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Each Counts for One

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After 50 years of debate, the ethics of aggregation has reached a curious stalemate, with both sides arguing that only their theory treats people as equals. I argue that, on the issue of equality, both sides are wrong. From the premise that "each counts for one," we cannot derive the conclusion that "more count for more"—or its negation. The familiar arguments from equality to aggregation presuppose more than equality: the Kamm/Scanlon "Balancing Argument" rests on what social choice theorists call "(Positive) Responsiveness," Kamm's "Aggregation Argument" assumes that "equal" lives are fungible, and Hsieh et al. have it that spreading goods broadly best approximates equality. In each case, the crucial premise is not equality itself but a further idea that Taurek, I argue, can safely reject. I conclude with a conjecture: there is no theory-neutral argument that settles the question of whether the numbers count.

1. Introduction

Suppose you are choosing which of two groups to save. Does it intrinsically matter if one group is bigger? Do you have an obligation to save the many purely because there are more of them?

Most ethicists, like Derek Parfit (1978), say *yes:* the numbers should count. But some, like John Taurek (1977), say *no:* there is no need, perhaps even no reason, to save the many as such.[1] Both sides of the debate by now have amassed their own armories of arguments. Of all these, the most influential has been an appeal to equality. Derek Parfit ends his reply to Taurek:

> Why do we save the larger number? Because we *do* give equal weight to saving each. Each counts for one. That is why more count for more. (1978, p. 301, emphasis original)[2]

To give equal weight to each, we must give more weight to the many. We find the same basic idea in classic arguments from Frances Kamm (1985, p. 181; 1993, p. 114, 1998, p. 940, 2000, p. 221, 2005,

[1] Unlike Taurek, Elizabeth Anscombe (1967, 2005) and Veronique Munoz-Dardé (2005) believe that there can be an intelligible reason to save the many, even though it remains permissible to save the few.
[2] Parfit later repeats the maxim, prefaced with "As utilitarians might say…" (2003, p. 378). Stephen Munzer applies the maxim to legal ethics, prefacing it with the following: "As Derek Parfit has perceptively argued, we help the larger number *because* we give equal weight to helping each…" (1979: 444, emphasis original).

p. 6, 2007, p. 33) and T.M. Scanlon (1998, p. 233), as well as in more recent discussions.[3] The idea also has deep roots in the utilitarian tradition, particularly in the work of Jeremy Bentham.[4]

But there is something strange about all this, since as Parfit, Kamm, and Scanlon know, Taurek makes the same argument for the *opposite* view. A policy of saving the many, according to Taurek, would not "reflect an equal concern for the survival of each" (1977, p. 316). Saving the many would be like saving people "in order of IQ or social importance"—it would be "incompatible with [a] desire to show equal concern for each person's survival" (1977, p. 315).

Clearly, at least one of these arguments must fail. But which? Does equality tell in favor of Parfit's view or Taurek's? I argue for a surprising answer: *neither*. A theory need not count the numbers, or refuse to do so, in order to treat people as equals.

But if equality is immaterial to the debate, why do both sides think it gives them an edge? The main reason, I think, is that both often fail to distinguish *Anonymity* (roughly, the idea that no one counts for more than anybody else) from *Responsiveness* (roughly, the idea that anyone's interests can break a tie). These two concepts are kept sharply distinct in social choice theory, the study of how individual votes combine into collective choices (Arrow, 1963; Sen, 2017). Rather than voters and elections, Parfit and Taurek are concerned with how individuals' claims or interests determine moral obligations. But the analogy can teach us something. Taurek's principle of permissible rescues

[3] Kieran Setiya (2014, p. 272), though sympathetic to Taurek, claims that a stranger who gives "equal weight to the interests of all…would act so as to save the greater number, on the ground that more needs will then be met." Tom Dougherty (2013, p. 419) derives this view from a principle of rationality: if you value some ends equally, you should prefer to achieve more of them rather than fewer. Joseph Raz (2003, p. 351) runs a similar argument using "degrees of compliance" with reasons (an argument anticipated and criticized by Shelly Kagan 1988, p. 26).

[4] Parfit's maxim echoes what John Stuart Mill, in *Utilitarianism*, calls "Bentham's dictum, 'everybody to count for one, nobody for more than one'" (1861, chap. V, paragraph 35). Gerald Postema (2019, p. 99) traces this to a passage in Jeremy Bentham's *Rationale of Judicial Evidence*: "every individual in the country tells for one; no individual for more than one" (1838, vol. vii, p. 334). Parfit's inspiration may also have come from Henry Sidgwick's principle of "pure equality—as given in Bentham's formula, 'everybody to count for one, and nobody for more than one'" (Sidgwick, 1907, p. 417).

is less responsive than Parfit's, but equally anonymous, and therefore equally egalitarian. Each can count for one even if the numbers do not count.[5]

For simplicity, we shall mostly focus on cases where the stakes are the same for all parties, the agent has only two options, and there are no randomizing procedures available—no coin flips, dice rolls, and so forth. Let me be clear: this paper is not about how best to express equality *in one's method of deciding among permissible options*.[6] It is about theories that tell us *which options are permissible*. The question is whether the value of equality gives Parfit's theory an edge over Taurek's, or vice versa.

