

MUST WE MAXIMIZE THE GOOD WHEN WE DO GOOD?

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Suppose I am the beneficiary of a modest inheritance. After spending much of it on myself, I decide to donate the remaining \$2000 to a charitable organization.¹ I might think that I am morally free to indulge my preferences in deciding which charity (or charities) to support: Oxfam, UNICEF, CARE, the ACLU, the Humane Society, Doctors Without Borders, etc.²

According to the 'effective altruism' movement,³ I should donate to the organization(s) that do the most good (or that are most likely to do the most good). Their argument is supported by a powerful analogy. Suppose I am walking along a lake and two canoes tip over. One contained two people and (being a strong swimmer), I could easily rescue both of them. The other canoe was carrying only one person. The two canoes are too far apart for me to have a chance of rescuing all three persons; it would take too long to swim between them (even if I was strong enough). It seems obvious that, other things being equal,⁴ I should rescue the two canoeists rather than the one canoeist.

Discussions about the duty of beneficence (or what is often called charity) have traditionally focused on the question of how much ought I give to, say, UNICEF. Peter Singer (the father, or godfather) of the effective altruism movement, has sometimes suggested (at least) 10% of your income (Singer, 1999). I want to sidestep the question of how much (thus I stipulate that I have \$2000 that I am willing to donate) and to focus on the question of whether I am obligated to try to maximize the good that my donation will do (analogous to the obligation to rescue the two canoeists instead of the lone canoeist. I shall argue that we have no such obligation.

The duty to rescue the drowning canoeist (or, in another frequent example, the duty to rescue a toddler who has fallen into a shallow pond) falls under the relatively uncontroversial duty of (easy) rescue. There is dispute about how much I must be willing to sacrifice or to risk in order to save one (or two) people from drowning (or from dying in a burning building). But if I can rescue the two canoeists, or the drowning toddler, if I can save a life or two at minimal risk and cost to myself, it seems uncontroversially true that I ought to; it would be wrong not to. And in Rescue Cases, I ought to try to save as many as I can (at whatever risk and cost is reasonable). It would be wrong to rescue the lone canoeist if I could just as easily and safely

rescue the two. To save only one would be to allow gratuitous harm (Pummer, 2016).

Effective altruists argue that in deciding whether to send my extra \$2000 to Charity A or Charity B, I should try to figure out which charity does the most good (and often that involves which one saves the most lives at the lowest cost). Let's suppose that I could give the money to any of the following charitable organizations:

- (1) PSI (Population Services International (which fights malaria by distributing insecticide-treated bednets);
- (2) Habitat for Humanity (for its work both in the United States and abroad);
- (3) Big Brother Mouse (which writes, illustrates, prints, and distributes free books to children in Laos); or
- (4) Big Brother Mouse for a one-year scholarship (including room and board) for high school graduates in Laos.⁵

PSI says that each bed net it purchases and distributes costs \$4.00. Does that mean that with an extremely modest \$20.00 contribution, I can save five lives (or more, since a whole family may be able to sleep under one bed net)? Leif Wenar cites research by GiveWell that arrives at a much higher cost: "donors can save a life that would not otherwise be saved through donations to PSI of between \$623 and \$2367. GiveWell settles on \$820 as a reasonable estimate" (Wenar, 2010, p. 22).

Suppose that's right. It seems clear that supporting Habitat for Humanity, or sponsoring books for Laotian children, would not (reliably) save any lives. If we are obligated to do the most good possible, it seems that it would be wrong for me not to give my money to PSI for bed nets (or to some other equally efficient humanitarian organization).

An effective altruist could easily acknowledge that judgments of comparative goodness are often not easy. One proponent concedes that in many cases, there is no best act. Instead, there may be only an "upper set" of acts, such that any act in this upper set is better than any act outside it, and such that those acts within the upper set are roughly equally good, on a par, or incommensurable--or perhaps it is indeterminate how acts in the upper set rank in comparison to one another, or we are utterly clueless as to how they do. Arguably, such cases are especially likely to arise in the context of giving to charity, as many charitable causes are difficult to compare. Thus, there may be no best charity, but only an upper set of charities (Pummer, 2016, p. 85).

