

# Peter Singer's "Famine, Affluence, and Morality": Three Libertarian Refutations

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## Abstract

*Peter Singer's famous and influential essay is criticised in three main ways that can be considered libertarian, although many non-libertarians could also accept them: 1) it mistakes the relevant moral principle, which more plausibly relates to easily-satisfied local contracts (fitting Hayek's "Great Society") rather than impractically-onerous global intuitions (with evolutionary origins); 2) its suggested principle of the immorality of not doing good is paradoxical as it overlooks the converse aspect that would be the positive morality of not doing bad, and thereby it conceptually eliminates innocence; and 3) free markets—especially international free trade—have been overwhelmingly demonstrated to be the real solution to the global "major evils" of poverty and pollution, while "overpopulation" does not really exist in free-market frameworks; hence charity is a relatively minor alleviant to the problem of insufficient free markets.*

## 1 Autobiographical introduction

In my first year at university, the "Introduction to Moral Philosophy" course included various texts on world poverty, killing versus letting die, and abortion. My responses to all of these issues led me to develop one type of libertarian position on morals; although I did not fully realise that at the time. At the end of that year I submitted an article applying the fundamental argument to abortion. It was not accepted and I never did find a better place to explain that argument. It now seems to me that this argument is still highly relevant and that a response to Singer 1972 (S72), one of the original and still highly influential texts, is clearer and more generally useful.<sup>1</sup>

## 2 Moral obligations

### 2.1 *The first refutation: the relevant principle is implicitly contractual*

S72 is quoted at appropriate junctures and replies then follow.

I begin with the assumption that suffering and death from lack of food, shelter, and medical care are bad. (231)

Agreed.

if 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. (231)

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<sup>1</sup> However, a separate essay now applies the same argument—plus others—to abortion and infanticide.

It might be morally good, but there need be no moral obligation. As we shall see, it will usually be supererogatory.

This principle seems almost as uncontroversial as the last one. (231)

In the final analysis, at least, it cannot be philosophically relevant whether a principle is “uncontroversial”. Some uncontroversial principles might be mistaken and some controversial principles might be correct. But, in any case, it can hardly be “almost as uncontroversial” that we have, by implication, such a general and huge obligation to prevent any and all bad things from happening around the whole world.

It requires us only to prevent what is bad, and not to promote what is good (231)

As the implied obligation is huge (to prevent any “lack of food, shelter, and medical care” around the entire world is only a small part of it), the “only” will be a limit that might never be reachable (at least, until free-market progress eventually abolishes such bad things). There is also the problem of whether, or how far, “to prevent what is bad, and not to promote what is good” is a clear or even coherent distinction. Isn’t “lack of food” a bad thing and having food a good thing? By contrast, to the extent that Augustine is right, a bad thing is never a real presence but only the absence of a good thing; and we cannot all have every good thing.<sup>2</sup> However, the clarity and coherence of this distinction need not be explored here.

and it requires this of us only when we can do it without sacrificing anything that is, from the moral point of view, comparably important. (231)

In other words, we have to strive to alleviate all of the bad things in the world “only” up to the point where we are in almost as bad a condition ourselves. That is, we “only” have a moral obligation to behave as a virtual saint (no religious meaning is intended). This is clearly interpretable as a type of *reductio ad absurdum*; although not in the strict logical sense of deriving a contradiction. It thereby naturally suggests that another principle altogether might be the correct one. However, it is often possible to embrace an apparent absurdity and interpret such a, non-contradictory, *reductio* as a genuine and remarkable insight. And that is what S72 does.

S72 then puts the central and famous argument that is still used and much cited today:

An application of this principle would be as follows: if I am walking past a shallow pond and see a child drowning in it, I ought to wade in and pull the child out. This will mean getting my clothes muddy, but this is insignificant, while the death of the child would presumably be a very bad thing. (231)

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<sup>2</sup> “For what is that which we call evil but the absence of good? In the bodies of animals, disease and wounds mean nothing but the absence of health; for when a cure is effected, that does not mean that the evils which were present—namely, the diseases and wounds—go away from the body and dwell elsewhere: they altogether cease to exist; for the wound or disease is not a substance, but a defect in the fleshly substance,—the flesh itself being a substance, and therefore something good, of which those evils—that is, privations of the good which we call health—are accidents.” Augustine of Hippo, *Enchiridion*, Chap. 11.

This does indeed apply S72's principle. And it applies it to a very persuasive example of where there seems to be a moral obligation. However, this is entirely misleading. Just because a theory fits the data and seems plausible (or even "uncontroversial") does not mean that it is the correct theory. For the cogency of the moral obligation here does not need to use that general and, in the modern globally-knowable-and-accessible world, extremely demanding principle. Admittedly, that principle (or possibly one covering dire situations, at least) might well be something like the one that Homo sapiens evolved to have (as it would have protected likely relatives or at least valuable allies) and the one that still fits our existing moral intuitions (we have not lived long enough in market societies for our moral intuitions to have evolved to fit them<sup>3</sup>). However, the real moral obligation is better explained today in terms of, implicit or explicit, local rules.

In all neighbourhoods, whether solely based on private property or with some political institutions, there are rules as to what is permitted and what is obligatory. By voluntarily entering these neighbourhoods a person implicitly contracts into accepting those rules. Some of those rules will be explicit (probably written down somewhere but widely understood as well) and some will be implicit (relying on common-sense standards of acceptable behaviour). Such rules usually include an obligation either to help directly or, more likely, to call for assistance—if no one has already done so—in the event of certain temporary, extreme, emergencies: buildings on fire, serious road accidents, criminal activities in progress, etc. (the rules never include an obligation to assist people in an area of general and sustained emergency, such as a famine or deadly disease; as that would keep people away and result in less assistance). A drowning child would also constitute one such temporary, extreme, emergency. Thus the moral obligation here more plausibly rests on this implicit local contract and not on S72's global and very general principle. If we experience lesser examples of bad things in the neighbourhood then it will be both widely understood and morally accepted that there is no obligation to assist. But if S72's principle were the correct one then people would expect and feel such obligations even for lesser examples. This, then, explains one serious mistake in S72 and is the first libertarian refutation (that is, a refutation using some libertarian-type assumptions and arguments).