2. Majority Rule and Anonymity

Let's start with the familiar question of what it means for a voting rule to treat every voter equally.

Voting rules convert the preferences of *voters* into a ranking of *options*. More precisely, let the preferences of each voter *i* in the set V be given by a weak ordering R_i defined over the set O of options. A *profile* of *n* voters is an *n*-tuple of their preference orderings. A voting rule is a function *f* from profiles to a *social preference* relation, again defined over O. If the social preference relation ranks an option highest, we have a winner.

With this in mind, consider a voting rule that is closely analogous to Parfit's view on aggregation: Majority Rule. According to Majority Rule, an option X is socially preferred to an

[5] Michael Otsuka, drawing on Nagel (1979, pp. 113–15), briefly argues for this same conclusion: "A defender of Taurek's principle can show that he gives equal and positive weight to the moral significance of each person's life…" (2000, p. 290). Tyler Doggett argues that each person "makes the same difference" to what is permissible, on Taurek's view (2013, p. 307); Otsuka (2006, p. 114) argues that each makes *some* difference. (See also Brook and Schwimmer (1981, p. 330) on "the weak sense of 'impartiality'.") These writers deserve credit for the basic insight that equality does not require counting the numbers. In my view, ethicists have not felt the force of this insight in part because they have not distinguished Anonymity from Responsiveness, and in part because the defense of Taurek has been piecemeal. There are several arguments starting from "each counts for one" and concluding with "more count for more." These arguments are typically treated one at a time. Here, I shall try to take them on collectively.

[6] Infamously, Taurek thinks the way to express equal concern for each person is to flip a coin to decide which group to save, so that everybody enjoys an equal chance of survival (1977, p. 303).

option Y if and only if more voters prefer X to Y than prefer Y to X. For example, imagine Al, Bob, and Cait are voting on whether they will go to the Alps or to the Beach. Al prefers the Alps, but Bob and Cait prefer the Beach. The majority has spoken: Beach wins.

It is easy to see the analogy with counting numbers in rescue cases (Nagel, 1979, p. 112; Kamm, 1993, pp. 115–16; Kumar, 2001, p. 168; Henning, forthcoming). The people in danger are playing the role of voters, and we can suppose that each prefers his or her own survival.[7] Where Majority Rule awards victory to the option that most voters prefer, the principle of counting the numbers "awards" obligatoriness to the option that saves the most lives.

Majority Rule, for all its faults, has long been seen as reflecting the value of equality. Each person gets one vote. No one's vote counts for more than anybody else's. It is clear why other rules might seem less egalitarian by contrast. If some voters are given two votes, while the rest are given one, that is a clear violation of equality. If one "dictator" is always given his or her preference, even if all others would prefer the opposite, that is a violation of equality. Majority Rule abides no dictators and never doles out double-votes.

This kind of equality is deeply linked to a principle that social choice theorists call:

Anonymity

Permuting the preferences of voters in a profile cannot affect the outcome of an election.[8]

Let's illustrate with our example. Because Majority Rule is anonymous, it doesn't matter that Al, in particular, was the one who voted for the Alps. The result would be exactly the same if Al and Bob

[7] As Kamm (1993, p. 115) notes, the analogy between number-counting and Majority Rule breaks down in cases where voters have "external" preferences, which are *not* just based on a desire for self-preservation. Suppose that you can save Al or save Bob and Cait, and Al and Bob both would prefer that you save Al. Here, thanks to Bob's "external" preference, the majority would vote for saving the few.
[8] This is one of Kenneth May's (1952) axioms for Majority Rule.

had swapped preferences, or Al and Cait. Merely swapping two people's preferences over the set of options will not affect the outcome of the vote.

Now, we seem to have a tempting argument for counting the numbers.

1. The moral principle of counting the numbers is like Majority Rule, which is anonymous.
2. Anonymous voting rules are egalitarian.
3. If a moral principle is like an egalitarian voting rule, then the principle is itself egalitarian.

So: Counting the numbers is egalitarian.

There are several ways in which one could question the argument.[9] Here, let me focus on an objection suggested by some of Taurek's remarks.

