

“On the Immorality of Disproving Peter Unger”

By Randal Rauser

In *Living High and Letting Die* Peter Unger argues that those who are economically well off have a moral obligation to give most of their money to alleviate the suffering of the world’s poor.¹ While Unger produces many fascinating thought experiments to defend his arguments, two key illustrations stand at the foundation: the Shallow Pond and the Envelope.² In the shallow pond illustration you opt not to save a child drowning in a shallow pond because it would damage your clothing and inconvenience yourself. In the envelope illustration, you receive an appeal from UNICEF in the mail to donate money in order to save the lives of poor children but you choose to throw the envelope in the garbage. While many more children will die due to your decision not to act in the envelope than in the shallow pond, our initial moral intuitions suggest that inaction in the envelope is permissible while inaction in the case of the pond is abominable. Unger argues contrary to these intuitions that there is no moral difference and thus that those who live above (often well above) the subsistence level have bracing moral obligations to aid the world’s poor. Unger believes that his argument for a “liberationist” perspective on ethical intuitions (that is, one which liberates us from false intuitions such as the belief that we are not culpable for the suffering and death of distant children that we could choose to help) has great potential to change behavior:

¹ In his review of the book Fred Feldman argues that Unger marginalizes his radical proposal in the final chapter of the book. (See the review in *NOÛS*, 32, no. 1 (1998) : 138-47.) Even if Feldman were correct in his interpretation, it would not affect the argument of this paper, for my primary concern is not to defend Unger *per se*, but rather to argue that the type of argument most people have interpreted Unger as holding presents special moral obligations upon the would-be critic.

² Cf. Peter Singer’s famous paper “Famine, Affluence, and Morality,” in *Philosophy and Public Affairs*, vol, 1, no. 3 (1972): 229-43.

As is my hope, after reading the book some will agree that, between the whole Liberationist approach and anything else on offer, there's no real contest. If that happens, then perhaps one or two people, with communicative talent far greater than mine, will engage in some aptly effective verbal behavior. Perhaps partly as a result of that, the nonverbal conduct of many may change so greatly for the better that, without much further delay, so many millions of folks won't needlessly suffer so terribly.³

Other philosophers have likewise rejected the profound transformative potential of Unger's argument. Thus Peter Singer observes, "If *Living High and Letting Die* succeeds in persuading people to change their behavior, it will save many lives."⁴

While philosophers are widely sympathetic with Unger's goals, they have typically not shied away from expressing criticism of his argument.⁵ Colin McGinn's comment is representative: "I agree (who wouldn't agree?) with the suggestion that we should do more to help the needy of the world; but the arguments that Unger employs to this end strike me as wrongheaded."⁶ Nonetheless, some philosophers have sensed that the potential of Unger's argument to produce significant good obliges them to take special care when mounting their critiques. Thus James Ryan: "If I use fallacious arguments here against Unger's position, which supports saving starving children, and if some readers accept my arguments, deciding not to send so much money to UNICEF or Oxfam, then my fallacies will have harmed the children further."⁷

Ryan is rightly concerned that an ill-founded criticism of Unger could have the consequence of

³ Unger, *Living High and Letting Die: Our Illusion of Innocence* (New York and Oxford: Oxford University Press, 1996), 23.

⁴ Peter Singer, "Living High and Letting Die," *Philosophy and Phenomenological Research*, vol. 59, no. 1 (1999): 183.

⁵ In my opinion, one of the most thoughtful is Neera K. Badhwar, "International Aid: When Giving Becomes a Vice," *Social Philosophy and Policy*, 23 (2006): 69-101.

⁶ McGinn, Review of *Living High and Letting Die: Our Illusion of Innocence*, in *The New Republic* (Oct. 14, 1996), 55.

⁷ James A. Ryan, "On *Living High and Letting Die*," *Journal of Applied Philosophy*, 17, no. 1 (2000): 103.

inhibiting the generous actions that his argument could prompt in those who come to accept it. If you were about to inform your boss that your colleague was stealing stationary and you knew that doing so would get your colleague fired and inflict great misery upon his family, you would take extra care to ensure that the charge was correct. How much more care should you then take in critiquing Unger if you knew that your critique could lead someone to abandon their Unger-driven support for Oxfam that is presently keeping a Somali boy from starving?

