

THE STRENGTH AND SCOPE OF DUTY

The Moral Status of Beneficence

RYAN W. DAVIS*

ABSTRACT

What do we owe distant strangers? Effective altruists, as well as philosophers, have offered differing views. A demanding answer holds that we are subject to strong moral requirements to provide aid, the satisfaction of which may undermine other values associated with living one's own life. Another answer, popular among philosophers, is moderate: We are subject to a requirement to provide aid, but this requirement is limited so as to be compatible one's own values in living a life. A third answer, which I sketch in this paper, is minimalist: There are no non-voluntary obligations to contribute to aid. This paper argues against the probative value of moral intuitions on the matter, and on this basis favors either the demanding or minimalist answers. Second, the paper suggests the minimalist answer merits greater attention, and is compatible with at least some prominent descriptions of effective altruism.

TABLE OF CONTENTS

I. HOW DEMANDING?	641
II. RIGHTS MINIMALISM	643
III. AGAINST INTUITIVE ANSWERS	649
IV. THE APPEAL OF RIGHTS MINIMALISM.	652
CONCLUSION.	654

* Associate Professor of Political Science at Brigham Young University. © 2023, Ryan W. Davis.

What do we owe distant strangers? There are two standard answers. The first is *demanding*: Affluent persons are morally required to sacrifice much more than they do in order to contribute to the aid of others, even if this undermines the value of their own life in various ways.¹ The second is *moderate*: Affluent persons are required to sacrifice to aid distant strangers, but the sacrifices are limited so as not to undermine the values associated with living one's own life.²

In this essay, I propose a third answer, which is *minimalist*: Affluent persons are not subject to any non-voluntary moral requirement to contribute to the aid of others. According to what I will call rights minimalism, there are negative moral requirements (prohibiting some actions), but no requirements to perform positive actions (except those an agent voluntarily accepts). Although I find the minimalist view appealing, I will not argue against versions of the *demanding* reply. My primary target will be the *moderate* reply. Although it will be impossible to survey the universe of possibilities, I will suggest that standard moderate answers to the question of aid to strangers tend to be theoretically *ad hoc* and reliant on first-order moral intuitions. These intuitions, I will suggest, are almost completely epistemically worthless. Having discarded them, we should select an answer based on other theoretical virtues.

The stronger version of my thesis is that some version of rights minimalism is the correct theory, and so we should accept a minimalist answer to the question about duties of aid. My primary aim, however, will just be to offer a minimalist reply worth our theoretical attention—not the nonstarter it is usually taken to be. My weaker conclusion is to argue for a spoils-to-the-victor approach. Whatever your favored theory is, you ought to simply accept that theory's verdict about this question in particular. That is, I will argue against tempering either demanding or minimalist theoretical answers based on moderate intuitions about the case. I think you owe strangers nothing, but conditional on the truth of a theory on which you do, my highest credence switches to a version of the *demanding* answer. A final conclusion—or perhaps just a more agreeable way of framing the same—is that we should treat effective altruists as nothing less than moral heroes. They are

1. See Brian Berkey, *Collective Obligations and Demandingness Complaints*, 6 MORAL PHIL. & POL. 113 (2019); Brian Berkey, *Effectiveness and Demandingness*, 32 UTILITAS 368 (2020); Matthew Braddock, *Defusing the Demandingness Objection: Unreliable Intuitions*, 44 J. SOC. PHIL. 169 (2013); Toby Ord, *Global Poverty and the Demands of Morality*, in GOD, THE GOOD, AND UTILITARIANISM: PERSPECTIVES ON PETER SINGER 177 (John Perry ed., 2014); William Sin, *Trivial Sacrifices, Great Demands*, 7 J. MORAL PHIL. 371 (2010); Peter Singer, *Famine, Affluence, and Morality*, 1 PHIL. & PUB. AFFS. 229 (1972); PETER UNGER, *LIVING HIGH AND LETTING DIE: OUR ILLUSION OF INNOCENCE* (1996).

2. See Christian Barry & Gerhard Øverland, *How Much for the Child?*, 16 ETHICAL THEORY & MORAL PRAC. 189 (2013); Tom Dougherty, *Altruism and Ambition in the Dynamic Moral Life*, 95 AUSTRALASIAN J. PHIL. 716 (2017); Barbara Herman, *The Scope of Moral Requirement*, 30 PHIL. & PUB. AFFS. 227 (2001); F.M. KAMM, *INTRICATE ETHICS: RIGHTS, RESPONSIBILITIES, AND PERMISSIBLE HARM* (2007); Seth Lazar, *Deontological Decision Theory and Agent-Centered Options*, 127 ETHICS 579 (2017); Andreas Mogensen, *The Callousness Objection*, in EFFECTIVE ALTRUISM: PHILOSOPHICAL ISSUES 227 (Hilary Greaves & Theron Pummer eds., 2019); SAMUEL SCHEFFLER, *HUMAN MORALITY* (1992).

giving up something priceless, which is theirs, for something else—also priceless—for someone else. Such sacrifices are morally supererogatory.

This essay is in five sections: Section I presents the usual puzzle with the moral requirement to aid; Section II sketches the rights minimalist answer; Section III argues against using first-order intuitions to adjudicate the question; and Section IV offers a brief virtue of the minimalist answer.

