

## Taurek's Three Arguments

Taurek is trying to show that we are under no moral requirement to save five people rather than one where not all six can be saved and where there is a moral requirement to save someone. The mere fact that one group contains more people does not require us to save its members in preference to the other, smaller (one-member) group. Thus "the numbers don't count," morally speaking. The apt thing to do might be, for example, to flip a coin, thus exhibiting equal concern by giving each of the six an equal chance.

### Charity versus Justice

Taurek doesn't put things quite this way, but the sort of moral requirement that interests Taurek is usually called a requirement of charity or benevolence. In cases of the type he considers, the truly "benevolent" or "charitable" person will of course save someone, and not leave everyone to die. The question is whether the charity or benevolence that leads her to save someone or other in such a case must also lead her to save the largest number.

Considerations of CHARITY or BENEVOLENCE are traditionally distinguished from considerations of JUSTICE. And just as we can speak of charitable or benevolent people we can speak of just people. The intuitive idea is that a charitable agent responds to peoples' needs; a just agent respects peoples' rights. Here is another way of looking at the matter: in a typical case for charity I am called upon to "positively aid" another; in a typical case for justice, I am required "negatively" not to harm another. (But there are atypical cases: justice requires me to "positively aid" some people to whom I have a "special relationship", e.g. my children, those to whom I have promised something, my parents, my patients, etc.: these special relationships give them rights in relation to me.)

If common sense morality is right, then a properly "moral" or "virtuous" agent will be both a benevolent and a just person. The aims of justice and charity can come into conflict and in such a case, it is usually reckoned that justice must

take first place. Both charity and justice fix my attention on the good of other people, but they do it in different ways.

Thus, for example, Foot would no doubt say that in her Scarce Drug case a charitable person will be moved by the plight of the one and by the plight of the five. But still the pull of the five will be stronger, so to speak; thus, as a charitable agent I should distribute the drug to the five. That, she thinks, is what charity or benevolence has to say about the matter. In Scarce Drug, requirements of charity, which are always a matter of "positive duties to aid," are the only requirements in view.

In Scarce Organs, though, the "pull" of the five on our charity or benevolence is impeded by considerations of justice which link us to the "one." The RIGHT of the one not to be killed – the "negative duty" placed on us not to harm – trumps the demands of charity. On balance, morality (here viewed as charity and justice taken together) requires me to lay off the "one's" organs and let the five die.

Here I am simply elucidating what we ordinarily and commonsensically think and what Foot thinks. A bold philosopher might reject the claims of either justice or charity or both.

An EGOIST, for example, would reject both justice and charity, saying that a man's business is to look after himself and his own good, not to get himself tied down with thoughts about the good of others. He is of course rejecting a moral point of view. We will consider such bold thoughts in the third part of the course.

A CONSEQUENTIALIST, or rather a utilitarian consequentialist, can be said to reject justice but not charity. For him charity or benevolence is the one great moral "virtue". Morality = Charity. Thus, for example, Smart says on page 309 that he is addressing himself to good hearted and benevolent people, taking it for granted that benevolence is the source of moral demands. Though he does not put it this way, the rest of the paper shows that he rejects considerations of justice. (Of course, since people foolishly believe in rules or principles of justice that might enter into the consequences of my act in some complicated way.)

On the other hand a philosopher might reject charity/benevolence and accept justice. We might call such a person a MORAL LIBERTARIAN. She thinks it her business to look after her own good, not that of others, but that she must do this within the limits posed by the rights of others – or equivalently within the limits of justice. Morality = Justice. She must not harm, but need not help others. (Unless, again, there is some suitable “special relationship”: the other is my child or mother or patient, or someone to whom I have promised something, etc.)

Anscombe and Foot implicitly accept that both charity and justice place moral requirements on us. That is a way of summing up their claims. It is clear that Taurek thinks this as well. But his interest in this paper is in the nature of the requirements of charity or benevolence. Considerations of justice come up in the course of his argument, but his thesis – the conclusion of the argument – has to do with benevolence all by itself.

