

Aggregation and Permitting Reasons

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Abstract

In this critical commentary, we assess Theron Pummer's attempt in *The Rules of Rescue* to reconcile the idea that the numbers matter when it comes to deciding who to save from harm, with the rejection of unfettered aggregation. We conclude that the task of reconciling individualist permitting reasons and the partial aggregation of requiring reasons with each other and with the overall account is more extensive than Pummer suggests. Further, we argue that while individualist permitting reasons are an interesting and potentially very constructive contribution to the non-consequentialist discussion of our duties to assist, more must be done to establish their plausibility.

Keywords

duties to rescue – aggregation – effective altruism – saving the greater number

In *The Rules of Rescue*, Theron Pummer makes the case that many of us are morally required to devote substantial resources to help strangers in need, and, broadly speaking, to direct these resources to causes that help people more rather than less. While this conclusion might bring to mind a form of Effective

Altruism that is avowedly consequentialist, Pummer's project is different.¹ He argues for the existence of moral obligations to help distant strangers from a non-consequentialist standpoint. At the foundation of this project is a reasons-based account of our duties of rescue, which distinguishes between two categories of reasons that bear on an agent's choice among different options. There are *requiring reasons* – considerations that contribute towards making some option required (for example, that it would prevent suffering, or another's wrongdoing, would give a wrongdoer their just deserts, and so on). And there are *permitting reasons* – considerations that contribute towards making some option permissible (but not required). Within the category of permitting reasons, Pummer includes two relatively familiar ideas: when an option would be very costly to the agent performing it, or if it would impinge on their autonomy, it can be justifiable not to choose that option, even when it would bring about something of significant value, such as protecting a person in severe need.

A crucial part of Pummer's project is to establish that the strength of requiring reasons is sometimes aggregative: the numbers matter to the choice of which group we ought to save. We have greater requiring reasons to save two lives than (a different) one, and therefore, all else equal, we are required to save the two lives rather than the one. Having opened the door to aggregation, however, Pummer does not wish to let it "run amok" (p. 50).² To prevent a very minor harm from breaking a tie between more significant harms, Pummer introduces a third and novel kind of permitting reason, which he calls *individualist permitting* reasons. There is a strong requiring reason to save an innocent person's life, but, according to Pummer, there is in addition a strong permitting reason to save their life (p. 46). This explains why we are permitted to save either A's life or B's, even when choosing B would have the additional benefit of saving C's finger. The individualist permitting reason to save A is strong enough to offset the small additional

1 Pummer himself understands the term 'effective altruism' in a fairly permissive way – as "the project of using time, money, and other resources to help others the most" (Theron Pummer, *The Rules of Rescue: Cost, Distance, and Effective Altruism* (Oxford University Press, 2023, 4)) – such that his non-consequentialist account fits under the description. Note, however, that Pummer's account differs in several important respects from the more familiar maximizing consequentialist variety of effective altruism, including in its recognition of the doing/allowing distinction, treatment of special connections and the rejection of simple cost-effectiveness analysis as the measure of "the most" good. As a recent review puts it, the result is "effective altruism with a human face." Daniel Muñoz, "The Rules of Rescue: Cost, Distance, and Effective Altruism, by Theron Pummer," *Mind*, 2023, fzad043.

2 All in-text page references are to Pummer, *Rules of Rescue*.

requiring reason to help C. And to avoid a conclusion where we are required to prevent a large enough number of trivial harms rather than a single severe harm, Pummer proposes that requiring reasons themselves may be only “partially aggregative” (p. 51).

In this paper, we assess Pummer’s attempt to reconcile the idea that the numbers matter with the rejection of unfettered aggregation. We conclude that the task of reconciling individualist permitting reasons and the partial aggregation of requiring reasons with each other and with the overall account is more extensive than Pummer suggests. Further, we argue that while individualist permitting reasons are an interesting and potentially very constructive contribution to the non-consequentialist discussion of our duties to assist, more must be done to establish their plausibility.

1 Accepting Pummer’s Account of Reasons

Pummer’s method for justifying different kinds of reasons follows a familiar reflective equilibrium pattern. He starts from widely shared considered judgments about the moral requirements or permissions that agents possess in cleanly described hypothetical examples. He then posits categories of reasons (along with principles for combining them), which help to make sense of the pattern that these judgments display. To paraphrase Pummer, different kinds of reasons (or principles for combining them) “earn their keep” when their acceptance offers a plausible explanation of these patterns of judgment.³ If, on the contrary, some kind of reason would not figure non-superfluously in the explanation of moral phenomena, we should not accept it. In what follows, we will follow Pummer in accepting this non-superfluity test, but also explore whether individualist permitting reasons are well motivated independently of the explanatory work they might do.