While ethical arguments all have implications for how we ought to act, an argument like Unger's is distinct from most others on two points. To begin with, there is the extent of positive potential transformative in that applying the principles of Unger's argument promises to bring a radical improvement in the lot of literally *billions* of people. Second, the good that could be produced by Unger's argument is not directly connected to the truth of the argument. That is, irrespective of whether the argument is correct, the significant redistribution of wealth that it advocates will still improve life for an enormous number of people. On these two counts Unger's argument has an enormous practical value to encourage moral behavior in a large number of people whilst reducing suffering in another large number. In this paper I will refer to applied philosophical arguments that have a powerful potential to significantly alter behavior of large groups as an "argument for cultivating ethics" (ACE).

Given the significant positive benefits of an ACE, it seems to me that we need to consider the unique moral dimension of challenging these arguments. Ryan provides a good start with his worry that a rebuttal of this type of argument must only be undertaken with care. But can we assume as Ryan does that a legitimate critique is necessarily to be preferred to the achievement of a great moral good? To put it bluntly, if a legitimate critique leads to the Somali boy starving to death, can we defend the very mounting of that critique? Such considerations force us to consider

the unique moral obligation that ACEs present which I shall call the “Obligation of Silence” (OS). According to the OS we ought not present criticisms that would undermine an ACE’s transformative potential to achieve significant moral good. In this paper I will argue that the OS must be observed with respect to all persuasive ACEs with two solitary exceptions: if one believes that expressing a criticism would produce an equivalent or greater amount of good or prevent an equivalent or greater amount of evil. In the first section of this paper I will expand and defend this thesis. Then in the second section I will consider whether Colin McGinn’s critical review of *Living High and Letting Die* could be justified by way of either exception.

ACE and the Game Show

In this first section we will be concerned with specifying what the OS entails by developing the game show illustration.

The Game Show: You are competing on a game show against beloved philanthropist Mr. Gooddeeds. While you are playing for yourself, Gooddeeds has generously opted to donate any winnings to Oxfam. It is now the final question of the final round. If you answer correctly then you win one thousand dollars but if you answer incorrectly then Mr. Gooddeeds wins one million dollars, all of which will be donated to Oxfam. Assuming that you know the answer, should you provide it?

While no one could fault you for providing the answer if you were both playing for your own bank accounts, things are different given that Gooddeeds is playing for an unimpeachable moral cause. The reasoning that would support your throwing the game is the same reasoning that Ryan considered prior to launching his argument. Thus you could reason: “If I answer correctly against Mr. Gooddeeds who supports saving starving children, then my *correct* answer will have harmed

the children further.” Most people would agree that the enormous good that would be gained from your losing (one million dollars for the poor) versus the modest good of your winning (one thousand dollars for you) would support the conclusion that you *ought* to throw the game. Based on this game show illustration, we can formalize the OS as follows:

OS: One is morally obliged to abstain from providing information that would result in a loss of goods significantly greater than the good others would gain by acquiring that information.

It seems to me that we widely recognize the value of OS. Here is an example of the OS at work:

Tom is a soldier in Iraq who has been mortally wounded. As he lays dying, his last words to Troy are: “Tell my wife Tracy that I love her. Oh my God, I can see my guts on the road!” Later Tracy asks Troy to tell her Tom’s last words. Since it would only compound her pain to repeat the very last sentence, Troy only shares the penultimate sentence.

According to OS Troy was morally obliged to abstain from telling Tracy Tom’s last sentence since doing so would greatly compound her pain. Similarly, in the game show answering the question provides only a modest good of your earning a thousand bucks. When we apply the OS as a guide to our response to ACEs, we get the following:

OS-ACE: One is morally obliged to abstain from critiquing an ACE if doing so would result in a disproportionate loss of the moral goods that would otherwise be achieved by that ACE.