I agree that in some cases the goodness of the different outcomes is indeterminate or incommensurable. This is especially true if we are comparing the goodness of saving, say, one life compared to the goodness of preventing many cases of blindness. But not always. Suppose I could write a check either to Charity A which distributes a relatively expensive medicine (each life-saving dose costs \$2.00) or to Charity B which distributes a less expensive medicine for a different disease (each life-saving dose costs only \$1.00).⁶ Would it be wrong for me to favor Charity A rather than Charity B? The 1000 deaths I failed to prevent by supporting Charity A instead of Charity B are (what I shall call) gratuitous deaths.⁷

But that can't be right. Surely it cannot be wrong to contribute to the fight against the more recalcitrant disease just because the drugs to fight it are more expensive than the drugs to fight the more easily treated disease. It would be absurd to say that no one should try to fight diseases that are more expensive to prevent or cure until the more easily prevented diseases are eradicated,⁸ or that I ought to donate \$2000 to PSI (because I can thereby save one or two lives) rather than contribute to the roughly \$400,000 that it costs for a lifetime treatment of someone with AIDS (or to the \$100,000 it costs for a year's worth of cancer drugs for one person) (Choueiri, 2017).

I agree that in Rescue Cases, we should try to maximize the good we can bring about (which usually involves minimizing the harm—minimizing the number of deaths). If we must choose, we should save the two people who fell out of the first canoe instead of the one person who fell out of the other canoe. But there is no such obligation in what I shall call philanthropy cases, the paradigmatic example of which is donating money to charitable organizations like Oxfam. What, then, is the difference? Why not follow Peter Singer and think of donating to PSI on the model of rescuing the drowning toddler (Singer, 1972)? If I could, but do not, donate \$800 to PSI, why isn't that morally equivalent to allowing the toddler to drown?

I shall argue that we ought to distinguish between two different kinds of duties: the duty of (easy) rescue, on the one hand, and the duty of beneficence, on the other hand. The duty of (easy) rescue is exemplified by cases like the toddler drowning in a shallow pond: if I can rescue the child at little or no risk or cost to myself, I ought to do so. It would be wrong not to. Perhaps the toddler has a right to be rescued (if there is someone who is able to do so), perhaps not. In either case, there is an individual duty—a duty that falls on any individual who happens to be able to save the child. I agree that if two toddlers have fallen into the pond and I can easily rescue both of them, it would be wrong not to.

Turning to the duty of beneficence, a popular (if clichéd) example is giving spare change to a homeless person: that person has no right to anything from me, but I ought to perform that kind of act—an act of generosity. But in deciding where to send my \$2000, I am thinking about global poverty, and the hundreds of thousands who die from malaria each year,⁹ and the lack of educational opportunities for millions of children (especially girls). Some will say that sending \$2000 to any of those organizations is an act of generosity and no one has a right to my generosity. But let's raise the bar. I suggested above that the toddler drowning in the pond might have a right to be rescued. Let's now suppose that there is a right to subsistence—a right to a minimally adequate standard of living.¹⁰ On this supposition, does it follow that I ought to try to do as much good as possible with my \$2000 contribution (and, specifically, that I ought to try to save as many lives as possible)? I think not. The right to subsistence does not give rise to individual duties (like the duty of (easy) rescue does); rather, it gives rise to collective duties which do not generate individual duties in the way that effective altruists suppose they do. Here are my arguments.

First, the Imperceptibility Argument. Garrett Cullity argues that we should reject the Life-Saving Analogy—between saving the drowning toddler and sending money to, say, Oxfam. He argues that, if I do not donate my \$2000 to Oxfam for famine relief, no one will be worse off.

Had I refrained from making my donation, no one would have failed to receive food: the available food would have been spread a little more thinly across everyone. And only very slightly more thinly. If there are a thousand people in the camp, their each receiving a thousandth of a food ration more or less each day will not make much difference. Indeed, the effect of this increment of food upon a person's hunger and health is likely to be imperceptible (Cullity, 1996, p.54).¹¹ Cullity calls this the Imperceptibility Objection and concludes that it defeats an extremely demanding individual duty to contribute to aid agencies.¹² Instead, since the good that our contributions do collectively is not imperceptible, there is a relatively demanding collective duty. I agree.¹³ The problem now is how to figure out what collective duties imply about the duties of individuals. Let's consider some examples.

Suppose that children have a right to an adequate education,¹⁴ but the Gotham City public schools are woefully underfunded, and Gotham's children do not receive the education to which they have a right. This right, I would argue, correlates with a collective duty. The fact that the children have this right does not give them any direct

claim against me (for example, that I tutor some of them after work).¹⁵ Their right to an adequate education does not correlate with a duty against me in the way that their right not to be kidnapped does correlate with my duty not to kidnap them.¹⁶

Who, then, are the duty-holders?¹⁷ The answer: the citizens, or taxpayers, of Gotham City, or of the Commonwealth of Gotham, or perhaps the United States. The citizens are collectively obligated to do what is necessary to provide an adequate school system. This can include voting for a school bond, or for a new school board, or to increase property taxes, or to work for a more equitable way of funding public schools. But no citizen is obligated to become a teacher.¹⁸