I. HOW DEMANDING?

Whether there is a moral requirement to contribute to efforts to alleviate the effects of global poverty is a matter of controversy within the effective altruism movement.³ This section will consider one case to illustrate how this question can arise in an individual's life once the individual has committed to the principles of effective altruism. In her work of contemporary philosophical anthropology, *Drowning Strangers*, Larissa MacFarquhar tells the true story of two young effective altruists, Julia and Jeff.⁴ Shortly after college, Julia was not yet employed and had no personal savings because she had given all of her money to Oxfam. They had agreed that if Julia wanted to buy something, Jeff would buy it. One day, while apple-picking in New England, Julia wanted to buy a candied apple, and Jeff reluctantly acceded. MacFarquhar recounts their subsequent discussion:

Julia: It was, like, maybe four dollars?

Jeff (shocked): No!

Julia: It was one of those orchards.

Jeff: *A four-dollar candy apple?*

Julia: I don't know.

Jeff: *I would feel bad about that . . .*

Julia: I'm sure it's in the spreadsheet.⁵

It is not exactly clear how to interpret the tone of this conversation, but let us take the intended meaning as given by the grammar. Jeff holds a moral principle according to which morality involves impartiality. This accordingly requires giving away resources to aid others up to when it is no longer impartially better to give (what Peter Singer calls the point of marginal utility).⁶

The \$4 could contribute to greater final value by being donated than by being spent at the apple orchard. So, buying the apple is wrong. Given that both Jeff

3. See William MacAskill, *The Definition of Effective Altruism*, in EFFECTIVE ALTRUISM: PHILOSOPHICAL ISSUES, *supra* note 2, at 10–28; see also Amy Berg, *Why Ten Percent?*, 21 GEO. J. L. & PUB. POL'Y 655 (2023).

4. LARISSA MACFARQUHAR, STRANGERS DROWNING: IMPOSSIBLE IDEALISM, DRASTIC CHOICES, AND THE URGE TO HELP (2016).

5. *Id.* at 74.

6. See Singer, *supra* note 1, at 241 (explaining the point of marginal utility as “the level at which, by giving more, I would cause as much suffering to myself or my dependents as I would relieve by my gift”).

and Julia understood these principles, buying the apple constituted responsible wrongdoing. On the most common analyses of moral requirement, responsibly violating a moral requirement makes one appropriately subject to moral blame.

It feels like this is going too far. Blaming someone for buying the apple is not like blaming someone for stealing money from a cash register or even breaking a promise. Jeff's feelings of blame (if that is what they are) seem to betray an unhealthy fixation on following a certain normative rule. (Julia later identified this attitude within herself as an "addiction.") At the same time, it is not clear where Jeff has gone wrong. We can formulate the puzzle this way:

- (1) We are morally required to sacrifice a great deal in order to aid distant strangers.
- (2) It is appropriate to morally blame people who responsibly fail to satisfy moral requirements.
- (3) There is something morally repulsive about morally blaming people who responsibly fail to sacrifice a great deal to aid distant strangers.

One option is to temper our understanding of (1): Impartial morality demands a lot, but it does not extend to forbidding even minor luxuries. A second option is to deny (2): Demands may be stringent, but we are not under pressure to enforce them through blame or moral censure.

I am skeptical about either of these options. Jeff's reaction is plausible. The demands of the theory apply *prima facie* to the apple as much as to anything. As MacFarquhar explains:

Julia realized that, if Jeff was going to start giving away his earnings, then, by asking him to buy her the apple, she had spent money that might have been given. With her selfish, ridiculous desire for a candy apple, she might have deprived a family of an anti-malarial bed net or deworming medicine that might have saved the life of one of its children. The more she thought about this, the more horrific and unbearable it seemed to her, and she started to cry.⁷

Julia's reaction makes sense, given her beliefs: impartial morality forbids buying the apple. Julia is in a position to know that. Acting wrongly renders one appropriately subject to feelings of guilt, which is how Julia feels.

This raises again the possibility of denying (2) and allowing that the action is wrong but not subject to the ordinary reproof associated with wrongdoing. As I will explain in Section II, I am doubtful there is any way of demarcating the conceptual boundaries of "moral requirement" aside from the suite of actions and attitudes called for by impermissible actions. In other words, to say that an action is impermissible but does not call for any of the associated types of blame is just

7. MACFARQUHAR, *supra* note 4, at 74.

a roundabout way of admitting that the usual concept “moral requirement” is not the one being applied in the case in question. Instead, one is simply saying that one ought to give aid in some weaker way than the way than the sense invoked by requirement or prohibition.

In Section II below, I will try to motivate a disjunctive premise. Either a demanding account of moral requirement is correct or rights-minimalism is true. If the former premise is correct, Jeff’s attitudes are largely right. Contrary to common intuition, (3) above is false. We may feel it is morally repulsive to blame people for not complying with demanding duties of aid, but that is because—as Singer imagined—our moral concepts are drastically misaligned with moral reality. If the latter premise is correct, there are no demands to give aid, and Jeff’s attitudes are mistaken because the putative moral requirement on which he bases his attitudes is false. Second, either alternative carries an intuitive price. Our intuitions should not be trusted to rule out either the demanding or minimalist outlook, so we should look at specifications of both views. Section II will proceed with a description of rights minimalism.

II. RIGHTS MINIMALISM

Rights minimalism affirms that persons have rights against the interference of others, where interference involves some positive action or set of actions.⁸ Persons can also be subject to moral requirements, but only if they have exercised their will in some way to voluntarily assume those requirements.