For Taurek, giving a higher priority to saving bigger groups would be like giving "first priority" for use of a lifesaving resource to "medical researchers, high-powered managerial types, and people with IQs over 120" (1977, p. 314). Neither policy, he thinks, would "allow" the affected parties "to retain their sense of each having an equal claim on the resource" (1977, p. 314); neither policy would "reflect a genuinely equal concern for the survival of each person" (1977, p. 315). The point seems to be this. To show equal concern, we shouldn't try to benefit more people rather than fewer; we should try to benefit everyone to the greatest extent we can while still benefiting each person to the same extent. Hence: the coin flip, which gives each an equal chance.[10]

[9] Here are two more objections to premise 2—specifically, to the idea that Majority Rule treats voters equally. First, we might argue that Majority Rule gives unequal voting power to those in a "persistent majority," simply because each enjoys a tighter "correlation" between his or her voting intentions and the election's outcome (Abizadeh, 2021, p. 291). But this (intriguing) argument relies on controversial "a posteriori" measures of voting power (Ingham and Kolodny, 2023). Second, we might argue that Majority Rule gives too much weight to those with weak preferences. But in this paper, we are focused on cases where the stakes are the same for all involved. In such cases, Majority Rule does seem, in virtue of its anonymity, to be egalitarian.

[10] Some critics will deny that a *chance* of a benefit is itself a benefit (or that a *chance* of satisfying a claim partially satisfies a claim). But chance is not really essential to the example. Suppose we have to decide whether to use

But Taurek just *asserts* all this. Why should his opponent believe him?

Suppose we care only about the preferences of each person, and we adopt a principle of satisfying the preferences of the majority. How does this involve unequal concern for any individual? Each person's preference counts for one. There only *appears* to be something unequal about this approach if we look at it through Taurek's lens, and we join him in assuming that equality requires giving equal benefits to each. It is this deeper assumption, not equality itself, that drives Taurek's objection to the argument. And this assumption is one his opponents will reject.

I conclude that counting the numbers is a way of treating people equally—even if it is not Taurek's preferred way—because it is like the anonymous method of Majority Rule. This argument seems to me sound. The problem is only that it is too weak: it does not entail that counting the numbers is any *more* egalitarian than Taurek's view.

3. Unanimity Rule and Anonymity

What exactly is Taurek's view of permissible rescues?

Clearly, he denies that you must always save the bigger group. In a choice between saving only Al or saving both Bob and Cait, he thinks you may save Bob and Cait, and he thinks you may save only Al. But he does not say anything goes (as I read him in Muñoz 2022). Even if you have not signed any contracts, made any promises, or accrued any debts, you must save someone, if you can do so at little cost to yourself. Moreover, you may not let anyone die gratuitously. You may not save only Bob rather than saving him *and* Cait. Here, the objection is not that you could have saved two rather than one. It is that you could have saved an extra person at no extra cost to anyone.

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some divisible resource to (a) fully cure the pains of a big group, (b) fully cure the pains of a small group, or (c) halfway cure everybody's pain. Taurek would then have said that half-curing everyone better expresses equal concern than curing the many outright. His interesting claim is that, in these sorts of cases, *equality requires giving everyone an equal benefit*. It is only incidental that Taurek treats equal chances of a benefit as themselves like equal benefits.

Since Taurek and his opponents agree that it's wrong to save no one, and wrong to let anyone gratuitously die, let's set aside those possibilities (until section 5) and just focus on the choice of which (maximal) group of people to save. We are interested in what Taurek says about the choice between saving only Al and saving both Bob and Cait.

When it comes to such choices, Taurek's view is like Unanimity Rule.[11] The key idea behind Unanimity Rule is that X is socially preferred to Y if and only if X is preferred to Y by every voter. Every individual has a veto, which means that no candidate can win if voters disagree. No coalition, however large, can outvote even one opponent. This is analogous to Taurek's view that the interests of no group, however numerous, can outweigh the like interests of another group, however puny. Morality does not require you to save the many. You may save the few.[12]

Unanimity Rule, for all its faults, has long been seen as an expression of equality.[13] It's not hard to see why. It doesn't matter who is in the minority: they have just as much a veto as anybody else—another instance of Anonymity.

But now we have a tempting argument *against* counting the numbers:

1. The moral principle of not counting the numbers is like Unanimity Rule, which is anonymous.

[11] Nagel makes this connection: "In a perfectly unanimous morality the only number that counts is one" (1979, p. 116). If we allow for voter indifference and for the possibility of saving nonmaximal groups, Taurek's view is analogous to Sen's Pareto Extension (Sen, 2017, p. 119; Muñoz, 2022, p. 81). I focus on Unanimity Rule for simplicity.

[12] Some read Taurek as saying that you must or should flip a coin to decide which group to save (Regan, 1983, p. 298; Sanders, 1988, pp. 4, 11; Otsuka, 2000, p. 288; Hirose, 2001, p. 341, 2004, p. 62; Lawlor, 2006, pp. 150–51, 160; Meyer, 2006, p. 142; Hare, 2013, p. 32). But Taurek never says this. He says that he "would" flip a coin (1977, p. 306), if his only motive were "an equal concern for each person involved" (1977, p. 307). I am hardly the first to make this point (Kamm, 1993, pp. 76, 99; Doggett, 2009, p. 1n2; Hirose, 2014, p. 111; Setiya, 2014, pp. 272–73; Henning, 2015; Sung, 2022, pp. 278–80).