Suppose there is a right to (physical) security.¹⁹ That right does correlate with various individual duties (e.g., not to assault or kill), and it does impose a duty of easy rescue. But for the most part we have socialized the burden of fulfilling this duty: we pay some people (the police) to try to ensure that our right to security is fulfilled (Smith, 1990, p. 21). If the police force needs to be expanded, my obligation is not to volunteer (in whatever way would be appropriate and helpful), but to support (e.g., by voting for) a larger budget for the police department. We often fulfill our collective duties by paying other people to protect the rights in question. It is more effective (many of us would be poor police officers, or soldiers, or elementary school teachers) and it is less burdensome.²⁰

Return now to the right to subsistence.²¹ Who has the correlative duty (or duties)? Obviously, governments have a duty to try to ensure that the rights of their citizens are fulfilled. But if governments fail to fulfill their obligation, who has the back-up obligation? Does it default to the affluent individuals in that country (or in other countries)? I think not. The collective duty to ensure that this right is fulfilled does not decompose in that way. To return to the first example: Suppose that if each Gotham taxpayer paid \$5000 annually, that would be sufficient to finance an adequate school system. If most taxpayers do pay \$5000 (because it is legally required), then Robin's payment will not be futile,²² and he is morally obligated to pay it. But suppose each taxpayer is legally required to pay only \$4000. In that case, I contend, Robin is not morally obligated to pay an additional \$1000. He is not obligated to make up the difference.²³ The duty to finance an adequate school system is a collective duty, and it does not decompose in that way. Similarly, the right to subsistence imposes a collective duty (on government, and on affluent people), but if they default, no one has an individual duty

to (try to) bring any given poor person up to subsistence level, e.g., by giving to GiveDirectly.²⁴

So what do collective duties demand of individuals? I contend that they give rise to (what philosophers call) imperfect duties. Beneficence is the paradigmatic example of an imperfect duty. John Stuart Mill explained it as the duty to perform a particular kind of action – beneficent actions – even if no particular beneficent action was morally required. Immanuel Kant explained imperfect duties as duties to adopt and promote certain ends (which he called obligatory ends).²⁵ I would argue that in addition to the happiness of others (which is the object of the duty of beneficence) there is another obligatory end: the rectification of injustice. In addition to the perfect²⁶ duty not to act unjustly, not to violate the rights of others, there is also an imperfect duty to make it one of our ends that injustices are rectified and wrongs are righted. If global poverty is unjust,²⁷ or if the lack of adequate schools in Gotham City is an injustice, or if it is unjust that innocent people are punished, then I have an imperfect duty to fight those (and other) injustices (just as I have an imperfect duty of beneficence).

Neither of these imperfect duties has priority over the other (certainly not lexical or absolute priority²⁸). Suppose I would save one life by donating \$800 to PSI, or I could donate that amount to the Innocence Project (where my contribution would do an imperceptible amount of good). I contend that I am morally free to send my money to either organization. If I am justified in supporting the Innocence Project, it is not because overturning an injustice (or that particular kind of injustice) is more important than saving a life; if I may send it to PSI, it is not because my money does more good than if I send it to the Innocence Project. Rather, I have two obligatory ends and I have a morally free choice to decide which to promote.²⁹

Remember our original question: If I am willing to pay or absorb the cost of bringing about the lesser good, why am I not obligated to promote the greater good at the same cost? If I am willing to give \$2000 to charity, why am I not obligated to pick the charity that will do the most good?

Cullity's Imperceptibility Objection entails that it is not true that failing to send money to, say, UNICEF, is analogous to allowing a toddler to drown in a shallow pond. The good that results from such contributions is often imperceptible, and for that reason Singer's Life-Saving Argument fails. No villager is worse off if I donate to AIDS research, or to the Environmental Defense Fund, or to the Innocence Project, instead of donating to Oxfam for famine relief. Insofar as the

good I do is imperceptible, not donating is not morally equivalent to allowing someone to die (e.g., by not rescuing the drowning toddler). That is one argument for distinguishing rescue cases from philanthropy cases.³⁰

But what about cases where the good is not imperceptible? Suppose that Melinda (a multimillionaire) could give \$10,000,000 either to the Humane Society to build more no-kill shelters, or to PSI to distribute over two million bed nets. Presumably the good she does in both cases is not imperceptible—even if no one else donated to either organization, her contribution would do much good. But to justify choosing the Humane Society instead of PSI, Melinda need not argue that saving the lives of cats and dogs is more important than saving the lives of human beings (or that the good of saving the lives of thousands of cats and dogs is greater than the good of saving many fewer human beings).³¹

Nor need she argue that these goods are incommensurable. If we had a choice between saving one dog (or even ten dogs) from being run over and killed and saving a child from being run over (killed or not), most people would agree we ought to save the child. But that is a rescue case where we should try to maximize good consequences (or minimize bad consequences) (and I am assuming—for the sake of argument—that preventing a person from being killed (or even seriously injured) is a better outcome than preventing one (or ten) dogs from being killed). My point, then, is that even when the goods are commensurable and perceptible, there is no such obligation in non-rescue (i.e., philanthropy) cases.³²

Is it really true that the generous Melinda has the moral freedom³³ to donate to the Humane Society instead of to PSI, even if we grant that the latter does more good than the former with her \$10,000,000? That is precisely what the effective altruist denies. I have several replies.