Three immediate qualifications are in order. First, rights minimalism, as I will understand it, is exclusively concerned with an individual’s right to the individual’s own physical person. It neither extends to nor precludes any further claims to property rights. For example, it makes no claims about how resources should be deployed, whether political states or other agents ought to redistribute resources, or what Hohfeldian incidents individuals might assert with respect to their personal property. In this way, it differs from nearby libertarian views.⁹ Second, rights minimalism does not insist that the acting individual (or occupant of the agent place) regard their value as greater than, or different from, the individual(s) in the patient place. It holds that any person is permitted to withhold from providing aid to any others (barring voluntarily assumed special conditions). The principle is not indexed to whether one happens contingently to find oneself in the agent place or in the patient place. Third, rights minimalism does not entail that the impartially considered interests of other persons have objectively little moral weight. Compatible with rights minimalism, one may think that the moral reasons arising

8. Exactly what counts as interference is a difficult issue, but my hope is all that follows will be compatible with a wide variety of specifications.

9. Rights minimalism is sometimes called “moral libertarianism,” but I avoid that label here to avoid confusing it with libertarian views that entail strong versions of property rights. For a criticism, see JUDITH LICHTENBERG, *DISTANT STRANGERS: ETHICS, PSYCHOLOGY, AND GLOBAL POVERTY* (2014). For a recent defense, including that of strong property rights, see Adam D. Moore, *Taxation, Forced Labor, and Theft: Why Taxation Is “on a Par” with Forced Labor*, 59 S. J. PHIL. 362 (2021).

from others' interests are very weighty, that these interests provide a rational basis for action, and that acting on them is what one, all things considered, ought morally to do.¹⁰ The rights minimalist only denies that such actions are morally required, or that others are in a position to demand them or interfere to secure their realization.

This final point requires some further clarification. According to one common way of thinking about the strength of reasons (originally proposed by Gert¹¹), reasons have two dimensions of strength: justifying, and requiring. These two dimensions are separate, and so need not co-vary. A reason may have high justifying strength and low requiring strength, or high requiring strength and low justifying strength. On this view, a reason has more requiring strength the more it can outweigh other considerations in bringing about that alternatives to that action are impermissible. To borrow Gert's example, that an action would save me from death has more requiring strength than that an action would save me from a mild hangover.¹²

While there might be a variety of reasons that could defeat the rational requirement that I avoid a mild hangover, fewer reasons would defeat the rational requirement that I act to save my own life. Likewise, a reason has more justifying strength the more it can defeat other considerations to bring about that an action is permitted. I am not going to argue for this conception of reasons here; however controversial it is, it is much less controversial than rights minimalism.¹³

In any case, it helps explain how the rights minimalist could allow that the interests of other persons could play a weighty rational and moral role in an agent's deliberations. That is, the rights minimalist can grant that providing aid to a distant stranger has a high justifying strength. There are many (weighty) opposing reasons that the welfare a distant stranger could overcome to bring about that providing aid is rationally permitted (or that there is decisive moral reason to do it). For example, suppose—like Julia and Jeff—that providing aid would require giving up many valuable things, ranging from valuable experiences to personal luxuries, up to even a home or retirement account. Still, benefit to a stranger might justify all of these sacrifices. One is free from any rational or moral error in giving up so much to help others, even if one would not be so justified in likewise sacrificing to, say, preserve pieces of art in a museum or help maintain a local zoo.

It is not uncommon that reasons with high justifying strength have very little requiring strength. Suppose I plan my summer vacation for the entire year,

10. See generally Elizabeth Harman, *Morally Permissible Moral Mistakes*, 126 ETHICS 366, 366–93 (2016).

11. Joshua Gert, *Normative Strength and the Balance of Reasons*, 116 PHIL. REV. 533, 543–548 (2007).

12. *Id.* at 538.

13. See, e.g., Chris Tucker, *The Dual Scale Model of Weighing Reasons*, 56 NOÛS 366 (2022); Chris Tucker, *Too Far Beyond the Call of Duty: Moral Rationalism and Weighing Reasons*, 179 PHIL. STUD. 2029 (2022).

dedicating time and resources to the pursuit. It is ordinary to think that the reasons for the vacation rationally permit deep sacrifices of other interests. Experiences over things, as the slogan goes. At the same time, it would be strange to say that my vacation is required rationally.

Now consider the reasons to give aid. The interests of distant strangers may hold exceptional justifying strength. The value of other persons may justify sacrificing personal wealth, amenities most citizens of rich countries enjoy, future security, and the like. Julia and Jeff's friends and family were dubious about their choices, but the rights minimalist need not be. The welfare of other persons may be fully sufficient to justify every sacrifice.

What the rights minimalist must deny, then, is only that the interests of distant strangers have requiring strength. In schematic terms, the reasons arising from the interests of others do nothing to *rule out* the moral permission to take other options, though they do much to *rule in* the option of helping. In more substantive terms, the interests of others do not put them in a position where they could issue a warranted demand for assistance. Their interests do not entitle them with something like a directed duty against the would-be giver.