[13] Among the classic objections to Unanimity Rule are: (1) it arbitrarily privileges the status quo, (2) it creates a tyranny of the minority, and (3) it leads to efficient outcomes only in "a society requiring no politics" (Rae, 1975, p. 1270).

2. Anonymous voting rules are egalitarian.
3. If a moral principle is like an egalitarian voting rule, then the principle is itself egalitarian.

So: Not counting the numbers is egalitarian.

This is just as plausible as the egalitarian argument for counting the numbers. We have, at best, a tie.

4. Tiebreaking

Frances Kamm has a further argument—the "Balancing Argument."

She writes that there is "an interpretation of equal treatment of all concern" that

> requires that we count equally each individual's preference…. And we will not have succeeded in counting his preference for a certain state of affairs if the fact that he prefers it makes no difference in the process of deciding which state to bring about. His preferring will make no difference in this process of deciding if we would proceed in the same way whether or not he had this preference, even when recognition of his preference could help his cause. (1985, p. 181)

Here, Kamm is saying that Anonymity is not enough. Equality also requires that each preference "make a difference," in some sense, to what we may decide.[14]

Of course, Kamm is not saying that each preference must *always* make a difference. Suppose we are deciding whether to send a rescue mission north, where it would save only David, or south, where it would save Elise and 50 others. Kamm thinks we must send the mission to the north. But

[14] Scanlon (1998, p. 232) makes the same point. Kenneth Walden agrees: "A strategy that grants equal moral consideration to people should not be numb to the presence or absence of people, but Taurek's strategy is exactly that" (2014, p. 233).

suppose we switch Elise's preference by imagining her in the north with David. Surely Kamm would not say that this makes a difference, so that we may send the mission north to save the two.

Kamm's view, more plausibly, is that switching preferences should make a difference when we start off from a *tie* (Doggett, 2013, p. 307). Now, as it happens, this principle nicely corresponds to another axiom in social choice theory, again due to Kenneth May (1952). This is the axiom of:

> *(Positive) Responsiveness*
>
> If X is socially tied (or preferred) to Y given a profile V, and V* is a profile just like V except that one voter now ranks X over Y, then given V*, X is socially preferred to Y.

Given Responsiveness, changing a single voter's preference will break a tie (in the direction of that voter's preference). Majority Rule is responsive. The analogous fact, in ethics, is that individual preferences "make a difference" to a tie if we count the numbers.

What about Unanimity Rule? Clearly, it's *not* responsive. In the choice between saving David in the north or Elise and the 50 others in the south, Unanimity Rule would say that we have a tie. But switching Elise's preference to the side of David does nothing to break this tie. There is still nothing close to unanimity in favor of either option (if anything, switching Elise's preference takes us further away from unanimity).

This suggests a second kind of argument for counting the numbers. We can say that a moral principle is egalitarian *if and only if* the analogous voting rule is anonymous and responsive. This time, the same argument *cannot* be run in favor of Taurek's view, since it's analogous to Unanimity Rule, which is *not* responsive. If the argument works, then we are on our way towards showing that equality requires us to count the numbers.

The problem, however, is that there is no clear link between equality and Responsiveness. Contrast this with equality and Anonymity, where the link is obvious—so much so that May (1952, p. 682) uses "anonymous" and "egalitarian" as synonyms.[15] Anonymity says that voting rules should not single out any individual as having a special kind of influence. Many of the grossest inegalitarian rules—such as those that treat someone as a dictator, or some class as an oligarchy—seem unequal precisely when (and because) they violate Anonymity by singling out a special elite.

On the other hand, there are plenty of non-responsive voting rules that nevertheless seem to treat all voters equally. Unanimity Rule, ironically, may be the most famous example, as it gives every voter the same absolute veto power. Another example is Supermajority Rule, which awards victory to any option preferred by (say) two thirds of voters, or some other threshold above one half. This rule, too, seems egalitarian though not responsive. (Suppose two voters prefer X and three prefer Y; a single convert from Y to X will not break the tie.)[16]

Parfit was wrong to infer from "each counts for one" to "more counts for more." More people will not always "count for more" in a regime of Unanimity Rule, or even in Supermajority Rule, but it is still true that these rules give each voter an equal share of power. By analogy, on Taurek's moral view, the interests of the many will not outweigh those of the few, and therefore will not generate an obligation to save the many, but no one counts for more than any other. All that changes, in a switch from majority to Unanimity Rule, is *how* each individual counts. Unanimity Rule gives each an absolute veto. Majority Rule gives each a conditional veto: if the rest of the electorate is split, your vote can turn a loss into a tie, or into a victory (depending on whether the total number of voters is even or odd). But either regime, no voter has more power than any other, since both rules are perfectly anonymous.