The deontologist might reject the OS for its violation of our obligation to speak truth when we know it (even when the Nazi is asking whether you are in fact hiding Jews in the crawl space). This prompts two responses. First, even most deontologists recognize that we face a *conflict* of obligations when the Nazis come knocking (e.g. telling the truth versus protecting the innocent). Similarly, even the deontologist could recognize that the game show participant faces a conflict of

moral obligations (telling the truth versus helping provide for the poor). Further, we should note that the OS-ACE only obliges us to remain silent, not to lie.⁸ As for the second objection, one might claim that the OS is unworkable because it depends on our ability to calculate and compare incommensurable goods. Granted there are many cases where it is not clear whether critiquing an argument will produce more or less good. But the contrast between an ACE refuted and an ACE empowered represents a disparity so vast – the equivalent of one thousand dollars in your pocket versus one million dollars disbursed to thousands of abjectly poor people – that we can surely conclude the latter produces greater good and so is to be preferred.

As noted in the thesis, one may properly dissent from an ACE if one believes that doing so would produce an equivalent or greater amount of good or prevent an equivalent or greater amount of evil. We can illumine these two exceptions by tweaking the game show illustration beginning with the exception where one anticipates an equivalent or greater good.

The Game Show with the Equivalent or Greater Good Exception: You are a modern art expert. On your way to the game show you come across a painting at a flea market which was priced at \$1000. After recognizing that the painting is an original Roy Lichtenstein, you give the dealer your last one hundred dollars as a down-payment knowing that you can sell the painting to an acquaintance who that morning promised you one million dollars for the first original Lichtenstein you find, money which you could then donate to Oxfam. The dealer warns that if you do not purchase the painting by the end of the day, he will sell it to another interested party. Since you are broke, the only chance you have to purchase the Lichtenstein, sell it for one million dollars, and donate the money to Oxfam, is by

⁸ Perhaps a contestant remaining silent when asked a question could be seen to be lying by attempting to convey the false belief to others that she didn't know the answer, but surely an academic who abstains from critiquing an ACE in print is not conveying the deceptive impression that she agrees with the argument.

answering the game show question correctly while if you answer incorrectly you will forfeit the painting and one million dollars.

Under these conditions you would seem wholly justified in providing the correct answer, for you believe that doing so would ultimately provide a comparable or greater good to your failure to provide the correct answer. We can state this exception as follows:

- (i) EGG Exception: One may critique an ACE if one reasonably believes that doing so would produce an approximate or greater amount of moral good.

Let's say you didn't have any prospect of receiving an equivalent amount of money to help the poor. Is there another way that you could be justified in providing the correct answer? This brings us to the second exception which depends on the expectation of an equivalent or greater amount of moral evil:

Equivalent or Greater Evil Exception: You believe that Oxfam funnels money to terrorist organizations which are engaged in activities that will produce a great amount of suffering. You thus believe that most of the money donated to Oxfam is used to further causes that will greatly amplify the amount of evil in the world.

In this case you might reasonably conclude that while one million dollars going to Oxfam would aid many poor people, it would also provide support for Oxfam's terrorist activities such that the latter outcome cancels out the former. Based on this supposition you could be warranted in providing the right answer. We can state this second exception as follows:

- (ii) EGE Exception: One may critique an ACE if one reasonably believes that the ACE will also produce an equivalent or greater amount of moral evil or suffering.

Having granted that both (i) and (ii) provide legitimate exceptions to OS, we need to ask whether those who have criticized *Living High and Letting Die* are able to justify their critiques relative to either of our exceptions. Obviously we cannot undertake a survey of all critiques of the book's argument here, so we shall focus upon Colin McGinn's engaging review.

Can McGinn justify his objections?

In his lively critique of *Living High and Letting Die*, Colin McGinn seems to concede that he cannot meet the equivalent or greater goods exception since his critique has no reasonable prospect of producing anything close to the amount of moral good that would be produced by Unger's argument. As he puts it, "My unoriginal and unexciting opinion is that our governments should give more of our tax dollars for foreign aid, and that we as individuals should give more, too....."⁹ To sum up McGinn's position, charitable giving is not an obligation but it is an opportunity to cultivate the virtue of generosity. In case one doubts whether McGinn's argument that acts of charity are not moral obligations but supererogatory virtuous acts would drastically reduce the sum total of monies given, just consider a parallel case where a university final exam is moved from being obligatory and for-credit to being voluntary and not-for-credit. The person who thinks the voluntary not-for-credit exam would draw anywhere near the number of students as the obligatory for-credit exam understands little about college students and even less about human nature in general. The exact same applies to McGinn's diminution of our moral duty to an optional moral virtue. As such it is all but certain many more poor people will die if a large number of affluent people accept McGinn's critique instead of Unger's argument.

