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THE DISRESPECTFULNESS OF WEIGHTED SURVIVAL LOTTERIES

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If we can save the lives of only one of multiple groups of people, we might be inclined simply to save whichever group is largest. We may worry, though, that automatically saving the largest group fails to take each saveable individual sufficiently into account, offering some of these individuals no chance at all of being rescued. Still wanting to give larger groups higher chances of survival, we may then say that we ought to employ a proportionally weighted lottery to determine which group to save. In this paper, I argue that this would be a mistake. Given the most plausible way of specifying it, the weighted-lottery view itself fails to treat each saveable individual with equal moral respect.

I

Greatest Number and Equal Chance. Suppose that we are faced with multiple non-overlapping groups of people, the members of which will all soon die if we do not assist them. Unfortunately, we are only able to save one group. What ought we to do? Ought we to automatically save the largest group? Or ought we to, for example, leave it to chance which group we save?

The solution to this moral conundrum, the *Numbers Problem*, might seem obvious:

> *Greatest Number*. Numbers Problem agents ought to save the group (or one of the groups) that they believe[1] consists of the greatest number of people, *ceteris paribus*.

Greatest Number is, however, controversial. John Taurek (1977, pp. 306–8) attacks Greatest Number on the grounds that it endorses

[1] Since the views I will discuss in this paper are intended to be action-guiding, they are all specified in terms of agents' beliefs about the number of people in each saveable group, not the actual sizes of those groups.

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interpersonal moral aggregation: it endorses, as Iwao Hirose (2015, p. 24) puts it, the 'combination of different people's morally relevant factors into a [single] value'. According to Greatest Number, Taurek claims, the *combined moral value* of the individuals in the largest group is greater than the combined moral value of the individuals in a smaller group. This is why we ought to save the largest group.[2]

Taurek argues that, by endorsing aggregation of this kind, Greatest Number fails to respect the equal *individual* moral significance of each saveable person. By automatically saving the largest group, we treat each of its members as being more individually significant than each of the members of a smaller group, thus failing to show 'equal concern and respect for each person' (Taurek 1977, p. 303).

While the force of Taurek's objection is unclear, there is a sense in which Greatest Number may not seem to respect each saveable person's individual moral significance. To see this, suppose, first, that we must decide between saving a solitary individual and saving a group of three individuals. Greatest Number, of course, tells us to save the group of three. Now suppose that a second individual is added to the first group, such that we must now decide between saving a group of two people and saving a group of three. Greatest Number again tells us to simply save the group of three.

According to Greatest Number, then, the addition of a second person to the first group makes no difference to what we ought to do. But if this person is individually morally significant, we might think, then they *do* make some difference to what we ought to do. In this sense, Greatest Number may seem to fail to respect this person's individual moral significance.

Taurek infamously argues that the number of people in each group does not matter *at all*. No matter how many people are in each group, we ought to employ an *equal-chance lottery* to determine which group to save (Taurek 1977, p. 303). When faced with two saveable groups, for example, we ought to simply toss a coin. Call this view *Equal Chance*.

Equal Chance stands at the opposite extreme to Greatest Number: where Greatest Number takes the number of people in each group to

[2] Some philosophers (Hirose 2001; Kamm 1985; Kumar 2001) have argued, contra Taurek, that Greatest Number can be derived without any endorsement of such aggregation.

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be decisive with respect to which group we ought to save, Equal Chance claims that it does not matter at all. And yet Equal Chance seems guilty of the very failing we suggested Greatest Number may be guilty of. As Frances Kamm (1993, pp. 101, 114–19) and T. M. Scanlon (1998, pp. 232–3) argue, Equal Chance does not seem to respect every saveable person's individual moral significance. Suppose, first, that we must decide which of two solitary individuals to save. Equal Chance tells us to toss a coin, offering each of these individuals a $1/2$ chance of rescue. Now suppose that a second person is added to one of these saveable groups, such that we must now decide between saving one person and saving a group of two people. Equal Chance still tells us to toss a coin, offering each group a $1/2$ rescue chance.

According to Equal Chance, then, the addition of a second person to one of the groups makes no difference to what we ought to do. But if this person is individually morally significant, we might again think, then they *do* make some difference to what we ought to do. In this sense, Equal Chance seemingly fails to respect this person's individual moral significance.[3,4]

We might, then, say the following. Where Greatest Number gives the number of people in each group *too much* weight, treating it as decisive, Equal Chance does not give it enough weight. As such, both Greatest Number *and* Equal Chance fail to respect every saveable person's individual moral significance.

II

Weighted Lottery. Seeking a compromise between Greatest Number and Equal Chance, we might be attracted to this claim:

> *Weighted Lottery*. Numbers Problem agents ought to employ a proportionally weighted lottery to determine which group to save, *ceteris paribus*.[5]

In a proportionally weighted lottery, each group is offered a survival chance *directly proportional to the relative size of that group*. If we

[3] Note that, since this reasoning centres on the moral significance of a single individual, it does not beg the question against the Taurekian 'individualist' proponent of Equal Chance.