It will make this picture more vivid to consider a substantive view that exhibits these structural features. Recall Thomson's famous Henry Fonda case:

If I am sick unto death, and the only thing that will save my life is the touch of Henry Fonda's cool hand on my fevered brow, then all the same, I have no right to be given the touch of Henry Fonda's cool hand on my fevered brow. It would be frightfully nice of him to fly from the West Coast to provide it. It would be less nice, though no doubt well meant, if my friends flew out to the West Coast and carried Henry Fonda back with them. But I have no right at all against anybody that he should do this for me.¹⁴

Using the framework above, Thomson's sickness (even unto death) does not have sufficient requiring strength to require that Henry Fonda fly from LA to Cambridge to save her. But that does not yet mean that her reasons would have zero requiring strength. Thomson helpfully offers a revised version of the case, in which there are *no reasons* (we may suppose) to outweigh in order to require Fonda's action. The following passage is crucial:

But suppose he isn't on the West Coast. Suppose he has only to walk across the room, place a hand briefly on my brow—and lo, my life is saved. Then surely he ought to do it, it would be indecent to refuse. Is it to be said "Ah, well, it follows in this case she has a right to the touch of his hand on her brow, and so would be an injustice in him to refuse"? So that I have a right to it when it is easy for him to provide it, though no right when it's hard? It is rather a

14. Judith J. Thomson, *A Defense of Abortion*, 1 PHIL. & PUB. AFFS. 47, 55 (1971).

shocking idea that anyone's rights should fade away and disappear as it gets harder and harder to accord the to him.¹⁵

We might intuitively think that Thomson has no right to Fonda's help when it would require that he cross the country, but what if he is in the same room? Only a few inconsequential feet separate her fevered brow from his cool touch. Then it is much more intuitive that Thomson does have a right to Fonda's help. However, claiming such a right would raise a new problem. There is a puzzle about how Thomson could have a right to Fonda's aid when he is close, but not when he is far away. What could make theoretical sense of this asymmetry? It seems like an *ad hoc* stipulation. Thomson's "shocking idea" of rights that fade away effectively underscores the puzzle by calling attention to lack of a theoretical rationale for the change.

Does that mean Thomson has no right to Fonda's assistance, even when he is only across the room? Surprisingly, perhaps, that is her view. Thomson clearly distinguishes between what one ought to do, and what someone has a right to. She is often misread as also saying that Fonda is morally required to help, though not required by justice. Thomson herself somewhat encourages this interpretation by allowing that it would be *indecent* for Fonda to refuse, perhaps suggesting his assistance is morally required after all—even if she could not demand it by right. However, this is not the best interpretation of Thomson's text. Although it is less than perfectly conspicuous, Thomson is working with only one distinction, between what one ought to do and what another has a right to. Moral requirement gets paired with the "has a right to" concept, rather than the "ought" concept.¹⁶

15. *Id.* at 61.

16. This is obscured somewhat by Thomson's dialectical aims in the paper, as she is less concerned with maintaining her preferred set of conceptual connections than with the permissibility of abortion. Therefore, she grants *arguendo* that her opponent wants to treat indecent actions as morally wrong/rights violations and holds that even then she can defend her claims about abortion's permissibility. On Thomson's own view, refusing to help, where there is no meaningful reason to refuse, renders one subject to a variety of complaints: "self-centered, callous, indecent, but not unjust." *Id.*

She then continues:

However, there is no need to insist on this point. If anyone does wish to deduce "he has a right" from "you ought," then all the same he must surely grant that there are cases in which it is not morally required of you that you allow that violinist to use your kidneys, and in which he does not have a right to use them, and in which you do not do him an injustice if you refuse.

Id. Does the accusation of "indecent" travel conceptually with what one "ought" to do, or with what one is "morally required" to do? Her first sentence clarifies that "indecent" is being contrasted with "unjust," where "unjust" is the violation of another's right. Thomson's next contrastive "however" implicates that the position she is about to consider differs on this point from her own. And that position, in the first instance, conflates "has a right" with "ought."

Thomson then takes that the person who thus conflates "ought" with "has a right" to still allow some cases where there is no moral requirement to provide aid (because it would involve too large a sacrifice). For that interlocutor, we can move directly from the ought-to-right conflation to the ought-to-moral requirement conflation. What this shows is that for Thomson (as for her imagined interlocutor), there are not two *separate* distinctions: one between what one *ought* to do what one is *morally required* to do, and a second between what morality requires and what others have a right to. There is just one distinction,

Fonda is indecent for failing to help when it would require only walking across the room, but indecency does not violate a moral requirement. The sick person has no right to his assistance. Correspondingly, he is not morally required to help. In all of Thomson's cases, such rights come into existence only by the agent's assumption of a "special responsibility" to the right holder. If you do not assume a special responsibility to another person, you are under no moral requirement to aid them. Saving the violinist; sharing your chocolates; walking across the room—are morally good (a few, merely decent), but none is morally required.

For present purposes, nothing depends on Thomson exegesis.¹⁷ Whatever Thomson thought, one could accept rights minimalism while denying the equivalence of <moral requirement> and <right>. However, understanding moral requirement in terms of rights does help make sense of minimalism's restrictiveness. We often accept that there is a great deal of conduct we do not morally approve in one way or another but is nonetheless within a person's rights. If it follows that such conduct is not contrary to moral requirement, then it is easier to see how the scope of moral requirement could be tightly constrained as well.

There are good reasons to favor this kind of analysis of <moral requirement>. Jessica Flanigan and Kieren Setiya have independently developed the view that moral requirement should be analyzed in terms of in-principle interference by others.¹⁸ In Setiya's version, for some action ϕ to be wrong is (in part) for it to be the case that another agent can "simply prevent" the action without violating the rights of actor.¹⁹ The appeal of this kind of account is that it offers a functional profile for the concept in terms of the kinds of responses that compliance and non-compliance with moral requirements would make appropriate. Seeing a concept's functional role helps illuminate its import within a theory. In contrast, defining concepts only with reference to other theoretical terms of art risks obscuring what role the concept is supposed to play. For example, consider understanding <moral requirement> in terms of <permissible> and <permissible> in terms of <according due recognition to the moral relation among persons> or something like that. With all concepts accounted for only within a matrix of other technical

between what one ought to do, on the one side, and what morality requires or what someone else has a right to (on the other). When Thomson says that she has no right to Fonda's help, it follows that Fonda is under no moral requirement to provide it. There are cases where it would be "frightfully nice" for him to help, and there are cases where it would be merely "decent" for him to help, but the facts about moral requirement do not change.

