Once More into the Numbers: Tom Dougherty’s “Ends Principle”

**Abstract**

 Tom Dougherty observes that challenges to counting the numbers often cite John Taurek’s 1977 article, “Should the Numbers Count.” Dougherty, though sympathetic to Taurek’s (and others) critique of consequentialism’s aggregating good across individuals, defends a non-consequentialist principle for addition he calls “the Ends Principle. Take the case (he labels “Drug”) when an agent, possessing a dose of a lifesaving drug, can save one person with the entire dose, or two people, each of whom only need half the dose. Dougherty argues that a rational agent, summing her altruistic goals (three), but unable to save all three, will save two.

I give two criticisms of Dougherty’s paper. (1) He hasn’t ruled out, though acknowledging, the equal chance principle as deontological grounds for deciding Drug. (2) An agent using the Ends Principle in Drug, as he formulates it, will not have the requisite aims to make use of the Principle. I also consider an issue, little discussed, the conditions for aggregation in general.

**Preliminary Remarks**

Relatively recently, though often on the back-burner, philosophers have challenged claims that the number of people who possess a good (bad) is a partial measure of the total amount of good (bad). Tom Dougherty presents the scenario of choosing to save the lives of two strangers, each needing 50ml of a drug to live, or a third stranger, needing all of the drug.[[1]](#footnote-1)`

Assuming the three are strangers to the drug’s owner, Dougherty argues for saving two, but uses a non-consequentialist argument he calls “The Ends Principle.” My aims are (1) to support an alternative principle he rejects; the fairness principle: If the three are equally in need, one should, other relevant considerations equal, give each a *maximum* equal chance (to be explained below) for rescue. Flipping a fair coin—heads save the one, tails save the two—does that. (2) I also aim to show an agent, accepting the Ends Principle, would not have the goals apply it.

First some remarks on vocabulary. Consequentialism here means aggregative welfare utilitarianism. Though restrictive, the definition covers examples used. I also follow Dougherty in using shorthand for some examples; e.g. labeling his drug distribution case “Drug.”

 Dougherty observes that objections to counting the numbers are often attributed to John Taurek’s seminal 1977 article, “Should the Numbers Count.” [[2]](#footnote-2) He rightly views Taurek as challenging consequentialism’s injunction to aggregate good, since no group good exists rather than good *for som*e*one*. Thus, though life is a good for each in Drug, no more good results by saving two. Dougherty mentions extant papers by Taurek defenders, and critical responses, but since his aim is to present a *new* non-consequentialist argument for addition, he doesn’t consider this literature.[[3]](#footnote-3) I follow him here, my goal being to challenge his non-consequentialist argument for aggregation.

Counting the numbers for consequentialists goes back at least to [Jeremy Bentham](https://en.wikipedia.org/wiki/Jeremy_Bentham)’s (1748–1832) “felicific calculus” where he includes, as his last measure of an action’s overall intrinsic good, its extension, i.e. the number of people possessing it. The good here is non-moral good—for Bentham, happiness (pleasure)/unhappiness (pain). The morally *right* act arithmetically maximizes that good (pleasure minus pain). [[4]](#footnote-4)

 **Aggregation**

Adding items, requires a unit of addition and a context when addition makes sense. The first, though necessary, is not sufficient. Take three people, each six feet tall, and 150 pounds, one standing in one elevator, two in another. We know what counts as units of height or weight, but though there is more weight in the second elevator, (pressing on the floor), there is no greater height. Aggregation depends on context. There would be more height, if in the room with three, each stood on the shoulders of the other. Or take velocity. In some cases, velocity is additive, say when throwing a ball off a moving train in the direction of motion at 50 mph relative to the train, the train moving 80 mph relative to the ground. The ball’s velocity is 130 mph relative to the ground. But three planes flying in formation at 300mph are, *qua* group, flying no faster than one flying at 300 mph. Here is a more controversial example. In room A, James knows only one fact, the height of Mt. Everest. In Room B, Bill, Emily, and Sandra, each know one fact, again, the height of Everest. It seems evident (to me) there’s no more knowledge in room B, though more people in B know the identical fact. If a fact known is a unit of knowledge, there are more units in Room B, but no more knowledge. if James, alternatively, knew the height of three mountains he possesses more knowledge than the three others. My colleague Steve Hales suggested the distinction here is a type/token contrast. There are more tokens of knowledge if three people know a fact compared to a fourth person who knows the identical fact, but only one type. I’m not sure that captures the difference.[[5]](#footnote-5) My own view is that amount of knowledge reflects how many distinct facts known.

