Schelling on Numbers

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Consider

> ***Rescue Case***: You are faced with a choice between rescuing either one individual or five different individuals. For whatever reason, you cannot save all six individuals. There are no morally relevant differences amongst the six individuals, and the only difference is the number of individuals. Should numbers determine whom to save?

Taurek (1977) famously claimed that they shouldn't, and that we should flip a fair coin and give equal chance of survival to each individual. Allegedly, many critics of utilitarianism are led to agree with this counterintuitive claim because they reject interpersonal aggregation. How can these critics justify the case for saving the greater number without an appeal to interpersonal aggregation? Recently, Schelling (2006) has proposed a new argument for saving the larger group that is not aggregative or consequentialist. However, it is unsuccessful. I will explain why and how.

Schelling appeals to a method of moral justification that is well known to anyone familiar with moral philosophy: rational choice behind a veil of ignorance, which Rawls (1971) employs. But he does not appeal to anything else of Rawls. Schelling (p. 140) asks "not whom should we save when the emergency is on us, but what rule should we adopt in anticipation of such emergencies." If it is unknown who is in which group, anyone I want to save – myself, my spouse, my child, my friend, or someone who is especially deserving of rescue – is more likely to be in the group of the five. Therefore, in this hypothetical situation, everyone would agree to the general principle of saving the group of five individuals insofar as the number of individuals is the only difference. Thus, Schelling concludes that the rule of saving the greater number would be unanimously agreed upon.

Schelling's argument suffers from a fatal flaw. The Rescue Case assumes that there are no morally relevant differences between the six individuals in the two groups. The only feature that differentiates the two groups is that one is larger than the other. Indeed, Schelling (p. 142) explicitly assumes that his argument will disregard "the quality of people that might be at risk". However, Schelling attempts to answer the question, "Should numbers determine whom to save?", by relying on factors external to the question of numbers. His argument works because of an assumption that there are, in fact, morally relevant differences between the members of the two groups, or there is at least the potential for these differences. That is, there may be people who are more deserving than others or towards whom we have special obligations, but we do not know who they are because we are behind a veil of ignorance. Schelling's argument works only if we deny one of the crucial assumptions that frame the Rescue Case: that there are no relevant differences between the six strangers. Schelling's argument thus suffers from a presupposition failure.

Schelling is not directly attempting to respond to Taurek's Rescue Case; he is trying to find a general rule to adopt in anticipation of more practical situations. However, even if we imagine a situation akin to the Rescue Case, but where the people involved may have morally relevant differences, Schelling's argument is still problematic. Schelling supposes that the rule of saving the greater number would appeal to a benevolent person behind the veil of ignorance because such a rule would increase the chances of saving an especially deserving person. This argument only succeeds because of the narrow parameters of the quality of people at risk. Schelling seems to forget that in allowing for moral differences, he has opened up a Pandora's box of possibilities. If *anybody* may be at risk, then it is not just especially deserving people who may need rescuing, it is also especially *undeserving* people, like sociopaths and criminals. Once we eliminate the hidden assumption that only people especially worth saving may be at risk, the conclusion that we should save the greater number based on benevolent reasons becomes less obvious.

Schelling also supposes that the general rule of saving the greater number would appeal to a purely self-interested person from behind a veil of ignorance. However, imagine that such a self-interested decision-maker, once the veil is removed, discovers that she is in the smaller group of people. Asking her to sacrifice herself to uphold the general rule would be overly demanding. Schelling could perhaps reply that the decision would not be made by a rescuee, but by a rescuer with no prior knowledge of who was at risk. However, the rescuer *would* know for a fact that she, herself, was not at risk, and thus she could not appeal to self-interest in making her decision. If she were to suspend this knowledge behind a veil of ignorance, then she would run into the same problem as the rescuee. The rescuer could perhaps appeal to benevolent reasons, but then she would run into the aforementioned Pandora's box problem.

A general rule of saving the greater number that is predicated upon self-interest seems to *only* hold so long as the decision-maker is actually at risk *and* in the larger group. If it turns out that she is not at risk or she is in the smaller group, then such a rule cannot be grounded in self-interest. The only way that Schelling's rule would be both unanimously agreed upon and not overly demanding would be if the veil of ignorance were never lifted. That is to say, the rule would be valid so long as the identities of the people at risk were never revealed to the rescuer and the moral differences remained only hypothetical and unknown. While this continuous ignorance is certainly possible in some rescue cases, it is not for many others. Most concrete rescue cases *will* involve at least some knowledge about the persons who are in danger. Therefore, the rule of saving the greater number cannot be generalized as a universal principle based on self-interest or benevolence from behind a veil of ignorance.