17. For linguistic data on the distinction between "ought" and "required," see Justin Snedegar, *Reasons, Oughts, and Requirements*, in *OXFORD STUDIES IN METAETHICS* 155 (Russ Shafer-Landau ed., 2016).

18. Jessica Flanigan, *Duty and Enforcement*, 27 *J. POL. PHIL.* 341 (2019); Kieran Setiya, *What Is Morality?*, 179 *PHIL. STUD.* 1113, 1123 (2022).

19. Setiya, *supra* note 18, at 1129. Of course, what counts as "simple prevention" will have to be specified. To a first approximation, the idea is that if A's ϕ -ing is impermissible, B could stop A from ϕ -ing without violating any of A's other rights or incurring other costly side effects, then that preventing act alone would not infringe on A's rights. For example, if A is going to kill a bystander, B could steal A's weapon without infringing A's rights, etc. *Id.*

concepts, it is hard to know what is explanatorily fundamental and it is so hard to know what is meant by any one term within the network.²⁰

Recall, also, that this is exactly how Thomson makes sense of rights. If she has no right to Fonda's aid, it would be wrong for her friends to kidnap him and abscond to Cambridge to save her. By implicature, if she had such a right, then such interference might be on the table of acceptable options.

There are, of course, other functional profiles that might be assigned to the concept <moral requirement>. One alternative is that moral requirement be understood in terms of its conceptual connection to resentment, indignation, etc. To violate a moral requirement is (roughly) to make oneself vulnerable to a suite of reactive attitudes.²¹ This approach has a distinguished philosophical pedigree. But it creates puzzles of its own. It requires that moral wrongdoing be other people's business in the sense of warranting their attitudes. And yet, it also requires that wrongdoing not entitle others to intervene, even in principle, to prevent the wrongful action. Is it possible to explain how wrong actions could be sufficiently others' business to warrant blaming attitudes, but not sufficiently others' business to warrant responsive actions? I am skeptical that it can.²²

For now, the important point is just that the rights minimalist holds that while the interest of other persons may be very "weighty"—that is, they may have extremely high justifying strength, they altogether lack requiring strength. So far, I have said nothing about what might explain how some class of reasons could have *zero* requiring strength. A suggestive possibility in Thomson's account is that we cannot issue demands to other persons for their aid however physically proximate they might be. I will return to this in Section 5; the next Section will take aim at moderate views.

20. Here I differ with a variety of contractualists—my suggestion is motivated by the thought that our analyses should be aimed at theoretical usefulness.

21. *But see, e.g.*, STEPHEN DARWALL, *THE SECOND-PERSON STANDPOINT: MORALITY, RESPECT, AND ACCOUNTABILITY* (2006).

22. Here is what seems to be the challenge—reactive attitudes play a communicative role, and their uptake signals uptake of a communication. *See* Coleen Macnamara, "Screw You!" & "Thank You," 165 *PHIL. STUD.* 893 (2013); Coleen Macnamara, *Reactive Attitudes as Communicative Entities*, 90 *PHIL. & PHENOMENOLOGICAL RSCH.* 546 (2015). When you resent me, you signal that my action was wrong; when I feel guilty, I show uptake of that fact. If you resent my wrongdoing appropriately, it reveals that my action is partly your business: it is appropriate for you to be involved. The challenge is: could you be justified in resenting my action while also holding it was none of your business to prevent it, even if you could through the most minimal intervention?

One way of glossing this question is with the further query: can reactive attitudes signal something sufficiently finely grained about a wrongful action to communicate that third parties can be involved with their affective state, but should not be involved with their actions? Perhaps there is a way of threading the needle, but that the conceptual content of reactive affect will be too coarsely grained to navigate these distinctions. For example, although we have in-hand a distinction between reactive attitudes and objective attitudes, there is no obvious distinction between some set of reactive (but nonactionable) attitudes, and some further, stronger set of attitudes that would communicate—in addition to wrongness—an action's susceptibility to third-party intervention.

III. AGAINST INTUITIVE ANSWERS

Imagine an iterated version of Singer's shallow pond thought experiment. Travis Timmerman conceives of one such case.²³ In his story, "Unlucky Lisa" must go to the bank every day to verify her ID. If she fails, hackers who have broken into her account will succeed at stealing \$200 of her money. On her way to the bank, Lisa must pass multiple ponds with drowning children. Lisa can easily save each the children, but the situation is such that if she does, she won't make it to the bank that day. Lisa faces a conundrum: save her money or save the children.²⁴

Is Lisa required to save the children, even if—as Timmerman imagines—doing so would require her to give up "her house, her car, her books, her art," and (perhaps with a few essential exceptions) more or less all of the value-making features of her life? Consider the question with respect to two leading normative ethical theories: welfarist consequentialism and contractualism. My aim here is just to capture the pull of the *demanding* view, so I will start with toy versions of these theories.

Simple Consequentialism: An action is morally right if and only if it promotes impartial value as much as any alternative to it.

