IS IT IMPOSSIBLE TO RELIEVE SUFFERING?*

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1. Introduction

Imagine a situation in which three victims, A, B, and C, are attached to a machine that causes pain in adjustable increments. Suppose the machine has been adjusted to three increments for A, six increments for B and nine increments for C, and each of the victims is in pain. There is no perceptible difference between experiences of A and B and no perceptible difference between the experiences of B and C. But C is noticeably worse off than A. Now suppose that we can relieve entirely the pain of A, B, and C and that there are no other morally relevant features of the situation.

It seems an indisputable duty of beneficence — certainly for someone who can do so at no moral cost to anyone — to completely relieve the pain of A, B, and C. In fact we know that completely relieving that pain is maximally beneficial in this situation since (by hypothesis) no other feature of the situation is morally relevant. But there is an intriguing new argument that presents a serious challenge to any principle of beneficence that requires us to relieve the pain of A, B, and C. The argument — due to Stephen Schwartz — entails that it is *impossible* to relieve the pain of A, B and C without doing some moral wrong.[1] Schwartz advances two basic principles in what we call his *Impossibility Proof*: the *Principle of Equality* and the *Principle of Differential Treatment*. The principles have strong credentials and we are prepared to concede that certain versions of these are *a priori* metaethical principles. It does seem clear that suitably qualified versions of these principles incorporate rational constraints on moral deliberation. But these principles together with the

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plausible intransitivity of "as painful as" are the basic assumptions in the proof. According to Schwartz these credible assumptions alone entail the incredible conclusion that it is impossible to relieve the pain of A, B, and C and do nothing wrong.

In section 2 we discuss suitable formulations of each basic assumption in the argument and provide the original (informal) version of the *Impossibility Proof.* In section 3 we offer a formal version of the *Impossibility Proof.* We observe that the proof is invalid unless we assume two additional metaethical principles: *Irrelevance of Imperceptible Pain* and *Transitivity of Equal Moral Treatment.* We show that these additional assumptions cannot both be true and we conclude that the *Impossibility Proof* is therefore unsound. We argue further that there is no reason to expect that a sound version the proof is forthcoming. We offer some concluding remarks in section 4.

2. Why it is Impossible to Relieve Suffering

The *Principle of Equality* or *PE* expresses the proposition that two individuals that are the same in every morally relevant respect must be treated in the same way. Since the principle imposes no restrictions on what constitutes a morally relevant feature of individuals it is consistent with Libertarian principles of justice allotting goods according to free choice as well as Marxist principles of justice allotting goods according to need as well as Utilitarian principles allotting goods according to value maximization. If we suppose that two items P and Q are distributed to two individuals A and B, William Frankena urges that any acceptable distribution must meet the formal restrictions of *PE.*

> It is a requirement of both reason and of common thinking about justice that similar cases be treated similarly. This means that if A and B are similar then P and Q must be similar. But, if this is so, then it would appear that justice also demands that if A and B are dissimilar, then P and Q must be dissimilar.[2]

But of course agents that are similar in every morally relevant respect — as Frankena would surely concede — may sometimes be treated

in ways that are dissimilar in several respects. The expression of gratitude, for instance, can be permissibly dissimilar even in situations differing in no moral respect. The *Principle of Equality* demands only that the expression of gratitude differ in no respect that has *moral* relevance in such situations. It is likely to be morally unimportant precisely how that gratitude is expressed. So *PE* allows that treatment that is morally similar may be otherwise significantly dissimilar.

But agents that are similar in every morally relevant respect—as again Frankena would certainly concede—may sometimes be treated in ways that are *morally* dissimilar. Smith might permissibly agree to rescue Jones and permissibly refuse to rescue Brown, for instance, even if Brown is similar to Jones in every morally relevant respect. Smith's rescue of Jones might be supererogatory and so something that Smith need not do in every similar situation. Or Smith might be able to rescue each, Jones and Brown, but simply lack the ability or resources to rescue both. Or Smith might be able to rescue both but lack the knowledge to do so, and so on. Certainly most would agree that attention to these and other qualifications is important in the application of *PE* to particular cases. But given the appropriate qualifications we are prepared to concede the version of *PE* that is assumed in the *Impossibility Proof*. Let's assume then that the principle of equality leaves these qualifications implicit.