⁹ McGinn, Review of *Living High and Letting Die*, 57.

If McGinn's criticism of Unger is to be justified, it must be because it will avoid an equivalent or greater evil. McGinn provides the following argument that Unger's argument would increase suffering:

If we really lived by the principle that enjoins each of us to reduce our standard of living to such a point that nobody was better off than we were, by donating most of our income to charity—which is what Unger is suggesting—then not only would the entire economy soon collapse, but we would be forbidden to pay for even modest health care for our children, to educate them beyond a minimal level, to pursue the arts and sciences, to engage in any form of recreation that costs money, and so on.¹⁰

If I were to accept Unger's arguments, I would now have to sell my house, resign my job, live on the street, no longer support my son, eat only oatmeal—all on the grounds that there are others in Africa who are worse off than I would be.¹¹

McGinn appears to charge Unger's argument with two adverse consequences: first, it would lower the quality of life enjoyed by the affluent (nix taking the children to soccer practice in the SUV). Second, and much more seriously, it would lead to worldwide economic collapse, an effect which would ultimately undermine the quality of life of virtually all people, including the majority of the world's poor.

These are startling charges and if they can be sustained then McGinn would certainly be justified in dissenting from Unger's argument. And so we must consider whether McGinn's concerns are reasonable. In order to answer this question we shall have to distinguish two possible interpretations of (ii) which I call the "ivory tower" (ii-IT) and "real world" (ii-RW) interpretations. Let us begin with (ii-IT):

(ii-IT) one reasonably believes that if the logical implications of the ACE are followed, it will produce an equivalent or greater amount of moral evil or suffering.

It would appear that McGinn is reasoning along these lines for he warns "If we really lived by the principle...." In other words, if we followed this principle out to its logical implications, then the

¹⁰ McGinn, Review of *Living High and Letting Die* 56.

¹¹ McGinn, Review of *Living High and Letting Die* 56.

amount of moral evil or suffering would increase. While I am far from convinced that McGinn has actually established that the logical implications of the argument are this dire, for my purposes we may concede that his extrapolations are reasonably drawn logical implications which could thus constitute a legitimate exception to OS so long as (ii-IT) is legitimate.

But now the real problem emerges, for (ii-IT) is clearly *not* a viable interpretation of (ii) which is clearly concerned with real world possible implications. As such, (ii) operates parallel to the purchase of an insurance policy. You decide which policy is appropriate for your home based upon outcomes that are *plausible*, not simply those that are remotely *possible*. If you live on a hill in the Chilean Atacama Desert (the direst region on earth) you may recognize the *possibility* that your home could suffer flood damage, but given the miniscule statistical possibility that this outcome will occur, you will likely forgo the purchase of flood insurance. Similarly, we can only justify an objection if we fear equivalent or greater evils that might actually be realized in the real world. This brings us to the second, and only viable interpretation of (ii):

(ii-RW) one reasonably believes that the more people who accept the ACE, the more likely it is to produce an equivalent or greater amount of terrible suffering.

You only buy the insurance if you believe flood damage is a real possibility, and you are only justified in critiquing an ACE if you believe the production of an equivalent or greater amount of suffering or evil is a real possibility. So we come to the critical question: is there a realistic concern that the widespread acceptance of Unger's ACE would actually increase suffering? Let's make the question as clear as possible by imaging that *everyone on earth* came to accept the moral equivalency of the shallow pond and the envelope. Is there a legitimate concern that this would result in the diminution of the quality of life for the affluent, leading ultimately to the loss of quality of life for everybody through worldwide economic collapse?

Let's begin with the lesser concern over the quality of life for the affluent. As we saw above, McGinn expresses the concern here that we will not be able to provide our children with more than minimal healthcare, education or recreation even as we surrender our housing, and lucrative jobs and reduce our diet to oatmeal. Let's grant for the argument that everything McGinn says here were in fact real world consequences of Unger's ACE. Would it thereby follow that suffering would be thereby increased? While McGinn assumes this is the case, he never argues it, and in fact a number of psychological studies in recent years suggest that this would *not* be the outcome. Time and again studies indicate that affect, satisfaction and happiness, the typical criteria in quality of life assessments, are only linked to material/economic factors at a baseline level of comfortable subsistence (which, needless to say, is *far* above the lifestyle of the average North American). Beyond that level, further material acquisition provides no increase in quality of life or happiness.¹² The main sources of quality of life are strong networks of social relations,¹³ altruistic lifestyles,¹⁴ and the choice to be grateful for the things one has.¹⁵ Interestingly, the widespread dissatisfaction many feel within our affluent culture results from a socially constructed level of material consumption that is unobtainable.¹⁶ Finally, life satisfaction tends to be relatively stable; thus it will after adjusting for emotional or financial loss (e.g. losing a job) or gain (e.g. winning a