Simple Contractualism: An action is morally right if and only if the agent's reasons for a principle allowing the action would not be defeated under pairwise comparison by the reasons some other agent has for adopting a principle disallowing the action.

Simple versions are just a way of prescinding from distracting details. My claims about their extensions will not turn on the details, and in any case will hopefully avoid much controversy in the literature. Consequentialism and contractualism offer differing interpretations of a principle of impartiality, according to which no person has greater moral status than any other. For the consequentialist, impartiality is interpreted as treating each person's interests as equally weighty inputs to the aggregate value. For the contractualist, each person equally offers a perspective to which moral principles must be justified.

What would these views require of Unlucky Lisa? Broadly consequentialist views tend to be highly demanding. It is impartially better to save a child than to save \$200 of one's money. This comparison holds true for at least a very large number of iterations. The simple contractualist view might initially promise to be less demanding. While Lisa's own well-being comprises only an exceedingly small fraction of the total aggregate value, the contractualist restricts the comparison to the generic reasons available from Lisa's point of view and those available from the point of view of *any single drowning child*, rather than aggregating up

23. Travis Timmerman, *Sometimes There is Nothing Wrong with Letting a Child Drown*, 75 ANALYSIS 204, 208–09 (2015).

24. *Id.*

the agent-neutral value available for Lisa to promote. Even then, once we are impartially comparing the moral claim not to drown with Lisa's claim not to lose her money, it seems likely that the reasons from the child's point of view will prevail almost all of the time – at least until Lisa's life has been transformed by the depth of her losses.²⁵ Once again, the moral requirements will be extremely demanding.

Given the prevailing economic development assumption that the possibility for effective aid currently outpaces collective contributions, philosophers and effective altruists generally envision our position to be structurally similar to Unlucky Lisa's. For each increment of our wealth, we could better promote value by donating it than by retaining it. So, the simple consequentialist and contractualist views, it seems, will both make extreme demands of us.

Simple versions of these theories admit of many modifications. However, many attempts to temper the demanding implications of either consequentialist or contractualist outlooks are based on the intuitive unacceptability of such demands. Philosophers regard it as a “basic tenet of our commonsense moral outlook that we are justified in devoting a disproportionate degree of attention to our own basic interests.”²⁶ Or, “Human life is not to be regarded as a warehouse potentially distributable skills and possessions.”²⁷ Instead, beneficence can only go so far in compromising our own “enjoyment of material comforts, the opportunity to engage in the intellectual and physical activities of our choice,” and so on.²⁸

Demandingness complaints trade on intuitions that moral requirement must be limited. As Brian Berkey points out, Scheffler's defense of moderate principles turns out to be based on intuitions about how demands must be moderate.²⁹ As with other moderate views, the conclusion that principles must not demand so much as to require us to worsen our own lives turns out to require premises about how morality does not demand life-worsening sacrifices.³⁰ Berkey is worried about this argumentative strategy in part because he suspects the intuitions in question to be unreliable, and unreliable because they are self-interested.³¹

25. Elizabeth Ashford, *The Demandingness of Scanlon's Contractualism*, 113 ETHICS 273, 286–87 (2003). Cf. PABLO GILABERT, *FROM GLOBAL POVERTY TO GLOBAL EQUALITY: A PHILOSOPHICAL EXPLORATION* (2012).

26. Brian Berkey, *The Demandingness of Morality: Toward a Reflective Equilibrium*, 173 PHIL. STUD. 3015, 3028 (2016) (citing SAMUEL SCHEFFLER, *HUMAN MORALITY* (1992)).

27. Barbara Herman, *The Scope of Moral Requirement*, 30 PHIL. & PUB. AFFS. 227, 241 (2001).

28. See Susan Wolf, *Moral Saints*, 79 J. PHIL. 419, 420 (1982). For sophisticated recent discussion of the intuition that beneficence must not be “suffocating” to our other values, see Tom Dougherty, *Altruism and Ambition in the Dynamic Moral Life*, 95 AUSTRALASIAN J. PHIL. 716, 717 (2017).

29. Berkey, *The Demandingness of Morality*, *supra* note 26, at 3028–29.

30. *Id.* at 3022.

31. *Id.* at 3024.

Self-interest has long been a popular debunking explanation.³² While self-interest may undermine complaints about demandingness, I believe there is just as much reason to think it undermines pro-demandingness intuitions. Pro-demandingness intuitions may be perceived as socially desirable, both as a general indicator of moral virtue and as a more specific signal of allegiance to in-group political views. When there is no cost to reporting socially desirable beliefs, we should expect that people will display dispositions to curry favor and avoid potential criticism – even in anonymous surveys. And, with the exception of those philosophers who publicly disclose their commitments to effective altruist causes, there is very little check against simply reporting socially desirable intuitions in the case at hand.³³ Behavioral studies of giving offer strong evidence that actual beliefs in favor of providing aid are quite limited and giving is motivated more by personal loyalties than impartial value.³⁴

There is also a second mechanism that might distort both pro- and anti-demanding intuitions alike. Political commitments sometimes drive moral beliefs, rather than the other way around.³⁵ So we should expect that when a moral issue is politicized on the American political spectrum, people will report views that align with their political side.³⁶ There is no space for elaboration here, but two quick points. First, are demands to distant strangers politicized? Almost certainly, yes. With the rise of nativist politics in the United States and its consolidation with the Republican party, it would be surprising if aid to distant strangers were not politicized. So it is not surprising that we do in fact find that Democrats but not Republicans treat the generic “non-citizen” in ways that they treat other

32. See, e.g., DAVID ENOCH, *TAKING MORALITY SERIOUSLY: A DEFENSE OF ROBUST REALISM* 192 (2011); RUSS SHAFER-LANDAU, *MORAL REALISM: A DEFENCE* (2003). For discussion, see Matthew Braddock, *Defusing the Demandingness Objection: Unreliable Institutions*, 44 J. SOC. PHIL. 169 (2018); Peter Seipel, *Why Do We Disagree about Our Obligations to the Poor?*, 22 ETHICAL THEORY & MORAL PRAC. 121 (2019); Peter Seipel, *Famine, Affluence, and Philosophers' Biases*, 177 PHIL. STUD. 2907 (2020).