PE. If A and B are the same in every morally relevant respect then A
    and B must receive the same moral treatment.[3]

The *Principle of Differential Treatment* or *PDT* expresses the proposition that individuals that are dissimilar in some moral respect must be treated in ways that are morally dissimilar.[4] *PDT* entails, for instance, that it is unjust to distribute benefits equally between A and B, if A is different from B in ways that are relevant to that distribution. The principle is implicit in views about justice as divergent as Liberal Equality and Utilitarianism. It might be, for instance, that *merit* is relevant to the distribution of benefits and that A has merited more than B. If so then *PDT* would ensure that A receives the greater benefits she has merited. Or it might be that the maximization of value is relevant to the distribution of benefits and that a distribution favoring A would maximize value. If so then *PDT* would again ensure that A receives the greater benefits.

There are analogous restrictions on *PDT* concerning ability, knowledge, resources, and supererogation. But given the appropriate qualifications we are prepared to concede the version of *PDT* assumed in the *Impossibility Proof.* Let's assume then that the principle of differential treatment leaves these qualifications implicit.

PDT. If A and B differ in some morally relevant respect then A and B must receive different moral treatment.

The formal principles *PE* and *PDT* are otherwise well-known and well-received metaethical principles. But these credible principles — together with the intransitivity of "as painful as" — are the basic assumptions in an intriguing proof that it is sometimes impossible to be moral.[5]

In the original *Impossibility Proof* we are offered a simple three-person model designed to make clear the logic of the situation. We are given the following informal presentation of the argument.

> The *Principle of Equality*, the *Principle of Differential Treatment* and [the intransitivity of morally relevant characteristic R = "as painful as"] are sufficient to generate contradictions. Consider the following simple model. It is morally required to treat items indistinguishable with respect to morally relevant characteristic R similarly. It is morally required to treat items distinguishable with respect to R differently. Now we have the situation that A is indistinguishable from B in respect R, B is indistinguishable from C, but A is distinguishable from C. Thus it is morally required to treat A and C similarly, because A and B must be treated similarly and B and C must be treated similarly, but it is also morally required to treat A and C differently. This situation will arise whenever A and C are required to be treated differently and [R is a vague characteristic], but this is just the situation with all morally relevant characteristics. Thus it is impossible to be moral.[6]

The *Impossibility Proof* concludes that it is impossible to be moral since anyone who completely relieves the pain of A, B, and C must do

something morally wrong. Suppose that we relieve the pain of A, B, and C and treat A and C the same way. In that case the pain is completely relieved but we have violated the moral requirement to treat A and C differently. Suppose then that we relieve the pain of A, B, and C and treat A and C differently. In that case the pain is completely relieved but we have violated the moral requirement to treat A and C the same way. So, no matter how the pain is relieved there is a violation of some moral requirement. It is therefore impossible to relieve the pain of A, B, and C without doing something wrong.

The conclusion that it is impossible to relieve the pain of A, B, and C without wrongdoing is incredible. In section (3) we consider a formal version of the proof and show that the *Impossibility Proof* is unsound. We argue further that there is no reason to expect that a sound version of the proof is forthcoming. We offer some closing comments in section 4.

3. Is it Impossible to Relieve Suffering?

We have assumed that three victims, A, B, and C, have been attached to a machine that causes pain in adjustable increments. The machine has been adjusted to three increments for A, six increments for B and nine increments for C. There is no perceptible difference between experiences of A and B and no perceptible difference between the experiences of B and C. But C is noticeably worse off than A. We can relieve entirely the pain of A, B, and C and there are no other morally relevant features of the situation.

Among the options we have available in this situation is turning each dial to zero and completely relieving the pain of A, B, and C. Since there are no other morally relevant features of the situation—there is not, for instance, the option to produce pleasurable mental states or otherwise improve the well-being of A, B and C—the most beneficent option we have is to fully relieve the suffering of A, B, and C. Therefore we ought to fully relieve that suffering.