[15] May also says of Anonymity (emphasis his): "A more usual label is *equality*" (1952, p. 681).
[16] Supermajority Rule is like moderate versions of Taurek's view (Pummer, 2022), on which numbers count only when there is a big difference. (For a responsive version of Supermajority Rule, see May (1953, p. 173).)

The link between equality and Responsiveness—between "each counts for one" and "the numbers should count"—thus turns out to be illusory. Even if Responsiveness is true, no one has shown that it follows from a commitment to equality. Indeed, Parfit and Scanlon do not even *argue* for such a connection.

Does anyone?

5. The Aggregation Argument

I know of only two further ways to argue from equality to number counting (and, therefore, to Responsiveness).[17] Let's start with Kamm's "Aggregation Argument."[18]

Suppose we are deciding between saving only Al, only Bob, or both Bob and Cait. Kamm first claims that it is better to save Bob and Cait than only Bob, since it's better for Cait and at least as good for everybody else. This follows from a principle known as:

(Strong) Pareto

If X is better for someone than Y, and X is at least as good as Y for everyone else, then X is better overall than Y.[19]

[17] Henning (forthcoming, pp. 9–10) argues that we should defer to the majority of those in danger insofar as we want to be impartial ("equal concern") while letting individual votes be decisive (Responsiveness). But he is not arguing that impartiality *entails* Responsiveness, and he does not argue for Responsiveness, beyond saying that it seems "plausible" (forthcoming, p. 9). But consider this counterargument: while Majority Rule gives people more tie*breaking* power, Unanimity Rule gives them more tie*making* power: anyone can turn a defeat into a tie by switching their vote. Why assume that breaking ties is more important than making ties?
[18] Kamm (1993, p. 85n15) attributes "much of" the argument to David Wasserman (see also her 2005, p. 4, 2007, p. 32). Kavka (1979, pp. 291–92) has a precursor of the argument; Brook and Schwimmer (1981, pp. 333–34) has an argument much like Kamm's; and Graham (2017) has a complex version of the argument.
[19] Kamm (2005, p. 4) and Hirose (2001) use "no worse than" instead of "at least as good as," which is stronger than what the argument needs. See Hedden and Muñoz (forthcoming) on "Super-Strong Pareto."

Next, Kamm argues that saving only Bob and saving only Al are equally good options.[20] This follows from a principle reminiscent of Anonymity, which I call:

> *Pairwise Anonymity*
>
> X and Y are equally good if they differ only with regard to the identities of the (finitely many) people involved.[21]

Finally, Kamm infers that saving Bob and Cait must be better overall than saving only Al. This follows from a principle that Kamm (1993, p. 86) calls:

> *Substitution of Equivalents*
>
> If X and Y are equally good, and Z is better overall than X, then Z is better overall than Y.

The general idea here is that, if X and Y are equally good, then however X compares to some alternative Z, Y will compare to Z in the same way.[22] (Suppose Fred and Gerald are equally tall. If Helen is taller than Fred, won't she be taller than Gerald, too?)

The Aggregation Argument was not originally meant to answer the question, "Why should there be any connection between equality and counting the numbers?" The argument is usually

[20] Some say Taurek can reject this move on the grounds that it is especially bad to let people die gratuitously (Friedman, 2002, chap. 2, 2009, p. 279n8; Wasserman and Strudler, 2003, p. 74; Otsuka, 2004, p. 420; Lübbe, 2008, p. 80). Elsewhere, I argue that this reply does not fit well into Taurek's other views, and that it fails to block a five-option version of the Aggregation Argument (Muñoz, 2022).

[21] See Gustafsson's (2021: 258) principle of the same name (which is equivalent to the principle above, given the transitivity of equal goodness).

[22] Substitution of Equivalents, or "PI-Intransitivity" (Sen, 2017, chap. 1*), is entailed by the transitivity and completeness of "at least as good as" (which Gustafsson (2021) uses in his version of the argument), and it entails the transitivity of "equally good" (which Kavka (1979, pp. 291–92) uses in his version).

presented in response to a different question—namely, "Can we argue for counting the numbers without smuggling in any 'aggregative' premises?"[23]

But Hirose does present the Aggregation Argument as a path from equality to aggregation:

> In so far as the good of each person has the same moral importance, [Pairwise Anonymity] and Pareto tell us to save the greater number without combining the goods of different people into an objective value. The numbers count if the goods are equally weighty; but the numbers do not necessarily count if the goods differ from one another. (2004, p. 70)

Is this a good argument?

