think of the acts an agent could do on some occasion as ordered in an array of groups of acts that have consequences that range from very close to the consequences of the best act to very close to the very worst one could have done. With this picture in view, we can see that options of a sort have an important role in moral life and moral assessment. Far more important than determining whether one's act on an occasion was right or wrong would be fixing the degree of wrongness if it is not

the very best one could have done. For any given extent of shortfall from the very best act, there will be a set of acts that are eligible for choice in the sense that none is morally worse than the act whose consequences lie just at the edge of this boundary. In virtually any circumstances in which an agent is placed, there will be sets of actions she might perform, whose consequences though not the same are sufficiently similar that there is very little that is morally at stake if the agent chooses any option within the set. Call these vague equivalence classes “consequentialist options.” Act consequentialism can be formulated as a righter/wronger test: an act that an agent is righter or wronger, depending on the amount of shortfall, if any, between the value of the total inclusive consequences of doing that act and the value that would accrue if the act that would produce the best outcome attainable were done instead.

The righter/wronger formulation enables the act consequentialist to avoid being required to hold that it is morally a big deal if I am in a restaurant and order the fish tacos rather than the chicken tacos if ordering the chicken tacos would have led to the best available outcome (slightly more pleasure for me) and hence qualifies as the uniquely morally right act, the act that one morally ought to be done.

However, one should note that the righter/wronger formulation may enhance, rather than lessen, our sense that the ordinary consumer of luxury goods and a wasteful lifestyle in an affluent society is doing something that is seriously morally wrong, given that he could have used the same resources to make a big dent in the misery suffered by some distant needy strangers. The idea that

morality should make room for some notion of options, and leave individuals moral freedom to pursue a variety of life courses without thereby doing anything seriously wrong, is an idea that the act consequentialist can readily embrace, as has been shown. But this still leaves intact the harsh assessment of modern capitalist consumerism that any reasonable version of act consequentialist morality must imply.

### **Conclusion**

The upshot of this lengthy discussion is that the vise that Singer has clamped on us still binds tightly. The common sense moral opinions that have made it seem to some philosophers as though morality could not be as demanding as he supposes have turned out under examination to be either not relevant to the key issue or lacking in force.

### **Notes**

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<sup>1</sup> . Peter Singer, "Famine, Affluence, and Morality," *Philosophy and Public Affairs*, vol. 1 (Spring, 1972), 229-243. Further thoughts are in Peter Singer, "Outsiders: Our Obligations to Those Beyond Our Borders," in *The Ethics of Assistance: Morality and the Distant Needy* (Cambridge: Cambridge University Press, 2004), pp. 11-32.

See also Peter Unger, *Living High and Letting Die* (New York: Oxford University Press, 1996).

<sup>2</sup> . Jean Hampton, "Selflessness and the Loss of Self," *Social Philosophy and Policy* (1993): 135-165; also Liam Murphy, "The Demands of Beneficence," *Philosophy and Public Affairs* 22 (1993):

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267-292; also Richard W. Miller, "Beneficence, Duty, and Distance," *Philosophy and Public Affairs* 32 (2004): 357-383; also Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Oxford University Press, 1982) [rev. ed. 1994]. For elaboration of a view on the obligations of beneficence from a virtue ethics perspective, see Michael Slote, "The Justice of Caring," *Social Philosophy and Policy*, vol. 15, no. 1 (Winter, 1998), pp. 171-195; also Slote, *From Morality to Virtue* (Oxford: Oxford University Press, 1995). For a response to Singer from a deontological standpoint, see Frances M. Kamm, "Famine Ethics: The Problem of Distance in Morality and Singer's Ethical Theory," in Dale Jamieson, ed., *Singer and His Critics* (Oxford: Basil Blackwell, 1999), pp. 162-208.

<sup>3</sup> . For criticism of Murphy, Hampton, and Scheffler, see Richard Arneson, "Moral Limits on the Demands of Beneficence," in *The Ethics of Assistance: Morality and the Distant Needy*, ed. Deen K. Chatterjee (Cambridge: Cambridge University Press, 2004), pp. 33-58.

<sup>4</sup> . On these issues, see Mathias Risse, "What We Owe to the Global Poor," *Journal of Ethics* 9 (2003): 81-117; also Leif Weinar, "What We Owe to Distant Others," *Philosophy, Politics, and Economics* 2 (2003): 283-304.

<sup>5</sup> . Garrett Cullity, "Asking Too Much," *The Monist* 86 (2003): 402-418. A more extended discussion appears in Cullity, *The Moral Demands of Affluence* (Oxford: Oxford University Press, 2004). In

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the more extended discussion, Cullitty renames the principle he opposes. “The Severe Demand” in the essay becomes “the Extreme Demand” in the book. My discussion focuses on the essay version of the argument.

<sup>6</sup> . Cullity, “Asking Too Much,” 403.

<sup>7</sup> . Richard Arneson, “Consequentialism vs. Special-Ties Partiality,” *The Monist* 86 (2003): 382-401.

<sup>8</sup> . Bernard Williams, “A Critique of Utilitarianism,” in J.J.C. Smart and Bernard Williams, *Utilitarianism—For and Against* (Cambridge: Cambridge University Press, 1973), pp. 75-150.

<sup>9</sup> . Peter Railton, “Alienation, Consequentialism, and the Demands of Morality,” *Philosophy and Public Affairs* 13 (1984): 134-171.

<sup>10</sup> . Miller, “Beneficence, Duty, and Distance.” See also Richard Miller, “Moral Closeness and World Community,” in *The Ethics of Assistance*, pp. 101-122.

<sup>11</sup> . Miller, “Beneficence, Duty, and Distance,” p. 359.

<sup>12</sup> . To clarify: It would be consistent with the Principle of Sympathy to hold that one ought to be moderately disposed to charitable giving and within the limit of moderation, to deploy one’s charity wherever it will do the most good. Miller rejects this view in embracing the Principle of Nearby Sacrifice.

<sup>13</sup> . On contractualism, see T. M. Scanlon, *What We Owe to Each Other* (Cambridge: Harvard University Press, 1998).

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- <sup>14</sup> . Miller, "Beneficence, Duty, and Distance," p. 378.
- <sup>15</sup> . On egoistic contractarianism, see David Gauthier, *Morals by Agreement* (Oxford: Oxford University Press, 1986).
- <sup>16</sup> . This version of moderation rehearses an idea first proposed by Samuel Scheffler in *The Rejection of Consequentialism*.
- <sup>17</sup> . See John Locke, *Second Treatise of Government*, ed. C. B. Macpherson (Indianapolis: Hackett Publishing Co., 1980) [first published 1690]. On side constraints, see Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), chap. 3. An excellent recent interpretation of Locke's doctrine is in A. John Simmons, *The Lockean Theory of Rights* (Princeton: Princeton University Press, 1992). For the idea that options and constraints form a package deal, see Eric Mack, "Prerogatives, Restrictions, and Rights," *Social Philosophy and Policy* 22 (2005).
- <sup>18</sup> . Judith Thomson, *The Realm of Rights* (Cambridge: Harvard University Press, 1990), p. It should be noted that Thomson believes that rights, though spongy to a degree, have an iron core.
- <sup>19</sup> . Richard Arneson, "The Shape of Lockean Rights: Pareto, Fairness, and Consent," *Social Philosophy and Policy* 22 (2005): 255-285.
- <sup>20</sup> . Peter Singer, "Sidgwick and Reflective Equilibrium," *The Monist* 58 (1974): 490-517.