The first five assumptions in the *Impossibility Proof* describe the situation we have been discussing. Since we agree that such a situation is possible we have no quarrel with stipulating premises (1)-(5).

1. A perceives the same degree of pain as B.

Assumption
2. B perceives the same degree of pain as C.

Assumption
3. C perceives more pain than A.

Assumption.
4. Other than the experience of pain there are no other features of the situation that have moral relevance.

Assumption.
5. We ought to relieve entirely the pain of A, B and C.

Assumption

Of course the *Impossibility Proof* is unsound unless it can plausibly establish both that A is the same as B in every morally relevant respect and that B is the same as C in every morally relevant respect. We know that the experience of A is indistinguishable from the experience of B, and that the experience of B is indistinguishable from the experience of C. We also know that other than the experience of pain no other feature of the situation has moral relevance. But we still cannot conclude that *therefore* A is the same as B in every morally relevant respect or that therefore B is the same as C in every morally relevant respect. After all we also know that there are differences in pain between A and B and between C and B that are too small to be noticed. So among the additional assumptions necessary to the *Impossibility Proof* is the moral irrelevance of *imperceptible* pains or *IIP*.

> IIP. If A and B differ only with respect to the pain each experiences and the experience of B is not perceptibly more painful than the experience of A, then B is not worse off than A.

The conditions in *IIP* ensure that no experience of pain that is below the threshold of perception—no pains that are not "just noticeable" to use the description of Torbjorn Tannsjo—matter to the well-being of A, B or C. The assumption of *IIP* together with premises (1)-(5) entail (6)-(8).[7]
6. A is the same as B in every morally relevant respect.

From (1), (4) & *IIP*

7. B is the same as C in every morally relevant respect.
                                           From (2), (4) & *IIP*
8. A is different from C is some morally relevant respect.
                                           From (3) & (4)

We should note that even proponents of the *Impossibility Proof* have good reason to doubt *IIP*. The metaethical position that 'as good as' and 'as bad as' are transitive relations is at least as plausible as *IIP*. But the principle *IIP* is not in general consistent with the transitivity of 'as good as' or 'as bad as'. Given *IIP* we know that the experience of C is *as good as* the experience of B and the experience of B is as good as the experience of A. But we also find — contrary to the transitivity of 'as good as' — that the experience of C is not as good as the experience of A. *IIP* therefore entails that 'as good as' and 'as bad as' are intransitive relations.[8]

It is worth mentioning too that there are several other counterintuitive implications of *IIP*. Briefly reconsider the experiences of A, B and C. It might have been true that each imperceptible increment of pain was caused by a different moral agent. Since no moral agent causes any perceptible pain *IIP* entails that no agent lessens the well-being A, B or C. There can be no duty to prevent these agents from causing pain to A, B and C, since these agents are doing nothing that makes a moral difference to anyone. But it is difficult to see how we might have the obligation described in premise (5) — the obligation to relieve entirely the pain of A, B and C — and also have no obligation to prevent these agents from causing pain to A, B, and C.[9]

But suppose we concede without further discussion that there is a more convincing argument for *IIP* forthcoming. The *Impossibility Proof* appeals next to the *Principle of Differential Treatment* and premise (8) to derive (9). The inference is uncontroversial.

9. The treatment of A must be morally different from the treatment of C.
                                           From (8) & *PDT*

There is a genuine problem presented in the *Impossibility Proof* only if we can derive a conclusion inconsistent with premise (9). Indeed that derivation concludes the proof and it proceeds in two simple steps. The

Principle of Equality together with (1)-(8) entail premises (10) and (11). The inference in this first step seems straightforward and we have no interesting objection to it.

10. The treatment of A must be morally the same as the treatment of B.

From (5) & *PE.*

11. The treatment of B must be morally the same as the treatment of C.

From (6) & *PE*

For the second step we are offered an inference from premises (10) and (11) to premise (12). And we have quickly arrived at a premise that is inconsistent with premise (9).