Similar considerations apply to consequentialism. Even agreeing on the unit, aggregation doesn’t follow. No greater happiness necessarily exists if three rather than one is happy. As Dougherty notes, Taurek has this view. [[6]](#footnote-6) Similarly, no more pain exists for a group of five, each with a twinge in her toe, than in a group of three (or fifty) with identical pain.[[7]](#footnote-7) One could reply the unit of intrinsic (bad) here is not pain, but a person in pain which is additive. The question then is why minimize the number of people suffering. Two possible answers are; (1) There is more suffering when more people suffer, a response which nullifies significance to the unit change; or (2) It’s just morally correct to minimize how many suffer. But now, some *moral* good/bad constitutes the unit. Traditional consequentialism has a conception of intrinsic *non-moral* good (bad), the right act being to arithmetically maximize that. But adding units of moral good assumes an existing moral perspective. Some discussion of Taurek’s article fails to distinguish non-moral and moral good, but, though referring to it in the conclusion, I don’t consider the contrast in detail,.[[8]](#footnote-8) I also note in passing one could be a non-aggregative consequentialist; still enjoined to maximize good without thinking greater good, say, in Drug, is done by saving two.

**The Ends Principle**

Dougherty’s considers central Philllipa Foot’s claim there are required altruistic ends, for example, giving a life-saving drug to one who needs it.[[9]](#footnote-9) The virtue of benevolence, expressed in altruistic acts, requires agents have empathy for potential victims. In Drug, the agent has three altruistic aims, each directed at a different victim. Dougherty claims elementary rationality dictates agents fulfill as many aims as possible; in Drug saving two. To the objection she may lack benevolence, Douherty argues morality requires people have altruistic motivations. Therefore, morality requires she have such aims; *elementary* rationality requires she maximize them. *Elementary* since, other relevant considerations the same, rationality requires trying to fulfill as many of one’s ends as possible.

Dougherty expresses The Ends Principle, in general, as follows:

 You are rationally required to achieve as many of a group of ends as possible: if

1. you consider each end equally important;
2. your goal of achieving each end does not depend on whether you achieve another of these ends; and
3. your achieving each end does not affect whether you achieve other ends that are not members of this group (419).

\*\*\*Therefore, save two. In response, I note first, that Dougherty does consider as an alternative to the Ends Principle, a principle of fairness. Fairness expresses the virtue of justice. Acting on that virtue—as opposed to simply the virtue of benevolence—means giving each of the three in Drug a maximum equal chance (to be explained below) for rescue. A fair coin flip—heads save the two, tails save the one—does that.[[10]](#footnote-10) Now Douherty rejects choosing fairness over the Ends Principle in Drug since those in need are strangers to the agent. In my following example he would think fairness takes precedence. With your house burning, four of your small quintuplets are trapped in one room and the fifth in another. You can’t save all five. One of the four argues as follows: You love us all equally. You are, as well, equally committed to aid each of us. That equality of love and obligation dictates giving us each an equal chance to live. Again, I mean *maximum equal chance*, since saving none, or a lottery with five tickets—the one selected being saved—would be fair in the sense of giving each child an equal chance for rescue. However, assuming benevolence the virtue expressed, saving none is ruled out. As well, you could easily save the four if their room is chosen. Perhaps they are on a cart you can wheel out if one of them is chosen. It would be wrong to not rescue others in the group (say, pushing them off the cart) if you can save them with little cost to yourself or others. Call this “the Pareto Principle.”

Assuming Pareto, then, fairness, achieved, say, by the flip of a fair coin, gives each child the maximum equal chance for rescue. Of course, a consequentialist could argue aggregation also exemplifies fairness by embodying the principle “each counts for one.” However, that dictum, though assumed in Drug, conflates impartiality with fairness. In Drug, each counts for one since the agent shows no favoritism. But it does not follow, as Derek Parfit claims, that “more counts for more.” [[11]](#footnote-11)

Dougherty does agree fairness can be the right policy in Drug if some prior commitment exists to each person. Following John Broome,[[12]](#footnote-12) he argues that when each in need has an equal claim on an agent’s aid, the correct policy in distributing aid is fairness. That condition—equal claims—is met in my case of the children, whereas in Drug those in need are strangers. They, Douherty believes, have no claim on the agent. He writes:

If a stranger lacks a claim, then the stranger would not be entitled to this aid, and cannot demand it as her due. In the absence of such entitlements, she cannot complain of unfair treatment. If she lacks a claim then the norms of benevolence, not justice, would govern the distribution of your aid (422).