It's interesting, but I don't think it's persuasive. Taurek can and should reject Pairwise Anonymity.

The problem is that Pairwise Anonymity treats one person's loss as *equal in goodness* to a similar loss suffered by anybody else—where "equality" implies the lack of any moral difference. If different losses are "equally good," in this sense, then Pareto implies that the numbers count.

But this is not how Taurek thinks of equal goodness.[24] He does not think that one person's loss can be exchanged for another's without a trade-off. The loss of your arm may be as great as the loss of my arm, but one is a loss *to you*, and the other is a loss *to me*. To put it more prosaically, the losses are bad in different ways. They are bad along different dimensions.

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[23] There has been much discussion of this question, both in the context of the Aggregation Argument and the earlier Kamm/Scanlon "Balancing Argument" (Otsuka, 2000; Kumar, 2001; Timmermann, 2004, p. 109n3; Meyer, 2006; Hirose, 2014; Gustafsson, 2017, 2021; Lee, 2017).

[24] Is Taurek willing to compare people in value? At one point, he wonders what it "could mean" to say that one person is not "more valuable, period, than any one of [five others], or than all of them taken together" (1977, p. 300). But here I think he is merely expressing doubts about the idea that groups of people have value "taken together." Elsewhere, Taurek (2021, p. 313) expresses similar doubts about collective beauty, skill, and talent. See also Brook and Schwimmer (1981, pp. 326–27) on knowledge.

Instead of equality, perhaps Taurek should talk in terms of *parity*.[25] To say that one person's loss is on par with another's is to say that, although neither loss is better, the two are valuable in different ways. The losses are therefore not *fungible* in value. Substituting one for the other can justify, and may even require, some kind of rational regret. More to the point, if two things differ in value, then they might compare differently to an alternative. If X and Y are *on par*, then Z could be better than X without being better than Y. Substituting X for Y would no longer be, to use Kamm's phrase, the substitution of *equivalents*.

The Aggregation Argument therefore has no force against Taurek if he thinks of different people's losses as being on a par.[26] If Al's death and Bob's death are on par, they morally differ, and there is no clear reason why they should compare in the same way to the deaths of both Bob and Cait. Indeed, there is an obvious difference. Compared to Al's death, the deaths of the other two represent a trade-off; compared to Bob's death, the two deaths are a sheer loss.

Nor is the appeal to parity a desperate trick. A number of ethicists have independently argued that losses to different people are on par rather than morally fungible (Gordon-Solmon and Pummer, 2022; Muñoz, 2022; Rabenberg, 2023). In fact, this appears to be Kamm and Parfit's own view. For Parfit (2011, p. 132), there are only "imprecise truths about the relative strength…of our reasons…to help strangers," when those we help are different people. For Kamm (forthcoming, p.

[25] The concept of parity is due to Ruth Chang (1997, 2002b, 2002a, 2016). As she sees it, two things are "on par" when (1) neither is better or worse, (2) they are not equally good, and yet (3) they can still be meaningfully compared in value. Where Chang sees parity, some see mere *incomparability* (De Sousa, 1974; Sinnott-Armstrong, 1985); others see *imprecise equality* (Parfit, 2016); and some invoke *incommensurability* (Andersson and Herlitz, 2022; Hedden and Muñoz forthcoming). For our purposes, any of these terms will do. My point is just that, for Taurek, losses to two different people can differ in (some dimension of) value even if neither loss is worse overall.

[26] Let me qualify this. If we could find some independent reason in favor of the Substitution of Equivalents, such as a more general argument for the transitivity and completeness of "better than or equal to" (and "may permissibly choose over"), then the Aggregation Argument would have some force. But then Taurek would not be the only one in trouble. Most of Taurek's *opponents* are also committed to failures of transitivity or completeness. See, for example, Kamm (1985; 1996, chap. 11) and Parfit (1982, p. 131) on supererogation and Otsuka (2004) on Scanlon's contractualism. For a recent argument in favor of transitivity and completeness, see Gustafsson (2022) on money pumps.

4), when we say that the lives of "different people" are on par, that "seems to be a specific denial that moral equals are substitutable."

Of course, as Kamm herself points out (forthcoming, p. 6), parity sometimes does work like equality. The differences between two items on par may be swamped by a more significant difference between them and a third option. For example, saving Ian's arm is on par with saving Japa's arm, and both are worse than saving Karl's life. (Both are also worse than saving Karl's life *and* Japa's arm, to use an example more like the one Kamm uses in her paper.)

But this is just to say parity may *sometimes* acts like equality. That does not mean that parity *always* or even *generally* acts like equality, and so there is little if any pressure for Taurek to say that we can substitute one life for another as required by the Aggregation Argument.

In sum, the Aggregation Argument shows that we should count the numbers only given that people's lives are "equal" in the sense that implies fungibility in value. Taurek should insist on equality of a different stripe. Each person is unique, but none counts for more than any other.