[4] Though see Otsuka (2006, pp. 112–16) for a reply to this objection.

[5] See, for example, Saunders (2009) for a defence of this claim.

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are faced with one solitary individual and a group of two, Weighted Lottery tells us to give the single individual a 1/3 survival chance, and the group of two a 2/3 chance.

Weighted Lottery may seem to constitute a happy medium between the extremes of Greatest Number and Equal Chance. It does not give the numbers as much weight as Greatest Number: the number of people in each group is not decisive with respect to which group we ought to save. But it gives the numbers more weight than Equal Chance: larger groups are given higher chances of survival.

In this way, we might argue, Weighted Lottery avoids the problem that afflicts Greatest Number and Equal Chance. We have suggested that, if we are deciding between saving a solitary individual and saving a group of three, Greatest Number may fail to respect the individual moral significance of a second person added to the first group. But Weighted Lottery does seem to respect this additional person's moral significance, since it requires us to employ a new lottery that takes this person into account.

If we are deciding which of two solitary individuals to save, meanwhile, Equal Chance seemingly fails to respect the individual moral significance of a second person added to either group. Weighted Lottery, on the other hand, appears to respect this additional person's moral significance, since it again requires us to employ a new lottery that takes this person into account.

Weighted Lottery, therefore, may strike us as a promising compromise position. Everyone gets a chance of being saved, but larger groups get higher chances.[6] This, we might say, is how to respect the individual moral significance of every saveable person. Perhaps it is only by employing a proportionally weighted lottery that we treat every saveable individual with equal moral respect.

In §iv, I will argue that, most plausibly specified, Weighted Lottery does *not* in every case respect the equal individual moral significance of saveable persons. To see how Weighted Lottery is most plausibly specified, though, we must first compare it to a similar view proposed by Jens Timmermann.

[6] Ben Saunders highlights the attractiveness of this compromise when he writes that weighted lotteries 'reflect both considerations of fairness … and the good of saving more people' (2009, p. 290).

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III

Individualist Lottery and Practical Equivalence. Sympathetic to Taurek's objection to Greatest Number, Timmermann (2004, p. 110) endorses this claim:

> *Individualist Lottery*. Numbers Problem agents ought to employ an individualist lottery to determine which group to save, *ceteris paribus*.

Individualist lotteries are won not by a group, but by one individual. Each saveable person is given an equal chance of winning the lottery. Once the winner has been selected, the agent must save any other members of that individual's group as well.

Timmermann remarks that Individualist Lottery is 'practically, but not philosophically, equivalent' to Weighted Lottery (2004, p. 111). In fact, however, this practical equivalence depends on how Weighted Lottery is specified with respect to particular cases of *changing information*. In these cases, an agent has run a lottery that they believe to have been correctly proportionally weighted, despite now believing that, at the time of the lottery, they had failed to identify every saveable individual.

For instance, an agent believes that they can save one of two saveable individuals, and tosses a coin to determine which to rescue. But the agent subsequently realizes that both individuals are accompanied by a second person who could be saved with them. When the agent ran their initial coin-toss lottery, they had failed to identify every saveable person, but their lottery offered each of the two pairs a correctly proportioned chance of survival ($1/2$) anyway.

Individualist Lottery is practically equivalent to Weighted Lottery only if, in these changing-information cases, Weighted Lottery requires the agent to run a new lottery in response to their new information, for it is clear that this is what Individualist Lottery requires. If the agent has run an individualist lottery but failed to identify every saveable individual, then their lottery will have failed to give some individuals any chance of victory at all. And giving every individual some chance of victory is, of course, precisely what Individualist Lottery requires. Having discovered additional individuals, therefore, the Individualist Lottery agent must run a new lottery, taking these additional people into account.

So long as the agent's initial lottery was correctly weighted, though, Weighted Lottery most plausibly requires the agent to

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respect the result of *that* lottery. The intuition underwriting Weighted Lottery is, after all, that offering each group a proportional chance of survival is what matters. This intuition, it seems, is what motivates the claim that it is a proportionally weighted lottery, *and not an individualist one*, that is required. If it matters precisely how many individuals are saveable, and not simply what proportion of this number are in each group, then it is unclear why proportionally weighted lotteries are ever sufficient, and why individualist lotteries are not always required instead.

If offering each group a proportional survival chance is what matters, then Weighted Lottery, it seems, will say that the result of a correctly proportionally weighted lottery ought to be respected, even if the agent had failed to identify every saveable individual. When specified in this 'conservative' way, though, Weighted Lottery is not practically equivalent to Individualist Lottery after all.

IV

Weighted Lottery and Equal Moral Respect. Specified in this conservative, original-lottery-respecting way, moreover, Weighted Lottery does not in every case respect the equal moral significance of saveable individuals. Before we see why this is the case, it is necessary to say something about what respecting individuals' equal moral significance entails.