## *2.2 The second refutation: the suggested principle is paradoxical*

The principle stated and defended in S72 also has implications that allow for another reductio, and one that is at least close to being a contradiction. If not stopping bad things is inherently immoral (not doing what "we ought, morally, to do"), then—conversely—not starting bad things is inherently moral (doing what "we ought, morally, to do"). However, it is almost always easier to start more and worse bad things by one's behaviour: theft, fraud, criminal damage, violent assaults, even merely being gratuitously rude or unpleasant, etc. Consequently, by simply doing neither we are either both moral and immoral at the same time or on balance positively moral (for not doing more easily-done bad things than we are not doing hard-to-do good things). It is paradoxical to describe mere inaction as either 'moral

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<sup>3</sup> As Hayek 1988 explains, in the Great Society we have to leave some such evolved moral instincts behind when dealing with markets.

and immoral’ or ‘on balance positively moral’. The paradox is avoided if we make the following more-conventional distinctions, which libertarians qua libertarians hold more consistently than most people. To proactively promote good things is moral. To proactively promote bad things is immoral (and thereby flouts liberty insofar as these proactively impose costs on people directly or via their property<sup>4</sup>). And to do neither is morally neutral. Because S72 does not consider the converse argument with respect to promoting bad things, it mistakenly arrives at the conclusion that what is not moral must thereby be immoral. This leaves no conceptual room for the possibility of moral neutrality, otherwise known as ‘innocence’. This is the second libertarian refutation.

S72 goes on to say,

If we accept any principle of impartiality, universalizability, equality, or whatever, we cannot discriminate against someone merely because he is far away from us .... (232)

There are common confusions in ethics concerning all of these three entirely different things, “impartiality, universalizability, equality” (and probably “or whatever” too). Impartiality is always contextual. We can only be impartial in the application of the rules towards which we are first partial, or at least somehow obligated. So in the drowning child (or temporary, extreme, emergency) case, we are contractually obligated to act with “impartiality” in the sense of taking no account of the identity of the child (or the people or nature of any other relevant emergencies). Similarly, “universality” is always contextual. An obligation ‘universally’ covers all the people and situations mentioned in the relevant principle and not people and situations that are outside it. As for “equality”, that has nothing to do with anything except in the vacuous sense that all contractual obligations are prima facie equally binding (unless some hierarchy is stated or implied, perhaps). None of the specified terms necessarily imply considering all of the people in the world. And even if they were contingently, or by assumption, to do so, then that would still leave the question of ‘With respect to what principle?’<sup>5</sup> Consequently, we can—and even must—“discriminate” against people who are not covered by any relevant contractual principle (at least until any contractual obligations have been met).

### *2.3 The third refutation: free markets best solve real “major evils” problems*

S72 then asserts that

most of the major evils—poverty, overpopulation, pollution—are problems in which everyone is almost equally involved. (233)

Global poverty and pollution are, on average, reducing all the time thanks to the economic growth that markets create. With more libertarian-like property rights and thereby greater

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<sup>4</sup> At least, insofar as self-ownership and such property are derivable from an abstract theory of interpersonal liberty. See Lester 2012, 2014, and 2016.

<sup>5</sup> There is a background assumption in S72 of some sort of utilitarianism, or at least consequentialism. But that is best left in the background and the text’s arguments taken at face value.

growth, they would be reducing even faster. It is a myth that there is “overpopulation”. A spontaneously growing global population—based on individual reproductive choices in the specific circumstances—aids economic growth due to the greater division of labour. Popular books—for instance, Simon 1996, Lomborg 2001, and Pinker 2018—now more or less explain these things; but libertarian texts<sup>6</sup> are needed to add clarity and cogency (none of those popular books are libertarian). The highly detailed evidence and arguments cannot be rehearsed here. Therefore, to the extent that “everyone is almost equally involved” it is not in terms of proactive culpability but, rather, the unintended beneficial effects of free markets within countries and free trade between the residents of different countries (insofar as politics, or each state, allows this to happen). The solution to real “major evils” is not “effective altruism”—as the movement associated with S72’s arguments has become called—but laissez-faire economies (in the libertarian sense that protects people and their justly-acquired property).

If there were to be genuine free trade around the world, then capital would be likely to make its way to employ the cheap labour where it is; and this would soon raise living standards in those areas to approach a new global norm. Anti-free-traders hold that free trade can proactively impose on the existing population. But I do not proactively impose on you if I buy imported foreign products. And you proactively impose on me if, via politics, you can prevent me from doing so. The boost to the economy that free trade allows will ultimately raise the general living standards of the country, and any structural unemployment is a temporary loss. (If trade barriers really were liberal and economic, then we should impose them within countries just as much as between any two countries.)

Into the foreseeable future there will always be room for charity that can do real good around the world. But charity at most puts the cherry on the cake. The free market—which strictly must include international free trade—creates the ever-growing cake. Those people engaged in charitable giving might often do better to start new businesses for the people in needy areas or at least spend some of their time campaigning for more free trade with those areas. S72 does not recognise that free markets are far and away the best solution to any real “major evils” problems. So this is the third libertarian refutation. The rest of S72 raises no more issues that this triple refutation needs to address.

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<sup>6</sup> Primarily on economics but also philosophy.

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