6. Closer to Equality

For our second argument, we turn to Nien-Hê Hsieh, Alan Strudler and David Wasserman (HSW), who contend that saving more people gets us *closer* to equality.

Consider an example they call "Sarge."

> Your troops have come under heavy fire in two isolated outposts, but you have the logistical means to get the newly arrived armor to only one of the outposts. There is a single soldier in the first outpost, five in the second; any soldier who does not receive armor will die. (Hsieh, Strudler and Wasserman, 2006, p. 357)

How should you distribute the armor?

If you had enough to go around, you would have to distribute it equally. But there is not enough to go around. So, HSW think you should do the next best thing: "distribute the goods in a way that best approximates an equal distribution" (2006, p. 358).[27] And what best approximates equality? Not giving the armor to the few (2006, pp. 361–64). Not keeping the armor to yourself (2006, pp. 359–61). And certainly not flipping a coin to give each soldier an equal chance of receiving the armor, or rolling a die to give each group a chance in proportion to its size.[28] The way to get closer to equality is through a "broader" distribution, and so you should give the armor to the five rather than to the one.

This is, on the face of it, an odd argument. Some familiar measures of equality would say that you are *just as far away* from equality whether you give the armor to the one or to the five, and nearly any measure would say that you achieve *perfect* equality if you give the armor to nobody, so that the soldiers are equally bereft.

Consider Larry Temkin's additive principle, which looks at each pair of people in a group and sums up every absolute difference in wellbeing.[29] There are *no* wellbeing differences if every soldier has the same amount of armor. And there is the *same* sum of differences when only one has the armor as when five have the armor. If the one has the armor, there are *five* differences: one for each person worse off than the one. If the five have the armor, there are *also* five differences: one

[27] Of course, there will be exceptions. No need to give everyone shoes evenly if that means one shoe per person.

[28] Against these probabilistic proposals, HSW argue that you owe the soldiers a good—the armor—and a chance at a good is not itself a good (Wasserman, 1996). They also argue that giving proportional chances "does not even purport to give each needy soldier an equal share" (2006, p. 358n10), though see Jens Timmermann (2004) on the "individualist lottery."

[29] Note that Temkin's metric is meant to measure how *bad* an inequality is; he ignores differences in wellbeing that are the fault of the worse-off person; and he thinks equality matters less among people with higher levels of wellbeing (1993, pp. 346–48)—a complication we can set aside.

for each person better off than the one. Given Temkin's quite natural principle, HSW seem to be getting equality totally wrong.

But this objection, I think, misses the mark. HSW are not trying to show that, given some plausible and *independent* principle of equality, saving the many comes closest to equality. For HSW, equality is part of a "complex" duty you owe to your soldiers—"a duty to rescue them equally" (2006, p. 360). As they put it:

> Respect for equality sets a limit on the ways in which you can provide the benefit in question, and does not form a separate end that has value apart from the provision of that benefit. (Hsieh, Strudler and Wasserman, 2006, p. 361)

This reveals the real problem. Even if HSW's argument is convincing, it is not an argument from equality. It is an argument *from the complex duty of "equal" rescue*, which is basically a duty to spread scarce goods as broadly as one can. This duty may well embody one way of treating people as equals. But why think it's essential to equality?

Consider total utilitarianism, on which equal-sized benefits count the same no matter whose they are. The totalist rejects any duty to spread a fixed amount of utility widely. They are indifferent between single benefits to each and double benefits to half. But the totalist does not reject the idea that each person matters equally. The totalist just expresses this idea in a different way.

We can say the same of Taurek, and his principle of permissible rescues. He thinks every person matters equally, which he expresses by saying that (other things equal) we may save anyone from death even if that means letting a large group of others die.

Taurek, the totalist, and the "equal rescue" theorist each have a place for equality in their theories. HSW's argument, rhetoric aside, does not even *try* to show otherwise. They do not start

from the premise that each counts for one and use it against Taurek and the utilitarian. Instead, they start from the intuition that we have a certain equality-inflected duty of rescue, and they argue that *it* entails that we should count the numbers. This is an "egalitarian argument" (2006, p. 364), in the sense that it has something to do with equality. But they are not—despite appearances—arguing that *only* number counters can be egalitarians.[30]

7. Conclusion

We have now seen four arguments from "each counts for one" to "more count for more."

We started with the analogy between counting numbers and Majority Rule. Majority Rule, in virtue of its anonymity, does indeed treat voters equally, and if a moral theory counts up people's (equally weighty) preferences, claims, or interests to determine obligations in the same way that Majority Rule counts up votes to determine winners, that ethical theory will be treating people as equals. But Majority Rule is not the *only* anonymous rule. Unanimity Rule gives each voter the same absolute veto and the same power to achieve his or her preference conditional on everybody else preferring the same. Taurek's view, analogously, is that we do not have to save a group when doing so would forsake a single other, though we may not forsake everybody for the sake of no one. If we argue for counting the numbers because Majority Rule is anonymous, Taurek can insist that the same is true of Unanimity Rule, thus evening the score.