First, if Peter and Barry are morally free to dedicate themselves (or their *pro bono* legal work) to exonerating the wrongfully convicted, rather than to some other legal activity that would do more good (overturning convictions is extremely costly and time-consuming) and even if the good they do each day (or probably each month or even year) is imperceptible (whereas they could do perceptible good doing something else, e.g., as public defenders), then they are surely also morally free to form an organization (the Innocence Project) for that same purpose, even if the good it brings about is perceptible. And if Peter and Barry are morally free to form an organization devoted to the lesser good,³⁴ then other individuals are morally free to support their organization, even if their donations (either

individually or collectively) would do more good if directed elsewhere.

Second, in the "Postscript" to his classic article, "Famine, Affluence, and Morality," Peter Singer says that "assistance with development, particularly agricultural development," as opposed to direct famine aid, "is usually the better long-term investment" (Singer, 1999).³⁵ But why should we have to choose? What made Singer's original example – the toddler drowning in the pond – so compelling was the urgency of the toddler's plight. But people who are starving, or who have been left homeless by a natural disaster, are also urgently in need of assistance. Singer (or the effective altruist) should therefore conclude that it is wrong to spend any money on famine relief (if that is less effective than long-term development or population control). But that cannot be right. The right answer (with which Singer surely agrees) is that we ought to do both: we ought to fight famines and we ought to support long-term development (and, as Singer mentions, population clinics). We ought to help those suffering from hurricanes and earthquakes (and famines) even if it is true that, in the long-term, we could save more lives by using that money to establish family planning centers and to fight desertification.³⁶ But this is a collective duty. We (e.g., affluent people and our governments) ought to provide assistance when famines occur, and we ought to assist agricultural development, and we ought to support population control. But I as an individual am not obligated to try to promote any one of those ends, nor all of them. I am morally free to contribute it to one organization (ignoring all others) or to many.

In contrast to rescuing the drowning toddler, my sending \$2000 to Oxfam will not prevent anyone from starving, nor will it make a perceptible contribution to long-term development (nor will it prevent any unjust executions if sent to the Innocence Project). That is why my individual duty differs from what it is in rescue cases. The rights in question – the right to subsistence as well as the rights to an adequate education and to security – generate only collective duties,³⁷ and these impose on individuals imperfect duties to promote the two obligatory ends (the happiness of others and the rectification of injustice). The fact that there are many injustices standing in need of rectification gives individuals the freedom to decide which injustice to fight (e.g., by financial contributions, or by volunteer work, or by working for an aid agency). There is no reason to think that they ought to donate (equally?) to fighting all of them (if that even makes sense); for one thing, the good done by their individual contribution would be even more imperceptible. Individuals are morally free to concentrate their efforts on one

particular injustice (whether they think it is the worst injustice or not). Their obligation is to promote the two obligatory ends. There is no reason to prioritize one over the other. Even if (as is widely – and rightly – believed) we may not violate someone’s rights in order to promote the happiness of others, it does not follow that fighting injustice has priority over trying to prevent harms that are not unjust. It is (typically) not unjust that people get cancer, but that does not mean it is not important to fight cancer, and fighting cancer – e.g., by supporting cancer research – need not take a backseat to fighting injustices. (Even if smokers who develop lung cancer are completely responsible for their cancer (even if, for example, there had been no social pressure to start smoking in junior high school), it does not follow that we ought to devote research dollars to fighting only diseases that are not, in that sense, voluntarily contracted.)

Conclusion

I conclude, then, that, holding the cost (or risk) to ourselves constant, we are not obligated to (try to) do the most good with our charitable contributions. I am justified in donating my \$2000 to the Humane Society instead of the Innocence Project, or to the Mercy Corps instead of the Sierra Club, or to Habitat for Humanity instead of the Red Cross, without worrying about whether the disfavored organization would do more good with the money. As long as my donation promotes one of the obligatory ends – the happiness of others³⁸ or the rectification of injustice – it doesn’t matter whether another organization could have saved more lives (or done more good). In these philanthropy cases, there is nothing wrong with deliberately choosing to bring about the lesser good.