¹² Barry Schwartz writes that "people in rich countries are happier than people in poor countries. Obviously, money matters. But what these surveys also reveal is that money doesn't matter as much as you might think. Once a society's level of per capita wealth crosses a threshold from poverty to adequate subsistence, further increases in national wealth have almost no effect on happiness." *The Paradox of Choice: Why More is Less* (New York: Harper Collins, 2005), 106; Dylan M. Smith, et. al, "Health, Wealth, and Happiness: Financial Resources Buffer Subjective Well-Being After the Onset of a Disability," *Psychological Science*, 16, no. 9 (2005): 663-66.

¹³ Melikşah Demir, Metin Özdemir and Lesley A. Weitekamp, "Looking to Happy Tomorrows with Friends: Best and Close Friendships as They Predict Happiness," *Journal of Happiness Studies*, 8 (2007) : 243-71.

¹⁴ Stephen G. Post, "Altruism, Happiness, and Health: It's Good to Be Good," *International Journal of Behavioral Medicine*, 12, no. 2 (2005) : 66-77; Keiko Otake, et. al, "Happy People Become Happier Through Kindness: A Counting Kindnesses Intervention," *Journal of Happiness Studies*, 7 (2006): 361-75; Rachel Jones, "It's good to give," *Nature Reviews*, 7 (Dec. 2006): 907; Elizabeth Svoboda, "Pay It Forward," *Psychology Today*, (July/August 2006) : 51-2; Peter Singer, "Happiness, Money and Giving it Away," at *Project Syndicate* (online) <http://www.project-syndicate.org/commentary/singer13>

¹⁵ Emily L. Polak and Michael E. McCullough, "is Gratitude an Alternative to Materialism?" in *Journal of Happiness Studies*, 7 (2006): 343-60.

¹⁶ Schwartz, *The Paradox of Choice*, ??????

lottery) it will quickly revert to its previous level.¹⁷ There can be little doubt that many people seek meaning through the acquisition of material goods while sacrificing real sources of happiness such as personal relations and altruism. As a result, it seems very likely that after adjusting to the initial shock of living at the more sustainable levels advocated by Peter Unger, many would return to their happy equilibrium and if anything could discover heretofore untapped resources for personal happiness and fulfillment. For instance, many disillusioned souls who currently attempt to hide their emptiness by working long hours and vacationing in Cabo San Lucas could find their lives transformed after learning of Unger's argument and devoting themselves to the poor and to each other. Giving up the BMW to feed the poor and ride mass transit with friends could give more satisfaction than these yuppies ever dreamed. In sum, not only has McGinn failed to establish that the affluent would lose their quality of life but if anything the evidence suggests that Unger's argument would provide the service of cutting away everything extraneous to true fulfillment. At the very least, McGinn's speculations are far too weak to qualify as a legitimate instance of avoiding a real world equivalent or greater evil.

It would thus appear that McGinn must stake the entire legitimacy of his objection upon the concern of the global drop in quality of life through worldwide economic collapse. So is this a legitimate concern? Unfortunately for McGinn, one crucial fact undermines any worry here: people are notoriously adept at flouting rigorous moral duties that they accept: indeed, the more demanding the principle, the less likely it is to be practiced even when it is believed. I know this because I myself fail on a regular basis to adhere to principles I hold. For instance, some time ago I became convinced that the categorical imperative obliged me to live at a level of material consumption no higher than that which is sustainable for all 6.5 billion inhabitants of the earth. It is

¹⁷ "Counting your blessings and keeping up with the Joneses," *Harvard Mental Health Letter* (Nov. 2006): 6-7.

notable to observe what has since happened and what has not happened as a result of this belief. As for the latter, I have not yet made any great effort to reduce my consumption to a universally sustainable level. (Indeed, I have yet to make a serious effort to calculate what that universal rate of consumption *is* so that I might at least begin to be consistent.) But it is not all bad news, for though I don't consistently follow the principle, it has nonetheless caused me to moderate my level of material consumption.