33. One way of signaling actual giving is through public pledges, such as at Giving What We Can. See *Our Pledge*, GIVING WHAT WE CAN, <https://www.givingwhatwecan.org/> [<https://perma.cc/5PZF-25DV>]. On prestige-motivated grandstanding about moral issues, see, e.g., Joshua B. Grubbs et al., *Moral Grandstanding and Political Polarization: A Multi-Study Consideration*, 88 J. RSCH. PERSONALITY 1 (Oct. 2020).

34. Cf. Lucius Caviola et al., *The Psychology of (In)Effective Altruism*, 25 TRENDS COGNITIVE SCIS. 596 (2021).

35. Konrad Bocian et al., *Moral Tribalism: Moral Judgments of Actions Supporting Ingroup Interests Depend on Collective Narcissism*, 93 J. EXPERIMENTAL SOC. PSYCH. 104098 (2021); Eli J. Finkel et al., *Political Sectarianism in America*, 370 SCIENCE 533 (2020). Cf. MICHELE F. MARGOLIS, *FROM POLITICS TO THE PEWS: HOW PARTISANSHIP AND THE POLITICAL ENVIRONMENT SHAPE RELIGIOUS IDENTITY* (Benjamin Page et al. eds., 2018).

36. Michael Barber and Jeremy C. Pope, *Does Party Trump Ideology? Disentangling Party and Ideology in America*, 113 AM. POL. SCI. REV. 38 (2019); Ryan L. Claassen et al., *Which Party Represents My Group? The Group Foundations of Partisan Choice and Polarization*, 43 POL. BEHAVIOR 615 (2021); Nicholas Dias and Yphtach Lelkes, *The Nature of Affective Polarization: Disentangling Policy Disagreement from Partisan Identity*, 66 AM. J. POL. SCI. 775 (2022).

in-group members.³⁷ On the other hand, Republicans but not Democrats identify “good citizenship” with allegiance to nativist causes.³⁸ Second, why think this is debunking? In short, political positions derived from group display none of the stability or coherence that would even qualify them as full beliefs, and besides that are awash on both sides of the political spectrum with overwhelming directional motivation.³⁹ In short, if intuitions against helping should be thrown out, that is just because all intuitions in the vicinity should be thrown out.

IV. THE APPEAL OF RIGHTS MINIMALISM

The last Section tried to dampen the appeal of intuition-driven, moderate views. We’re left with either the demanding answer to the question of aid to strangers or the rights minimalist answer. Why favor the latter? After all, one might think that denying a moral requirement to provide aid, as the minimalist does, is fundamentally at odds with effective altruism. However, in his own definition, MacAskill favors the language of describing effective altruism as a “project,” and explicitly eschews including the idea of a moral requirement as an essential feature of that project.⁴⁰ In part, he notes that this is because members of the movement themselves are divided over whether their efforts are required by morality or merely present a morally significant opportunity.⁴¹ This leaves the minimalist view as a meaningful option.

Like the simple contractualist and consequentialist views, the rights minimalist account sketched in Section 2 locates the extension of right and wrong not just in the case of distant strangers, but to a wide array of moral questions. It does so without adding new theoretical features to resolve new cases. And – with some minor specification – it provides comparably exact answers. It is revisionist in the extension of moral requirement, in a similar way but just in the opposite direction. It provides an extension that is clearly continuous with morality, but eliminates incoherence by minimizing the extension of requirement rather than by maximizing it.

So far, everything looks basically symmetrical. And to a first approximation, this is the objective I set out to establish. What should we believe about aid to

37. Michael Barber and Ryan Davis, *Partisanship and the Trolley Problem: Partisan Willingness to Sacrifice Members of the Other Party*, 9 RSCH. & POL. 1 (2022). Cf. Jonathan Homola, *Partisanship and Perceived Threats about Immigration*, 27 PARTY POL. 977 (2021).

38. Cf. NATHAN P. KALMOE & LILLIANA MASON, RADICAL AMERICAN PARTISANSHIP: MAPPING VIOLENT HOSTILITY, ITS CAUSES, AND THE CONSEQUENCES FOR DEMOCRACY (Susan Herbst et al. eds., 2022); Christopher F. Karpowitz et al., *The Good Deliberative Citizen: How Partisanship Shapes Citizenship Norms About Deliberative Behaviors* (working manuscript). Cf. Kristina B. Simonsen & Bart Bonikowski, *Moralizing Immigration: Political Framing, Moral Conviction, and Polarization in the United States and Denmark*, 55 COMPAR. POL. STUD. 1403 (2022).

39. David C. Barker et al., *Intellectualism, Anti-Intellectualism, and Epistemic Hubris in Red and Blue America*, 116 AM. POL. SCI. REV. 38 (2022).