References

Big Brother Mouse (2016). Retrieved 2017 September 10 from (<http://www.bigbrothermouse.com/download/BigSisterMouse2016.pdf>).

Big Brother Mouse (2017). Retrieved 2017, September 19 from <http://www.bigbrothermouse.com/donate.html>

Centers for Disease Control and Prevention, “HIV Cost-Effectiveness.” Retrieved 2017, September 10 from <https://www.cdc.gov/hiv/programresources/guidance/costeffectiveness/index.html>

Choueiri, Michael, “Cancer drug prices as high as a Ferrari – per year!” Retrieved 2017, September 10 from <http://cancerdocs.org/blog/cancer-drug-cost-ferrari/>

Cullity, G. (1966). The Life-Saving Analogy. In William Aiken and Hugh LaFollette (Eds.), *World Hunger and Moral Obligation* (2nd edition, p. 54). Upper Saddle River, N.J.: Prentice-Hall.

Effective Altruism. Retrieved 2017, September 11 from <http://www.effectivealtruism.org/>

Feldman, F. (1999). Comments on Living High and Letting Die by Peter Unger, *Philosophy and Phenomenological Research* 59(1), 195-201.

GiveDirectly. Retrieved 2017, September 11 from www.givedirectly.org

Herman, B. (1993). Mutual Aid and Respect for Persons. In *The Practice of Moral Judgment*. Cambridge, Mass.: Harvard University Press.

Herman, B. (2001). The Scope of Moral Requirement, *Philosophy & Public Affairs* 30(3), 227-256.

Kant, I. (1991). *Metaphysics of Morals*, trans. Mary Gregor). Cambridge: Cambridge University Press.

Kant, I. (1981). *Grounding for the Metaphysics of Morals*, trans. James Ellington. Indianapolis, Ind.: Hackett Publishing Company.

McMahan J. (forthcoming). Doing Good and Doing the Best. In P. Woodruff (Ed.), *Philanthropy and Philosophy: Putting Theory Into Practice*. Oxford: Oxford University Press.

Mill, J.S. (2001). *Utilitarianism*. (2nd Ed.). Indianapolis, Ind.: Hackett Publishing Company..

O'Neill, O. (1996). *Towards Justice and Virtue*. Cambridge: Cambridge University Press, 1996.

Open Philanthropy Project. Retrieved 2017, September 11 from <http://www.openphilanthropy.org/>

Pummer, T. (2016). Whether and Where to Give. *Philosophy & Public Affairs*, 44(1), 77-95.

Schackman, B. et al. (2015), The Lifetime Medical Cost Savings from Preventing HIV in the United States. *Med Care* 53(4), 293B301. Retrieved 2017, September 10 from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4359630/#R22>).

Shue, H. (1996). *Basic Rights* (2nd ed., pp. 63-64). Princeton, N.J.: Princeton University Press.

- Singer, P. (1999, September 5). The Singer Solution to World Poverty, *The New York Times Magazine*, pp. 60-63.
- Singer, P. (1972). Famine, Affluence, and Morality. *Philosophy & Public Affairs*, 1(1), 2 29-243.
- Smith, P. (1990). The Duty to Rescue and the Slippery Slope Problem. *Social Theory and Practice*, 16(1), 19-30.
- Unger, P. (1996). *Living High and Letting Die*. Oxford: Oxford University Press.
- Universal Declaration of Human Rights. Retrieved 2017, September 10 from <http://www.un.org/en/universal-declaration-human-rights/>
- Wenar, L. (2010). Poverty is No Pond: Challenges for the Affluent. In P. Illingworth, T. Pogge, and L. Wenar (Eds.), *Giving Well: The Ethics of Philanthropy* (p. 22). Oxford: Oxford University Press.
- World Health Organization (2016). 10 Facts on Malaria. Retrieved, 2017 September 9 from <http://www.who.int/features/factfiles/malaria/en/>,
- World Health Organization, "Land Desertification and Human Health." Retrieved 2017, September 12 from <http://www.who.int/globalchange/ecosystems/desert/en/>

Notes

¹I shall call these organizations 'charities' without meaning to imply anything about the nature of our obligation (if any) to support the work they do (or claim to do). It is just a convenient term.

²Or to Catholic Relief Services, Amnesty International, the Mercy Corps, the American Red Cross, the International Committee of the Red Cross, the NAACP, Habitat for Humanity, the Innocence Project, the United Negro College Fund, PETA, the Sierra Club, the Human NORights Campaign, the National Alliance to End Homelessness, American Indian College Fund, the Children's Defense Fund, Americans United for Separation of Church and State, the Family Violence Prevention Fund, the National Organization for Women (NOW), the Mexican-American Alliance, Nothing But Nets, PSI (Population Services International), the Against Malaria Foundation, Save the Children, etc.

