

Correspondence

*From Charles Fried
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There is a domain in which arguments of the sort advanced by John Taurek in "Should The Numbers Count?" are proof against the criticism offered by Derek Parfit in "Innumerate Ethics."¹ Parfit is willing to recognize that it is rational and moral to save my own arm—or the arm of my friend or family member—rather than the life of a stranger. Presumably Parfit also agrees that it is rational to choose a course of conduct which would mean saving my own life—or that of a friend or family member—rather than saving the lives of five strangers. What he disagrees with is the proposition that it could be moral to save the life of one person rather than the lives of five when all six are equally strangers to me and there are no other relevant distinctions between the two choices, such as the fact that saving the five is more costly or more hazardous.

Though Parfit eschews any explicit reliance on some crude utilitarian calculus it seems to me that the plausibility of his argument depends precisely on a crucial utilitarian premise: that there is no distinction to be made between obligation and supererogation. Once we make the (extremely plausible) assumption that some good deeds are obligatory while others are acts of supererogation and not obligatory, Taurek's argument, or at least a limited version of it, is valid for the

1. Taurek's essay appears in vol. 6, no. 4 (Summer 1977) and Parfit's essay appears in vol. 7, no. 4 (Summer 1978) of *Philosophy & Public Affairs*.

latter category. Take alternative *A* (saving one person) and alternative *B* (saving five persons). Let us assume that *both A* and *B* constitute acts of supererogation—perhaps because both acts involve personal sacrifices of a sort which any reasonable conception of duty would not impose. Now if both alternatives are supererogatory, then it follows that to fail to do either *A* or *B* or both is no failure of duty and cannot in any sense be called “morally deficient.” But if a failure to perform *A* or *B* is not morally deficient, then of course it follows that the failure to perform *B* while performing *A* also cannot be morally deficient, and thus we may conclude that there is a class of case in which all other things being equal it is *not* morally deficient to save one rather than five. And, of course, this class of case is extremely important. If you believe, as I do, that there are limitations on one’s duties of beneficence, on one’s altruism, and that any acts beyond those duties, while laudable, are supererogatory, then all acts within that very large and important range fits Taurek’s rather than Parfit’s analysis. Can we not say, however, that there will be circumstances such that saving the five is not only heroic (generous, whatever) but *more* heroic than saving the one? Perhaps, but of course it is implausible to say that one is morally deficient for being heroic, but not as heroic as he might be all things considered. It is just the point that there is a realm of evaluation (moral evaluation, I suppose) in which, though judgments of degree can be made, the person who attains a lesser degree of perfection is not for that reason morally deficient.²

(1) But even in the domain of the supererogatory, if everything else is really quite equal why should a man prefer saving one instead of five? If no more cost is involved and not even any vague inclination of taste or liking favor the one, is it not perverse to choose him and not the five? And is such perversity not morally deficient? Well, here I must yield, but only because the argument ceases to deal with any issues of significance. Of course the reason anyone would argue as Taurek or I do is that a moral agent will have *some* reason to choose *A* over *B*, only it is not a reason which he wants to have to account for as a moral reason sufficiently weighty to justify the loss of four

2. See my *Right and Wrong* (Cambridge, MA: Harvard University Press, 1978), pp. 172-176.

lives. Rather, the reason will have something to do with the kind of life the agent chooses to lead, his choice of a profession in which he can save lives, but only one-fifth as many as in some other professions, and so on. Finally I agree with Professor Anscombe that there can be bad reasons for choosing A over B (or B over A) such as that the favored group is richer or that the disfavored belong to a hated racial minority.³ All in all the issues are complex and Taurek's argument has the virtue of showing that the ethics is indeed, at least in part, innumerate.

From Derek Parfit
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I am puzzled. Consider

Case One: I could save either one stranger or five others. Both acts would involve a heroic personal sacrifice. I choose, for no reason, to save the one rather than the five.

Fried argues:

- (1) Since both acts would involve a heroic sacrifice, I could not be criticized if I chose to do neither.
- (2) If I could not be criticized for choosing to do neither, I cannot be criticized for choosing to do one rather than the other.

Therefore

- (3) When I choose to save the one rather than the five, my choice cannot be criticized.

Fried rejects (3). Though my act is heroic, he concedes that my choice is "perverse" and "morally deficient." Since he rejects his conclusion, he must abandon one of his premises. He does not suggest which. I suggest (2). There are countless pairs of acts such that I

3. "Who Is Wronged," *The Oxford Review* 5 (1967):16-17.

could not be criticized for choosing neither, while I could be criticized for choosing one rather than the other. Suppose that I could save either Fried's life or his umbrella. If both acts would involve a heroic sacrifice, I could not be criticized for choosing neither. But I could be criticized if I chose to save the umbrella.

Fried suggests another argument. "It is implausible to say that one is morally deficient for being heroic, but not as heroic as he might be all things considered." Certainly. But this does not support (3). In Case One it is not *more* heroic to save the five.

Though he rejects (3), Fried believes this concession to be unimportant. This is puzzling. His chief concern is

Case Two: The same as Case One, except that I have some reason for my choice.

He aims to show that, in Case Two, I do not have to "account for" my reason as "sufficiently weighty" to defend my choice from criticism. How could this be shown? Only by showing that it is not my having of this reason which defends my choice from criticism. Only by showing that even in Case One, where I do not have this reason, my choice cannot be criticized. But Fried has just conceded that, in Case One, my choice can be criticized. It is "perverse" and "morally deficient."

Here is another puzzle. Fried aligns himself with John Taurek. But Taurek *does* believe that, in a case like One, my choice cannot be criticized. According to him, I would have "absolutely no reason" to save the large number (p. 306). He rejects the common view that it would be worse if more people die.

My paper criticized Taurek's arguments. Fried writes: "it seems to me that the plausibility of [Parfit's critique] depends precisely on a crucial utilitarian premise: that there is no distinction to be made between obligation and supererogation." This is another puzzle. My critique depends precisely on the claim that there *can* be such a distinction, and that this distinction is more plausible than Taurek's arguments. I claim, for instance, that we can appeal to

(4) I would be morally permitted not to save the five if the act of

so doing would impose on me too great a sacrifice. (See my pp. 285-292).

Curiously, Fried himself lacks confidence in (4). Return to Case Two, where I have some reason for my choice. Suppose my reason is that I want to pursue some particular profession. (Fried explains that, in this profession, "one can save lives, but only $1/5$ as many as in some other professions.") If *this* is the reason for my choice, we would expect Fried to appeal to (4). Not pursuing my chosen profession would be a sacrifice. But Fried does not appeal to (4). He appeals to (1) and (2). He argues that, *whatever* my reason, my choice cannot be criticized. Why does he appeal to that argument? He himself gives this explanation. If the reason for my choice is that I want to pursue some particular profession, this is not a reason which I would want "to have to account for as a moral reason sufficiently weighty to justify the loss of four lives." This explanation must assume that I cannot appeal to (4). If I could, I would not need Fried's argument.¹

Fried ends by supposing that I choose to save the one because I hate the racial group to whom the five belong. If his argument was sound, my choice could not be criticized. Here again he rejects his own conclusion.

1. Note that, even if that argument was sound, I might have to appeal to (4). I cannot appeal to Fried's argument unless my chosen profession *itself* involves a personal sacrifice.