40. William MacAskill, *The Definition of Effective Altruism*, in EFFECTIVE ALTRUISM: PHILOSOPHICAL ISSUES, *supra* note 2, at 10, 15.

41. *Id.* at 15–16.

distant strangers? In short, my answer is that once first-order intuitions about the case have been discarded, the best procedure is to accept the answer provided by whichever theory we favor on independent grounds.

With that in mind, I will make one final note in defense of rights minimalism. Recall again the simple consequentialism from Section 3. It is a common complaint with consequentialist views that they do not allow for sufficient protection of an individual's rights. Frances Kamm, for example, memorably complained that if we accepted Singer's principle to give up to the point of "comparable moral significance," then it is entirely possible that there will be worlds in which one must sacrifice oneself or even one's family for the sake of aggregate well-being. As Kamm observed, "I think, considered impartially, the death of me and my family at a young age is not of comparable moral significance to the avoidable deaths of thousands of others"⁴². Although this style of worry with consequentialism is well-known, it can likewise apply to moderate views. Barry and Lawford-Smith set out to establish a view of demands to give aid that allows those demands to be defeated by a variety of disparate factors: the costs of the agent's efforts, the relation between those efforts and her beliefs, the success of her efforts, etc. Nevertheless, Barry and Lawford-Smith still suppose there are cases like the one Kamm fears. If an evil billionaire would solve world poverty on the condition that he be allowed to murder you, they suppose that you would be morally required to submit to your own death for the sake of the world.⁴³

While Barry and Lawford-Smith are certainly right to regard this kind of case as "improbable," it's not clear how much reassurance that provides. Against the worry that utilitarianism could sanction slavery, utilitarians have traditionally pointed out that given the facts of human psychology and sociology, any such possibility was remote.⁴⁴ But the objector might not have been worried about the actual event. Rather, the objector might have been trying to press a worry with the role of normative reasons within the theory, quite independently of whether such circumstances would ever arise in human history. To see this point, compare with an objection to teleological explanations of epistemic normativity. One complaint with such accounts is that they cannot explain we ought to believe according to the evidence when there is no plausible epistemic value to be gained from doing so. For example, such accounts could not say there is anything wrong with beliefs that fail to track the evidence at all when those beliefs are about an irrelevant subject, such as the contents of an out-of-date phone book.⁴⁵ Whatever one makes of this objection, it would be missing the dialectical point to deflect it by declaring, with relief, that it's a good thing we'll never look at any old phone books.

42. F.M. Kamm, *Aggregation, Allocating Scarce Resources, and the Disabled*, in *SOC. PHIL. & POL'Y* 26, 156 (2008).

43. Christian Barry & Holly Lawford-Smith, *On Satisfying Duties to Assist*, in *EFFECTIVE ALTRUISM: PHILOSOPHICAL ISSUES*, *supra* note 2, at 150, 155.

44. R. M. Hare, *What Is Wrong with Slavery*, 8 *PHIL. & PUB. AFFS.* 103 (1979).

45. *Cf.* Thomas Kelly, *The Rationality of Belief and Some Other Propositional Attitudes*, 110 *PHIL. STUD.* 163 (2002).

A better interpretation of the worry is that the epistemic teleologist must be misidentifying the grounds of the relevant norms on belief, regardless of whether in practice the heuristics they provide do just as well. Likewise, a better interpretation of the self-sacrifice worry is that it treats a person's rights as too vulnerable to violation in principle, regardless of that violation's predictive likelihood. To use the traditional label: the consequentialist and the moderate alike are prepared in principle to violate the separateness of persons, and that is a problem for the theory on its own terms.

Ordinarily, philosophers take for granted that the contractualist method of pairwise comparison avoids violating the separateness of persons. To conclude, I want briefly to question that assertion. One way of expressing the separateness of persons is by saying that a person's moral rights should not be contingent the interests of any other person.⁴⁶ But for the contractualist, whether a person has some right already depends on whether their claim in question is defeated in comparison with the claim from a different point of view. Although there may be only two persons involved, a person's rights already are not separate from the moral interests of others. Whether Thomson's friends have a right to interfere with Henry Fonda depends not only on what Fonda's rights are, but on the weight of Fonda's moral claims *as compared against* Thomson's claims.

Recall the question: How could the interests of other persons have zero requiring strength? Thomson's suggestive discussion held out the prospect of an answer. Perhaps no person is in a position to issue any demands about the use of another's physical person, at least without the other's acceptance of some "special responsibility." Here, I've suggested that only by answering that way can we preserve a principled commitment to the separateness of persons. Of course, mileage may vary. How persuasive that is will depend on how significant one regards the separateness of persons to be as a matter of moral theory, which is a question that must be left aside for now.

CONCLUSION

Rights minimalism denies there are any nonvoluntary duties to aid distant (or nearby) strangers. How could that be? It runs against apparently widely accepted norms. Or at least, so it seems. Although few people avow rights minimalism, many live as though they do. Philosophers typically react by holding that the practice is in need of revision in light of their favored normative theory. My suggestion, on the contrary, is that the moral practice is right and it's normative theory that's in need of revision. No one can demand any portion of your life for the same reasons that no one can demand your life: It has incomparable value. Of course, so does every person for whom you might help. Sacrificing for others is justified by that value, but in no way required by it.

46. For discussion, see Timothy Hinton, *Rights, Duties and the Separateness of Persons*, 38 PHIL. PAPERS 73 (2009); F.M. KAMM, *supra* note 2, at 54.