[30] There is an exception. At one point, HSW (2006, p. 364) give a "simple argument" for thinking that broad distributions best approximate equality. They start from the observation that giving all six soldiers armor would be "ideal, perfect equality." What's good about it? They note that a "distinguishing feature" of the distribution is its "breadth," and conclude that this is what makes the distribution "best." But this should not persuade Taurek, who can say that saving six is best because it saves *each individual*, and that closeness is not measured by the numbers saved. (I suspect that HSW are implicitly thinking of a Euclidean distance function defined over a six-dimensional space, one dimension for each soldier's degree of benefit. If 1 represents receiving armor and 0 represents not receiving it, (1, 0, 0, 0, 0, 0) is indeed further from (1, 1, 1, 1, 1, 1) than is (0, 1, 1, 1, 1, 1)—*assuming* Euclidean distance. But Taurek could instead define the distance between two vectors as the *maximum* distance along any dimension, in which case both unequal distributions are distance 1 from the equal distribution. See Mendelson (1990, p. 32) for discussion of this kind of distance function.)

Second was Kamm's Balancing Argument, which reveals a feature that does set Taurek's view apart from number counting. Taurek's view is not "(positively) responsive," in the sense that adding someone to one side will not always break a moral tie. But this, I argued, does not make his view any less egalitarian. It is Anonymity, not Responsiveness, that is linked to equality.

Third, Kamm's Aggregation Argument turns on the crucial premise that, when people are equals, they are fungible. Taurek can and should reject this conception of equality in favor of thinking of different lives as "on par," or good in different ways.

Finally, Hsieh, Strudler, and Wasserman argue that a duty of "equal rescue" requires us to spread scarce goods as broadly as we can—and therefore to the many rather than the few. But they do not even argue that a moral theory *without* this duty would be less egalitarian. (And, as I remark in footnote 32, Taurek can deny that broad distributions are "closer" to equality by insisting on a non-Euclidean distance function.)

These last three arguments share a limitation. They each rest on a conception of equality that builds in more than is essential for a theory to count people as equals. The Balancing Argument builds in Responsiveness; the Aggregation Argument, fungibility; the "equal rescue" argument, a preference for broad distributions of goods. But there is no reason why Taurek's view *must have these extra components* in order to express an equal concern for each person, nor do these extra components clearly follow from any part of Taurek's view.

You might wonder: "Don't Taurek's critics already know this?" Some surely do (see the end of section 6). But many of them do not. At least, they do not *write* as if Taurek had a coherent conception of equality. They write as if equality were an uncontroversial value that should uncontroversially close the question of whether one may save the few.[31]

[31] See especially Dougherty, Walden, and Raz, cited in footnote 3. Although Dougherty and Raz put their arguments for aggregation in terms of equally desired ends and equally strong reasons—instead of equally fabulous values—my arguments (in sections 2 and 3) apply to them just as well, *mutatis mutandis*.

What "looks to be a dispute about the value of equality," Thomas Nagel once warned us, "can also be viewed as a dispute about *how* people should be treated equally" (1979, p. 111, emphasis original). We should have listened. Taurek and his critics have agreed all along that each counts for one. They disagree only about *how* each person is to count. And many of the arguments for counting in Parfit's way are simply not persuasive.

This is not to say that we should *believe* Taurek. Like many, I find his view extreme, bordering on incredible. This makes it all the more remarkable that we cannot seem to refute the view using premises that would convince an agnostic, or that have some force against Taurek himself. So let me end with a conjecture, inspired by the last paragraph of Taurek's (2021, p. 322) posthumous reply to Parfit. *There is no convincing argument from neutral premises for, or against, the view that the numbers should count.*[32] Equality is not some common-ground principle we can use to settle the debate. There may not *be* such a principle.[33] The question of numbers may turn out, in the end, to be ethically fundamental.[34]

[32] One reason why this is a conjecture—not an assertion—is that some objections to Taurek may turn out to be successful. I have in mind Hare's (2013) argument from "morphing," Sung's (2022) argument from normative uncertainty, and money-pump arguments against parity in general (but as I say in footnote 26, these arguments cut against many of Taurek's opponents, too).

[33] What about Responsiveness? Even this, I think, is not theory-neutral. The theory-neutral principle in this neighborhood is something like "the presence of an individual should influence what is permissible." But "Responsiveness" privileges one kind of influence ("tiebreaking"), while rules like Unanimity Rule privilege another (which I call "tiemaking" in footnote 17).

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