## The Argument from David (295-299)

Taurek’s opponent is someone who thinks that the numbers count in cases like Foot’s Scarce Drug – that we should save the five not the one and in general the many, not the few. Such a person will often allow exceptions, at least if his views are close to those of “common sense morality.” Cases in which an exception might be made, and the one favored over the five would be:

[(1)]The five may be especially losing in some morally interesting sense. For example, they may be drooling half-vegetable centenarians. Or the one may be especially winning in some respect – she is about to find the cure for cancer or something. Smart, Foot and Anscombe alike could recognize exceptions like this. As we have seen, the agent may have a debt in justice, or be under a requirement of justice to save the one. The one might be the agent’s mother, his daughter, his own patient, his past benefactor, someone with whom he has entered into a contract (e.g. to be his lifeguard), etc. These “special relationships” might be thought to give the one a RIGHT to the agent’s assistance, so that she will be “wronged,” or “done an injustice”

if the agent turns his back on her. Though “positive duties to aid” people typically belong to charity/benevolence, where such special relationships exist, we put them under the heading of justice. I owe it to my mother to rescue her even where I could rescue six others if I were to let her die. Foot certainly accepts such exceptions, though Smart would not (unless they somehow affect other peoples’ thoughts and thus later on affect the number of people who are saved, etc.)

In such cases, then, some of Taurek’s opponents won’t go by the numbers: their dispute with Taurek will only clearly arise where (1) the six potential victims are all alike in their own characteristics (old, young, etc.) and (2) all six victims are alike in their “special relations” to the agent who must choose whom to save – none has any special Rights against him.

Now, Taurek’s first argument starts from the natural tendency to recognize a third exception that a Number-Counter might make. Suppose that ...

[(1)]The single person, unlike the five, is someone the choosing agent knows and likes. This is how it is with David.

Taurek’s first argument is addressed to someone who makes that exception, thinking it is okay to save him.

The argument might be spelled out more or less as follows.

1. [1.]

IF charity requires us to save the five in the case where all six are strangers (and equal in “value”) but in a case like that of David, whom we know and like, we are nevertheless PERMITTED to save David, THEN this can only be because the facts about us and David produce an opposing REQUIREMENT to save David.

1. [1.]

We are PERMITTED to save David, whom we know and like. (This is Exception 3)

2a [1.]

We are not nevertheless REQUIRED to save David.

3a [1.]

SO: In the case where all six are strangers, we are NOT REQUIRED to save the five – i.e. the numbers don't count.

That is, if merely “knowing and liking” someone is enough to cancel a supposed moral requirement to save the five (the requirement that's supposed to exist in the all-strangers case), then this supposed moral requirement must be “feeble indeed” (p. 298 top).

This argument has three premises, and is logically valid; if, then, we don't like the conclusion, we must reject one of the premises.

You might object to Premise 3, saying that I am under a requirement to save David. In that case, the fact that I “know and like” David will be akin to such possibilities as that I am David's son or David's father, or David's doctor, or have contractually agreed deliver the drug to David, etc. That is, I would be in a “special relationship” with David that triggers considerations of justice. But Taurek has skillfully chosen the case of David so that this should not be the case. It would be different if Taurek had said that David is my friend: friendship goes a little further and might be thought to set up a justice-relationship between us. Friends owe each other assistance, they have rights against one another. But David is just someone I know and like - the mailman, my old philosophy teacher - and the others are strangers. I care more about David and it doesn't seem to be wrong for me to show this in such a case.

If that's all it takes to kill the supposed “requirement” to save the five, then there cannot really be a requirement to save the five.

Since some people will reject Premise 2 (i.e. exception three), Taurek produces another argument to attract them to his No-Numbers position. People who accept Premise 2 should already be convinced, Taurek thinks.

The Accomplice Argument (299-301)

Suppose now a different sort of case – the poor agent who must “choose between the one and the five” is HIMSELF the “one.” So, for example, David owns all of the drug himself, and can save himself only by drinking all of it. But he could give a fifth to each of the five and save them in preference to himself. Then it is natural to think

4a [1.]

The one (David, say) is under no obligation either of charity or justice to save the five rather than himself if he can – i.e. it is morally permissible for him to save himself if he can.