There is a much more accessible and universally accepted moral rule that makes the same point, the so-called Golden Rule. According to Jesus' well known articulation of the principle (in King James English): "Therefore all things whatsoever ye would that men should do to you, do ye even so to them." While this principle is held nearly universally, it is also nearly universally, and regularly, flouted. What is more, a philosopher (let's call him McGrinn) could plausibly argue that if the principle were to be universally applied it would have disastrous effects upon personal happiness and the world economy: "If I were to accept Jesus' argument, I would now have to sell my house, resign my job, live on the street, no longer support my son, eat only oatmeal—all on the grounds that there are others in Africa who are worse off than I would be." I suspect that McGrinn's harangue against the Golden Rule would convince few, even if they were to admit that its universal application would undermine the economy and thereby increase misery. The reasons, I suspect, are three-fold. First, we suspect that this loss of good that universal adherence to the rule might bring would be offset by all sorts of other goods. Second, and perhaps more importantly, nobody believes it is remotely likely that everyone will begin to observe the Golden Rule consistently so the potential loss of personal happiness or economic growth is not a real concern. Finally, we find the alternative of a world where the Golden Rule is flouted altogether to be frightening. (Just imagine a world where the reprimand "How would you like it if someone did that

to you?” had no moral purchase upon an oppressor.) So we find ourselves in the situation where we promote the Golden Rule, recognizing both that striving to abide by it makes us better off. One might puzzle over a high moral ideal that is consistently flouted, but that tension is significantly addressed if we move from thinking of the Golden Rule as an absolute law that we constantly violate to a lofty goal of moral transformation. There is no sense to the man training for the marathon denigrating himself simply because he cannot yet run twenty-six miles: the point of training is to be engaging in behaviors that will make that run possible in the future. And what does it matter if that goal of marathon running is something he will likely never achieve, so long as the goal serves to move him into a healthier state than he is at present? Similarly, the Golden Rule and the categorical imperative of material consumption ought to be thought of primarily as goals for our moral transformation rather than as laws constantly violated.

This brings us to the moral parity between the shallow pond and envelope. While I am convinced of the moral equivalency of the actions in these two scenarios, the answer is not to fall into despair because I cannot meet the demands of the envelope; nor is it to seek an intellectual means to relieve the moral tension. Rather, I hold up the envelope as a lofty goal of moral transformation and the fact is that while I fail to give all the envelope requires, I am still more generous than I would be did I not accept it. It is my firm conviction that most other people would react similarly if they too became convinced of the truth of the moral equivalency of the shallow pond and the envelope. Financially speaking, the vast majority would not give all that Unger requires, but *they would give much more than they give now* and they would keep striving to give more. So it seems to me that there is no reasonable fear that even if Unger’s argument achieved universal acclaim, stock markets would close, banks would fail, BMW would go bankrupt and CEOs would stop receiving exorbitant salaries and stock options. And still, on the whole we (the

rich) and they (the poor) would be *much* better off than at present as we strived to give all that our moral convictions demand.

Conclusion

It would seem that the space in which academics carve out their arguments is not off limits to moral appraisal. Thus if one encounters an argument with powerful moral implications, one must consider carefully the cost of challenging that argument. I have thus argued that we have a moral obligation to consider carefully the implications of challenging arguments that show great promise to foster moral transformation by serving as transformative goals. Of course what I have said applies as well to the argument of this paper. Insofar as I am seeking to depend ACEs against critical introspection, my argument likewise should only be critiqued on the grounds that one believes such a critique would provide an equivalent or greater amount of good or that not providing such a critique would provide an equivalent or greater amount of evil. But one must consider this carefully, for my argument has as its goal the defense of *every possible argument that would create a great amount of good*, and thus as a defender of all such arguments, it appropriates all of the good they produce. As such, one could only critique the argument of this paper if one believes that doing so would create an equivalent or greater amount of moral good as all the arguments that could be defended by this argument, or that failing to do so would create an equivalent or greater amount of evil. In that sense, the present argument may claim the maximal justification of practical reason.