³Effective Altruism, 2017, and Open Philanthropy, 2017.

⁴If the lone canoeist were my mother, or one of my children, that might affect the moral permissibility of saving the one instead of the two.

⁵"1900 U.S. provides a scholarship, including room and board, for a college-age student for the 2017-18 year. At our new Big Sister Mouse learning center, we're offering post-high-school education of a different sort: Not memorizing facts

from a teacher or textbook, but hands-on activities; thinking through ideas through reading, discussion, and writing; and taking on projects, such as devising and testing out ways to build interest in reading. A one-year scholarship supports a student (usually, but not limited to, recent high school graduates) through this program for 12 months" (Big Brother Mouse, 2017).

Big Brother Mouse also funds daily reading programs in schools in Laos (cost: \$600-\$1000). AWe'll go to a rural village and hold a book party at the school. We'll talk about books, read aloud, play games, and give 50 to 300 children a free book of their choice, often the first book they've ever owned. Then we'll leave another 80-100 books with every classroom so students can read every day. On average, we leave 500 to 900 books at every school (Big Brother Mouse, 2017).

⁶>From the Centers for Disease Control and Prevention: AThe lifetime treatment cost of an HIV infection can be used as a conservative threshold value for the cost of averting one infection. Currently, the lifetime treatment cost of an HIV infection is estimated at \$379,668 (in 2010 dollars)@ (Centers for Disease Control and Prevention, 2017). According to other researchers, AThe estimated discounted lifetime cost for persons who become HIV infected at age 35 is \$326,500 (60% for antiretroviral medications, 15% for other medications, 25% non-drug costs). For individuals who remain uninfected but at high risk for infection, the discounted lifetime cost estimate is \$96,700. The medical cost saved by avoiding one HIV infection is \$229,800. The cost saved would reach \$338,400 if all HIV-infected individuals presented early and remained in care. Cost savings are higher taking into account secondary infections avoided and lower if HIV infections are temporarily delayed rather than permanently avoided (Schackman et al, 2015, p. 293).

⁷According to a UNAIDS Fact Sheet, A1 million [830 000B1.2 million] people died from AIDS-related illnesses in 2016. 76.1 million [65.2 millionB88.0 million] people have become infected with HIV since the start of the epidemic. 35.0 million [28.9 millionB41.5 million] people have died from AIDS-related illnesses since the start of the epidemic@ (UNAIDS Fact Sheet).

Given how little it costs to save one life by the use of bed nets (about \$800), it would seem enormously inefficient to spend any money on treating people with AIDS as long as anyone lacks access to bed nets.

I agree with Pummer that the good brought about by donations to charities may be indeterminate (too much depends on what other people do) and the goods may even sometimes be incommensurable (education vs. saving a life). But I think that the example of the two drugs shows that there are cases where the goods are neither indeterminate nor incommensurable. This is also a case where the good brought about by the less expensive drug is clearly much greaterBan additional 1000 lives savedBthan the good brought about by the more expensive drug.

I am not arguing that cost-effectiveness is completely irrelevant. If Charity B could make the life-saving dose for a particular disease at half the cost as Charity A, then obviously (*ceteris paribus*) it would be wrong to support Charity A instead of Charity B.

⁸If the more expensive disease is fatal and the less expensive one is not, then complicated questions arise about the metric for comparing them. Pummer could say that the harms are then incommensurable and so we are permitted to contribute to either medicine. My reply is, first, that even when the harms are commensurate (e.g., when both diseases are fatal), we are not obligated to maximize the good (or minimize the harm), and, second, that the more we allow that harms are incommensurable, the less demandingBand the less interesting--the injunction (to try) to promote the best

consequences.

⁹According to the World Health Organization (as of December 2016), ANearly half of the world's population is at risk of malaria. In 2015, there were roughly 212 million malaria cases and an estimated 429 000 malaria deaths. Increased prevention and control measures have led to a 29% reduction in malaria mortality rates globally since 2010. Sub-Saharan Africa continues to carry a disproportionately high share of the global malaria burden. In 2015, the region was home to 90% of malaria cases and 92% of malaria deaths@ (World Health Organization, 2016).