Taking this as a premise, Taurek's argument may be developed as follows:

1a [1.]

If it is morally permissible to do something for oneself, where that is possible, then it is also permissible to do the same thing with another's assistance, where only that is possible.

2a [1.]

SO: It is permissible for the “one” and a third party together to save the “one,” where that is the only way the “one” can be saved.

3a [1.]

If it is permissible for the “one” and a third party together to save the one, where that is the only way the one can be saved, then it is permissible for the third party simply to save the one, where that is the only way for the one to be saved.

4a [1.]

SO: It is permissible for a third party to save the one where that is the only way the one can be save - i.e. the numbers don't count.

Premise 2 is a general principle of “accomplice” as we might put it. A crime is a crime we might say – it doesn’t matter whether it is performed by one person acting alone or a group acting together. Similarly, a good deed is a good deed whether one or many perform it.

We might reformulate Taurek’s idea as follows. If it is bad for me to give David the drug, then it must be because it is bad of me-and-David-together to arrange for that. He and I are certainly in collusion in the case where I help him. I bring the drug to his house and he signs on by drinking it. But if it’s bad for me-and-David to help David in that way, wouldn’t it have to be bad for David to act that way by himself (as he could if he already owned the drug)? But it wouldn’t be bad for David to help himself if he owned the drug. So it can’t be bad for me to help him out where I have control of the drug.

## The Abstract Metaphysical Argument

We may view Taurek’s second argument as defending the second premise of the first argument, the one it was easiest to reject. David is permitted to save himself, of course. But how is that different from your helping him, at least if you know and like him?

We may view Taurek’s third argument as a defense of the second premise of the second argument - the principle that accomplices to a bad deed both act badly and would act badly if they could pull it off without help from the other.

Taurek’s point is that it is in the structure of charity that in acting charitably or benevolently, we are “taking the perspective” of the one we are assisting. Charity directs us from time to time to be the “accomplice” of other human beings in the pursuit of their good – the good the individual him- or herself pursues through prudent or rational action. Charity or benevolence is a virtue or moral excellence because it takes up the slack precisely where people are not themselves capable of doing what their prudence would direct them to do.

Taurek’s enemy, the number counter, would have to reject this view. He does not think of the charitable agent as adopting the perspective of the person being

helped. He has to think of the charitable agent as responding not to the possibility of a bad thing’s happening to Jones (say) – i.e., a bad thing from Jones’ point of view. Rather the charitable agent responds to the possibility of bad things happening simply – bad things “from the point of view of the universe” or “from an impersonal perspective.” Taurek denies that there is such a point of view – or if there is one, that charity involves taking it up.

Let us put the matter another way. The number counter has to think (a) “it is a worse thing for the five to perish than for the one to perish” and (b) “the charitable person tries to avert the worse thing.” But what do we mean when we say “it’s a worse thing”? Taurek thinks that if you try to get clear on what you might mean by such a phrase, then, though you might manage to make (a) come out true, (b) will come out false. Contrariwise, if I try to make (b) true – try to understand “worse thing” so that (b) is true – then (a) will come out false. (See, e.g. 306-7)

After all, sometimes we can make sense of a judgment like “it is a worse thing for five to perish than for one to perish”. We think this about lovely old trees, lovely old paintings, etc. In a museum fire I might rescue the five lovely old paintings in one room instead of the one painting in the other. So it would be reasonable to say something like (a). But if that’s how we’re thinking, we shouldn’t think (b) about the case. Saving fine paintings isn’t a work of benevolence or charity. In charity or benevolence I don’t think of people as if they were valuable things, valuable ingredients of the world. I empathize with the object of benevolence or charity. I take up his perspective.

That is, when I am moved charitably, I am moved by thoughts about what is “better and worse” for the agent I am helping. So there is a sense in which the death of the five is “worse” than the death of the one – it’s worse for each single one of the five. But the death of the one can also be said to be worse than the death of the five – it’s worse for the one. But there is no sense in which it is worse simply for the five to die. Or if there is, it has nothing to do with charity.