12. The treatment of A must be morally the same as the treatment of C.

From (10) & (11)

Premise (12) completes the simple two-step argument. We have therefore derived the impossible! The closing propositions in the *Impossibility Proof* summarize the most important consequences of the argument.

13. Therefore the treatment of A must be morally different from the treatment of C and the treatment of A must be morally the same as the treatment of C.

From (9) & (12) *Contradiction!*

14. Therefore it is impossible to relieve entirely the pain of A, B, and C without doing something morally wrong.

From (9), (12) & (13)

The conclusions of the *Impossibility Proof* are unwelcome news. It is an extraordinary result to arrive at the conclusion that we cannot relieve the pain of A, B, and C without engaging in some wrongdoing. But we cannot arrive at that conclusion unless the closing two-step argument establishes premise (12). And we can show that that inference is unsound.

Suppose we concede without further argument premises (1)-(11). We will find there is still no plausible way to arrive at the conclusion in (12). It should be obvious that the *direct* inference to (12) from premises

(10) and (11) is invalid. There is no rule of inference that will take us from (10) and (11) immediately to premise (12). So it is perhaps best to assume that this small inference is enthymematic. The metaethical principle that seems implicit in the inference to premise (12) asserts that the relation of 'equal moral treatment' is transitive. Consider then a simple formulation of the transitivity of equal moral treatment in *TMT*. This principle together with (10) and (11) does entail (12).

TMT. If the treatment of A must be morally the same as the treatment of B and the treatment of B must be morally the same as the treatment of C then the treatment of A must be morally the same as the treatment of C.

Let's now show that there is no reason to believe that *TMT* is true unless we can be sure that the relation 'same in every moral respect' is transitive.

Recall that the *Principle of Equality* guarantees that moral agents who are the same in every moral respect must receive the same moral treatment. Now suppose A is the same as B in every moral respect and B is the same as C in every moral respect and the relation 'same in every moral respect' is transitive. It then follows that A is the same as C in every moral respect. If A, B and C are the same in every moral respect then *PE* guarantees that A, B, and C all receive the same *moral treatment*. So *PE* together with the transitivity of 'same in every moral respect' entails *TMT*.

But suppose that A is the same as B in every moral respect and B is the same as C in every moral respect and the relation 'same in every moral respect' is not transitive. In that case we can consistently assume that A is not the same as C in every moral respect. But then *PE* guarantees that A and B receive the same moral treatment and that B and C receive the same moral treatment. But *PDT* guarantees that A and C receive *different* moral treatment. Recall that the *Principle of Differential Treatment* guarantees that moral agents who differ in some moral respect must receive different moral treatment. But then the antecedent of *TMT* is true and the consequent is false. Therefore the *Principle of Equality* and the *Principle of Differential Treatment* together with the intransitivity of

'same in every moral respect' entail that *TMT* is false.

The *Impossibility Proof* of course assumes *PE* and *PDT*. If the proof also assumes that 'same in every moral respect' is intransitive, then it cannot assume *TMT*. We know that A is the same as B in *every moral respect* from premise (6) and that B is the same as C in *every moral respect* from premise (7). But we also know that C is not the same as A in every moral respect from premise (8). So the proof clearly assumes that 'same in every moral respect' is intransitive. Therefore the proof cannot also assume *TMT*. And so we arrive at the conclusion that the *Impossibility Proof* is unsound. Even if we concede premises (1)-(11) we have no way to derive (12). The *Impossibility Proof* therefore presents no problem for any principle of beneficence that requires that we relieve entirely the pain of A, B, and C.

4. Concluding Remarks

We have conceded about as much as possible to the *Impossibility Proof*. We have been willing to read the principles *PE* and *PDT* as implicitly qualified. These qualifications were necessary to accommodate supererogatory actions, and our limitations in knowledge, ability, resources, etc. We have agreed that perhaps a more plausible argument for *IIP* is forthcoming. And we have been willing to take the closing two-step argument from (10) and (11) to (12) as enthymematic. But even if it is conceded that (1)-(11) are true, we have shown that there is no way to arrive at (12). We have therefore concluded that the argument is unsound. But further, given the concessions we have made to the argument, it seems to us unlikely that a sound version of this intriguing proof is forthcoming.