 I consider this response below. We should note, also, that aside from those in drug being strangers to the agent, Dougherty limits those to whom the Ends Principle applies. He comments:

The principle ‘Rational Pursuit of Ends’ is a circumscribed principle that narrowly applies only to cases

where an agent performs *relevantly similar ends*. It does not speak to cases where you have different ends, such as when you aim to help people with differing needs. As a result, the Ends Explanation dos not share an alleged commitment of the aggregative consequentialist explanation, namely a commitment to summing up. . . small benefits to many to reach a sum that outweighs . . . serious losses to a few (425) (my italics).

Without this restriction, and *assuming benevolent aims have intensities corresponding to degree of need*, *the* following problem, as he notes, could occur; that summing of aims to prevent many very minor injuries can eventually outweigh an aim to prevent quite serious harm to one. Thus his “circumscription” of the Principle.

Yet, even with this restriction, why should the rescuer, in Drug, aggregate her aims? For Dougherty I have three independent altruistic aims, save A, save B, and save C. It would violate the Pareto principle to save A and not B, as they are in the same room. But why not save C.? Dougherty thinks this is irrational. He presents a case (Nest), as a model for the Ends Principle. A person, Jones, who has a conservator’s interest in preserving bird nests, can protect two of three nests, but not all three (419). Rationality, Dougherty thinks, dictates saving two. This seems right. It would be odd, having independent goals to save each nest, and then save one. In Drug, using the Nest model, consequentialist’s controversial addition of victim good allegedly converts to the less contentious policy of maximizing one’s own benevolent goals. And that dictates, in agreement with consequentialism, saving the most in Drug.

One criticism of the Ends Principle Dougherty mentions, claims it involves viewing beneficiaries impersonally, as “containers of goodness,” or “valuable objects.” He responds:

The Ends Explanation does not make you do so [consider victims impersonally]. Your end of the alleviation of another’s need could be rooted in a personal concern for the person as an individual (426).

In light of this concern, Dougherty recognizes fairness, or the equal chance principle, as a deontological principle competing with the Ends Principle in Drug. The agent has the following individual goals, save A, save B, and save C. She can’t save all. Imagine a prior discussion between the agent and A who benefits by aggregation. She contends correctly that C’s welfare is as important to C, as her (A) and B’s welfare are important to each of them. Why not treat us equally? She (the agent) could—adding fairness to benevolence—express the conjunction by giving C a maximum equal chance to be rescued.

Dougherty admits fairness as a policy blocks aggregation. Perhaps, there is simply a conflict of intuitions as to whether, in Drug, the Ends Principle or fairness best challenges consequentialism. I note, however, the fact that the three in Drug are strangers to the agent doesn’t logically *rule o*ut applying fairness, even if prior claims of the needy, for Dougherty, can *rule* it in. I return to this point in the conclusion.

The Ends Principle, however, has a deeper problem. Suppose after moral reflection, and long before having to decide in Drug, the agent accepts the Ends Principle. She knows, then, faced with Drug, she will aim to save the two. Rescuing the one will not be a goal. She would of course save the two, but not, when choosing, by applying the Ends Principle. To apply the Principle she requires, when choosing, separate equal goals of saving A, saving B, and saving C.

There is then some incoherence in the Ends Principle itself. The agent couldn’t rationally think, at the moment of choice, she will have the requisite equal goals of saving A, saving B, and saving C, knowing she won’t try to save C. Yet Dougherty claims the agent applies the Principle when choosing who to save. The agent, then, apparently both has and has not the goal of saving C. Hence the incoherence.

**Concluding Remarks**

 For traditional consequentialism, how many persons possess an intrinsic good partially measures the amount of good. Dougherty agrees consequentialism rightly requires saving the most, though having a questionable conception of aggregation. He therefore gives a deontological rationale for counting the numbers; the Ends Principle, In examples like Drug, the Principle has the apparent virtue of converting consequentialist aggregation of patient good to the agent’s allegedly less contentious decision to maximize her benevolent aims.