¹⁰Article 25 of the Universal Declaration of Human Rights: AEveryone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.@"

¹¹The full passage reads: ASuppose that, in response to a distant food crisis, I donate enough money to an aid agency to sustain one person for its likely duration. What will the effect of my donation be? Hopefully, it will enable the agency to buy more food. But the extra food bought with my money will not be used (nor would it be proper for it to be used) to feed one extra person. It will be sent to a food distribution camp, and shared among the hungry people there. Had I refrained from making my donation, no-one would have failed to receive food: the available food would have been spread a little more thinly across everyone. And only very slightly more thinly. If there are a thousand people in the camp, their each receiving a thousandth of a food ration more or less each day will not make much difference. Indeed, the effect of this increment of food upon a person's hunger and health is likely to be imperceptible. (Even for those people whose bodies have a fairly definite threshold with regard to malnutrition--so that at a certain level of food intake, reducing it only slightly will put them suddenly in a precarious state--it is unlikely to be my non-contribution which makes this difference, rather than, for instance, the method of food allocation at the camp.) This is not to deny that contributors to aid agencies collectively make a significant difference to the destitute. But I do not make such a difference. Any hungry person should be quite indifferent to whether I donate or not. Indeed, notwithstanding my far greater wealth, I probably lose more by making such donations than anyone gains from them. Let us call this the imperceptibility objection@ (Cullity, 1996, p. 54).

¹²Cullity has in mind Singer's principle: in the weaker form, Aif 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,@ and in the stronger form: Aif it is in our power to prevent something very bad from happening, without thereby sacrificing anything morally significant, we ought, morally, to do it@ (Singer, 1972, p. 231).

¹³Cullity defends the Aggregative Conclusion: ACeasing to contribute to aid agencies will only be permissible when I have become so poor that any further contribution would make my total sacrifice greater than can be demanded of me to save other people's lives@ (Cullity, 1996, p. 62).

Second, I am agreeing that the duty is a collective duty, not necessarily that it is a >relatively demanding= duty. My argument is only that, given whatever sacrifice I am willing to make (in philanthropy cases), I am not obligated to try to maximize the good that that sacrifice (contribution) brings about.

¹⁴Article 26 of the Universal Declaration of Human Rights: AEveryone has the right to education. Education shall be free, at least in the elementary and

fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.¹⁵

¹⁵Notice that, since I cannot tutor all of them, only some of them could have that right. That would be a very peculiar right.

¹⁶Barbara Herman writes: ANot every moral failure that calls for remedy warrants a response of the same kind. Failures of the educational system in our own community don=t burden us to teach, or repair classrooms, though they do burden us with some responsibility for the unmet need@ (Herman, 2001, p. 249).

¹⁷Onora O=Neill warns against the failing to assign duty-holders to rights-holders: AAny right must be matched by some corresponding obligation, which is so assigned to others that right-holders can in principle claim or waive the right. . . . Unless obligation-bearers are identifiable by right-holders, claims to have rights amount only to rhetoric@ (O=Neill, 1996, p.129).

¹⁸For the most part, Americans do not rely upon volunteers: we pay people to fulfill our collective duties for usBwe pay our teachers, police officers, doctors, and soldiers. That we have an imperfect duty to (try to) ensure that each child has access to an adequate education does not entail that anyone has an imperfect duty to become a teacher, whether volunteer or paid. The sacrifice would be too great. If we need teachers in order to fulfill our collective duty, we must pay them. Our collective duty is to be willing to pay whatever is required to attract sufficient teachers.

While paying taxes is (setting aside all the necessary qualifications) a perfect duty, the imperfect duty to fight injustice can be fulfilled in many ways, none of which need involve any given individual focusing on any given injustice.

¹⁹Article 3 of the Universal Declaration of Human Rights: AEveryone has the right to life, liberty and security of person.@

²⁰Henry Shue recognizes the problem: Athe burdens connected with subsistence rights do not fall primarily upon isolated individuals who would be expected quietly to forgo advantages to themselves for the sake of not threatening others, but primarily upon human communities that can work cooperatively to design institutions that avoid situations in which people are confronted by subsistence-threatening forces they cannot themselves handle@ (Shue,1996, pp. 63-64).

²¹Shue writes: ASubsistence rights are universal@ but Ait does not follow that toward every person with a right to subsistence, every other person bears all three kinds of duties. It does seem necessary that every person should fulfill toward everyone the duty to avoid depriving, or that duties of avoidance are universal. But none of the other duties appears to be universal, and for each of them we would indeed need a principle for assigning responsibility@ (Shue,1996, p.120). Shue=s argument is that to every (basic) right, there are three correlative duties: to avoid depriving others of their rights, to protect them from deprivation, and to aid the deprived (Shue, 1996, p. 60).

²²The worry is that if 100,000 each pay \$5000, a particular good can be realized, but no good (or no perceptible good) will result from Robin paying \$5000 if no one (or hardly anyone) else pays anything.

²³It is likely that if everyone paid \$4000, that would generate enough money for a functioning school system, even if it was underfunded. If Robin paid an extra \$1000, it might make a minimal (and imperceptible) difference, but it would not be

wasted as it would be if no one else paid anything. But it would be unfair to require (morally, not legally) him to pay more than others are required to pay.