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NOTES

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[1] See Stephen P. Schwartz, 'Why it is Impossible to Be Moral' *American Philosophical Quarterly* Vol. 36, No. 4 (1999) 351-360

[2] Cf. William Frankena, 'The Concept of Social Justice' in Richard B. Brandt (ed.) *Social Justice* (Englewood Cliffs, N.J.: Prentice-Hall 1962) p. 9 ff.

[3] Since these are metaethical principles the 'must' in *PE* (and in *PDT* that follows) is (at least) a rational 'must'. But it seems fair to conclude that violations of these principles are both irrational and unjust.

[4] In his *Impossibility Proof* Schwartz advances a version of the *Principle of Differential Treatment* that is too weak to yield the conclusion that it is sometimes impossible to be moral. His version states that if A and B differ in some morally relevant respect then A and B must (or at least *may*) receive different moral treatment. We will therefore find that it is perfectly possible to relieve the pain of A, B, and C and *not* treat A and C differently. And so it is not impossible to be moral. See Stephen P. Schwartz, 'Why it is Impossible to Be Moral' *op. cit.* But we are prepared to concede the stronger version of the principle needed to yield the conclusion that it is impossible to relieve the pain of A, B, and C and do nothing wrong.

[5] The relation "as painful as" is intransitive iff. (i) E_0 is as painful as E_1 and (ii) E_1 is as painful as E_2 does *not* entail that (iii) E_0 is as painful as E_2. We say that it is "sometimes" impossible to be moral since there are some moral situations—for instance cases where one is simply required to keep a promise—in which the assumptions of the *Impossibility Proof* are not all true.

[6] See Stephen P. Schwartz, 'Why it is Impossible to Be Moral', *op. cit.*

[7] See Torbjorn Tannsjo, 'Classical Hedonistic Utilitarianism', *Philosophical Studies* 81 (1996): 97-115.

[8] Derek Parfit was among the first to note that principles such as *IIP* entail the intransitivity of 'as good as' and 'as bad as'. Notice that *IIP* also entails that 'as well off as' and 'worse off than' are also intransitive. Parfit rejects such principles for that reason. See Derek Parfit *Reasons and Persons* (Oxford: Oxford University Press, 1984) esp. p 78 ff. Among others who reject principles such as *IIP* see Torbjorn Tannsjo, *Hedonistic Utilitarianism* (Edinburgh: Edinburgh University Press, 1998) esp. p. 70 ff., For additional worries concerning the intransitivity entailed by principles such as *IIP* see Warren S. Quinn, 'The Puzzle of the Self-Torturer', *Philosophical Studies* 59 (1990) 79-90. Quinn there develops a "utility-pump" argument that

shows how moral agents reasoning according to principles such as *IIP* leave themselves open to exploitation. Suppose mental state M_1 is not perceptibly worse than M_0. An agent who places even the slightest utility on money would exchange M_0 for M_1 and a very small amount ɘ. Offered the chance to exchange $M_1 + ɘ$ for $M2 + 2ɘ$, the agent reasoning according to IIP would again make the exchange. As the agent approaches the exchange up to $M_{1000} + 1000ɘ$ he might well be in excruciating pain and only slightly richer. Still IIP would have him continue to exchange upward since no exchange offers any cost in utility and each exchange offers a nominal gain. But the agent's willingness to exchange $M_{1000} + 1000ɘ$ for the complete relief in M0 shows the error in putting the value of each imperceptible increment of pain at zero (or less than he value of ɘ).

[9] It might be urged that a generalized utilitarianism could solve this problem. Preventing "all" of these utilitarian agents from causing pain to A, B, and C is better than preventing none. But of course preventing 'all except one' is no different from preventing 'all'. So generalize utilitarians have no better reason to prevent all from causing pain than they have to prevent all except one. But then they have no better reason to prevent all except one than they do to prevent all except two. And so on. So generalized utilitarianism offers no obvious solution to such imperceptibility problems.