However, it wasn’t clear why, for Dougherty, the Ends principle out-weighed fairness, i.e. the equal chance principle, as a non-consequentialist alternative. He notes the Ends Principle could be limited by “deontological constraints” (426). The equal chance principle meets that condition. However, Dougherty allows its application only to those who have prior claim on the agent’s aid. But suppose we accept that strangers, can have *some* *right* to be aided. And any right, no matter how small, should trigger the application of fairness. Dougherty might reply imperfect duties to aid don’t reflect corresponding rights. But again, equal duties to each person in Drug, even absent correlative rights, is compatible with fairness.

Of more significance, accepting the Ends Principle precludes the agent from aiming to save the one in Drug. She knows in advance she will save two. Thus, when choosing, she lacks the goal to rescue the one; a goal, however, required to apply the Principle.

Do other moral principles or theories suggest paradox in applying them? Traditional consequentialism seems immune. The consequentialist knows in Drug she won’t save C. But that goal is not required when she saves two. On the other hand, work by Samuel Scheffler and others suggest deontological constraints undermine their use.[[13]](#footnote-13) For example, it’s forbidden to intentionally kill one innocent person to prevent five murders. Scheffler suggests, however, it is irrational to forbid violations if that, *ceteris paribus*, minimized identical violations. I think the challenge more rhetorically than argumentatively persuasive. But, if successful, we have an aggregative consequentialism where units are *moral* goods (bads), a position undermining deontology itself.

1. *The Philosophical Quarterly*, vol 63, no 252, (July 2013), pp. 413-428. [↑](#footnote-ref-1)
2. John Taurek, ‘Should the Numbers Count?’, *Philosophy & Public Affairs*, (1977), pp. 293-316. [↑](#footnote-ref-2)
3. See the discussion in Iwao Hirose, *Moral Aggregation*, Oxford, Oxford University Press, (2015); particularly pp. 109-218. [↑](#footnote-ref-3)
4. Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*, London, (1789). In Ch 4, *The Utilitarians*, Garden City, NY, (1961), p. 39. Bentham allows that happiness (pleasure)—as an intrinsic good—can be attributed to both individuals and groups. Other relevant variables being the same, if four people were happy, more happiness exists, then if one were.

  [↑](#footnote-ref-4)
5. Since a fact known is a token of the type fact. [↑](#footnote-ref-5)
6. Taurek, p. 300. [↑](#footnote-ref-6)
7. Derek Parfit offers this as a possible interpretation of Taurek; that ‘suffering cannot be morally summed. . .’ ‘Innumerate Ethics,’ *Philosophy and Public Affairs*, 7 (1978), p.295. [↑](#footnote-ref-7)
8. John T. Sanders seems to believe units to be added are moral outcomes, say, a person saved. See ‘Why the Numbers Should Sometimes Count.’ *Philosophy and Public Affairs*, (Winter, 1988). [↑](#footnote-ref-8)
9. Phillipa Foot, ‘Utilitarianism and the Virtues,’ [*Mind*](https://philpapers.org/asearch.pl?pub=682), 94 (374), (1985), p. 199. [↑](#footnote-ref-9)
10. ###  Taurek touches on this, but, as Dougherty, remarks, doesn’t make it central as an alternative to aggregation. Dougherty, p. 422. Taurek, p. 306. F. M Kamm criticizes applying the equal chance principle to cases like Drug, arguing fairness requires balance, for example, the interests of one against one. Suppose two rooms, A in one and B in the other. With the house threatened by fire, you can only save one. Kamm agrees here the equal chance principle applies. C then enters B’s room. If C’s presence doesn’t modify the probability of rescue to favor B and C, C’s interests are, she thinks, ignored. This seems an odd inference. C’s chance of rescue, as that of A and B, equals one half. On the other hand, choosing to save B and C reduces A’s chance from one half to zero. Iwae Hiruse makes a comparable point. See the general discussion in, Iwae Hiruse, *Moral Aggregation*, Oxford, Oxford University Press, (2015), pp. 157-78.

 [↑](#footnote-ref-10)
11. Derek Parfit, ‘Innumerate Ethics,’ Parfit, countering Taurek’s claim that saving the most is like saving the rich, writes: ‘Why do we save the larger number? Because we *do* give equal weight to saving each. Each counts for one. That is why more counts for more’ (p.302, Parfit’s emphasis). [↑](#footnote-ref-11)
12. Dougherty refers to John Broome, “Fairness,” *Proceedings of the Aristotelian Society, New Series,* 91 (1990-1991), pp. 87-101. [↑](#footnote-ref-12)
13. Samuel Scheffler, *The Rejection of Consequentialism*, Oxford, Oxford University Press, (1982). [↑](#footnote-ref-13)