²⁴GiveDirectly, 2007.

²⁵Mill, 2001, pp. 47-48; Kant, 1981, Ak. 424; Kant, 1991, Ak. 387-388.

²⁶Perfect duties include the familiar duties not to kill, torture, steal, kidnap, etc. They are >perfect= in the sense that they can be completely (or perfectly) fulfilled. As long as I do not kill, I have completely fulfilled that duty. Beneficence is an imperfect duty in the sense that it cannot be completely fulfilled. No matter how much I promote the happiness of others, there is more that it is possible for me to do. I would argue that the duty of (easy) rescue is a perfect duty. Once I have rescued the drowning toddler (and turned him over to the EMT or the police), I have fulfilled my duty.

²⁷For my purposes, it does not matter whether global poverty is unjust (calling for rectification) or falls under the duty of beneficence. It falls under an imperfect duty in either case.

²⁸If one duty had lexical priority over the other, then it would be wrong to (try to) fulfill the latter until the former had been fulfilled. If the duty to fight injustice had lexical priority over the duty of beneficence, then it would be wrong to spend money on cancer research until all injustices had been rectified. That would be a prescription for never fighting cancer.

²⁹I concur with what Fred Feldman writes: A[Peter] Unger repeatedly asserts that well-to-do folks like us have a duty to help decrease a certain kind of evil (death among Third World tykes), but he apparently does not think that we have any duty to help decrease other sorts of evil (e.g., racial injustice, genital mutilation, ethnic cleansing, slavery, terrorist bombings, destruction of the environment, drug addiction, homelessness, etc.). What justifies the exclusive focus on one sort of evil at the expense of all others@ (Feldman, 1999, p. 199).

³⁰Early in Living High and Letting Die, Unger states (omitting important qualifications): @she must do a lot for other innocent folks in need, so that they may have a decent chance for decent lives@ (Unger, 1996, p. 12). But for most of us, our contributions to aid agencies will not give anyone a decent chance for a decent life. It is false that if I donate my \$2000 to the Innocence Project instead of CARE, someone has been deprived of >a decent chance for a decent life.= (Nor have I appreciably increased anyone=s chances of being exonerated after an unjust conviction.) Of course, if I rescue the drowning toddler, that does not necessarily give the child a >decent chance for a decent life.=

³¹If Melinda chose to give \$10,000,000 to the Humane Society instead of the Innocence Project, she need not argue that saving the lives of thousands of cats and dogs is more valuable than saving the lives of a handful of innocent human beings who have been wrongly convicted.

³²I agree with Jeff McMahan that if, having entered a burning building, we have a choice between saving a bird (the lesser good) and a person (the greater good), we ought to save the person. But that is because this is a rescue case. It does not follow that it is wrong for me to send my \$2000 to the Humane Society instead of, say, the Mercy Corps. (See McMahan, forthcoming)

³³No one denies that we should be legally free to donate to the charities of our choice.

³⁴I realize that I am in danger of begging the question. Suppose that, as skilled and conscientious public defenders, Peter and Barry would prevent 100 people from being unjustly convicted and imprisoned (for less than ten years each). Would they thereby do more good than if they prevent one innocent person from being executed? Fortunately, I need not decide this question since I am arguing that they have no obligation to try to maximize the good they do. If pressed, I would argue that the goods (and harms) are incommensurable. The good of exonerating one innocent person on death row is neither a greater nor a lesser good than the good of preventing (by diligent legal work) 100 innocent people from ten-year prison sentences. And the good of exonerating (only) several hundred unjustly-convicted prisoners (over a thirty-year period, as the Innocence Project has done) is neither a greater good nor a lesser good than the good of saving the same (or a much greater) number of people from dying from malnutrition or disease. They belong on different scales (like colors and sounds).

But suppose Peter and Barry could either work as public defenders (and prevent 100 innocent people from being wrongly sentenced to prison (for, say, ten years each) or they could work to overturn the unjust convictions of people sentenced to life imprisonment. The latter is probably the less efficient use of resources (so it is the lesser good), but both are (or would be) injustices, and I am arguing that they are not obligated to try to rectify the worst injustices.

³⁵Singer also emphasizes the importance of population control (apparently agreeing with those who regard assisting population control as a more effective way of preventing starvation in the long run@).

³⁶World Health Organization (2017)

³⁷I am not denying that these rights do generate (or correlate with) some individual duties. The right to security does have direct correlative individual duties (e.g., not to kill or kidnap other people). My focus at this point is on what duties are generated when these rights have been violated or left unfulfilled.

³⁸The happiness of others@ needs to be more specific. Perhaps the duty of beneficence should be limited to true needs.@ (See Herman, 1993)