Suppose, first, that we are deciding which of two groups to rescue, and that we have most reason to save the first of these groups. Now suppose that one further person is added to each of these two groups. If these two additional individuals are equally morally significant, then we cannot now suddenly have most reason to save the *second* group. At most, we may now be required to employ a new lottery, taking these additional individuals into account.[7] But we cannot be required to proceed directly to saving the second group. The person added to the second group could transform our obligation in this way only if they somehow had a greater claim to be rescued than the person added to the first group. And if these two additional individuals are equally morally significant, then they

[7] This qualification makes the principle being outlined here weaker than the 'Balancing Requirement' endorsed by Kamm (2005, p. 6) and Scanlon (1998, p. 232). The Balancing Requirement tells us that the claims of the two additional individuals balance each other out entirely, leaving us still required to save the first group.

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have *equal* claims to be rescued. So if we had most reason to save the first group before these two individuals were added, then we cannot have most reason to save the second group immediately after these individuals are added. Call this principle the *Anti-Transformation Requirement*.

When specified in a conservative, original-lottery-respecting way, Weighted Lottery violates the Anti-Transformation Requirement. Consider this case:

> *Rocks*. John sees three people stranded on rocks in the sea, about to drown. On the first rock, he sees one person; on the second, he sees two people. John is able to save only one of these two groups from drowning.
>
> | | |
> |---|---|
> | **P** | **P P** |
>
> Following Weighted Lottery, John runs a proportionally weighted lottery to determine which group to save, offering the person on the first rock a 1/3 chance of rescue, and the two people on the second rock a 2/3 chance. The first-rock person wins this lottery, so John swims towards the first rock.
>
> Before he reaches it, John realizes that there is a third person on the second rock that he had previously failed to see:
>
> | | |
> |---|---|
> | **P** | **P P P** |
>
> Again following Weighted Lottery, John runs a new lottery to determine which group to save, offering the first-rock person a 1/4 chance of rescue, and the second-rock group of three a 3/4 chance. The second-rock groups wins this lottery, so John swims towards the second rock.
>
> As he does so, John realizes that there is a second person on the first rock that he had failed to notice, and a *fourth* person on the second rock:
>
> | | |
> |---|---|
> | **P P** | **P P P P** |
>
> John still has time to swim to either rock or run another lottery.

Specified as we are supposing here, Weighted Lottery now requires John to swim back to the first rock and save the two people there.

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When John ran his first lottery, he was mistaken about the total number of people he was able to save: he believed there to be three people that he could save, when, in fact, there were six. But he was not mistaken about the *proportion* of this number that were in each group. Seeing one person on the first rock, and two people on the second rock, John believed that a third of the saveable individuals were on the first rock, with two-thirds of them on the second rock. And this belief was correct: of the six people that he was actually able to save, two of them were on the first rock, while four of them were on the second rock. John's initial weighted lottery thus succeeded in offering the two groups correctly proportioned chances of rescue after all.

This initial lottery was won by the group on the first rock. And Weighted Lottery, as currently specified, requires John to respect the result of a previous correctly proportionally weighted lottery. John is thus required by Weighted Lottery to save the first-rock group, leaving the second-rock group to die.

By requiring this of John, though, Weighted Lottery violates the Anti-Transformation Requirement. Before discovering the final two saveable individuals (the second person on the first rock, and the fourth person on the second rock), Weighted Lottery requires John to save the second-rock group. Yet, after John discovers *one* additional individual on the first rock, and *one* additional individual on the second rock, Weighted Lottery now requires him to save the *first*-rock group. John's obligation, Weighted Lottery tells us, has been transformed by the addition of a single individual to each saveable group. And this, of course, is precisely what the Anti-Transformation Requirement prohibits.

We have seen that satisfying the Anti-Transformation Requirement is a necessary condition for respecting the equal moral significance of saveable individuals. If Greatest Number and Equal Chance are to be rejected on the grounds that they fail to respect every person's equal moral significance, therefore, Weighted Lottery is no more promising an alternative. Considerations of respect may lead us to think that we should not automatically save the largest group, or employ an equal-chance lottery to determine which group to save. Noting its promise to give every person a chance of being rescued, but still offer higher chances to larger groups, we may then turn to Weighted Lottery for answers. But this would be a mistake.

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These same considerations of respect should lead us away from employing a proportionally weighted lottery.

V

Conclusion. Timmermann's claim that Weighted Lottery and Individualist Lottery are practically equivalent is correct only if, in cases like the one outlined, Weighted Lottery requires agents to run a new lottery in response to their new information. But, most plausibly, Weighted Lottery does *not* require this. And, if it does not require this, then Weighted Lottery does not in every case respect the equal moral significance of saveable individuals. Even if the disrespectfulness objection to Greatest Number and Equal Chance is successful, Weighted Lottery offers no solution.[8]

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