3 Although this approach takes as its point of departure shared judgments on cases, it can lead to quite radical implications. For instance, Pummer’s use of simple cases puts serious pressure on commonly held views about our requiring reasons to save strangers. He rejects widely accepted ideas – for example, that factors such as the distance between us and those whom we might save, whether we are uniquely able to save them, whether they are victims of injustice or just bad luck, are relevant to our requiring reasons to save them (see pp. 105–15). Pummer acknowledges, however, that there may be morally relevant differences between saving strangers in simple rescue cases and through contributions to charities, for example, that giving to charities may carry some risk of doing harm (see pp. 185–186 and his fuller treatment of this issue in “Risky Giving,” *The Philosophers’ Magazine* 73 (2016), 62–70.)

1.1 *Requiring Reasons*

A requiring reason to do some option A “contributes towards making A required” (p. 24). Requiring reasons favor an option *overall*, in the sense that the overall strength of requiring reasons favoring A does not vary with the alternative(s) to which A is compared (p. 25). *Costless Rescue* motivates this category of reasons.

A stranger faces a deadly threat. You can either do nothing, allowing them to die, or you can, at no cost to yourself, save their life.

p. 19

Intuitively, you would act wrongly if you failed to save the stranger. This is explained by accepting that we have *requiring reasons* to help innocent others. Such reasons are grounded in the interests of those whom we would protect. And such reasons are, as Pummer says, “ubiquitous” (p.17), since there are a great many people in the world who stand in need of protection.

Just as intuitively, Pummer maintains that the strength of our requiring reasons with respect to saving others from harm depends on the magnitude of the harm that they will suffer if we do not assist them. Our requiring reason to save a person's life is weightier (all else being held equal) than one to save a person's hand, or finger, to prevent their clothes from getting muddy, and so on. Moreover, special connections, of which there are various sorts (and which come in different degrees), may also be relevant to our requiring reasons. We may have a weightier requiring reason to save a close friend than to save a stranger, for example (p. 163).

That we have a requiring reason to save someone does not mean that we are morally required, all things considered, to do so. For one thing, our requiring reasons to protect one person typically compete with requiring reasons to protect others. If I am in a situation where I can save one but not both of two innocent strangers at no cost to myself, I have weighty requiring reasons to save each, but do not necessarily wrong either of them if I save the other instead.

Indeed, sometimes I may be morally required not to act even on weighty requiring reasons to save a particular person, as *Costless Conflict* seems to demonstrate:

Three strangers face a deadly threat. You can do nothing, save one stranger's life at no cost to yourself, or save the other two at no cost to yourself. Tragically, you cannot save all three.

p. 41

Intuitively, you should save the two. And the best explanation of this is that, while we have requiring reasons to save the one, we also have requiring reasons to save the other two that *outweigh* those reasons.

This case suggests that we need to adopt a principle according to which requiring reasons *aggregate* – the requiring reasons to save the two “together outweigh the requiring reason” to save the one (p. 44). The most natural way to conceive of aggregation is as *additivity*: your requiring reason to save two identical lives is exactly twice the strength of your requiring reason to save one. Note, though, that Pummer is careful to keep his definition more general. All we must accept to make sense of this case is that the additional life adds to the weight of requiring reasons and (later) that an additional life adds more to the weight of requiring reasons than does a weaker claim for assistance, like a claim against a broken finger. This commitment to aggregation is of particular importance to Pummer. It is a central premise in his argument that we are often required to discharge our duties of assistance “effectively,” where this is understood to imply, among other things, that we ought to save a larger rather than a smaller number of people from harms of the same severity (see ch. 8). We shall return to this shortly.

1.2 *Permitting Reasons*

So far, then, we have cases that suggest we have requiring reasons, and that these reasons can be aggregated in ways that help determine what we are morally required to do, all things considered. Sometimes, though, we may not do wrong in failing to act on our requiring reasons to save an innocent person even when this is not outweighed by other requiring reasons. This is supported by *Costly Rescue*:

Same as before (e.g. in *Costless Rescue*), but you can save the life only “at great cost to yourself” – not anything so bad as death, but something still “very painful and disruptive,” like losing your legs.

p. 20

It is hard to vindicate the judgment that you are not required to sacrifice your legs in this case by appeal to requiring reasons alone. It is not clear that you have more requiring reasons to save your legs than to save a stranger – a great deal more is at stake, after all, for the stranger, even though much is at stake for you. It might be tempting to say here that you have more requiring reasons to save your legs than the stranger – requiring reasons to oneself might be considered particularly weighty. But this diagnosis cannot be squared with the fact you would not act wrongly if you accepted the loss of your legs to save the

stranger. That would be a case where you act beyond the call of duty, rather than impermissibly.

This suggests that we should instead admit a different category of reasons that bear on choice: permitting reasons. These are reasons that contribute to making conduct options permissible (and, as a corollary, block other options from being required, even when the balance of requiring reasons favors them) rather than required. We act permissibly if there is no alternative such that the requiring reasons favoring that alternative outweigh both the requiring and permitting reasons favoring our chosen action. *Costly Rescue* involves one feature of a situation that can ground a permitting reason: the cost to the agent of undertaking the rescue (Pummer refers to these as *cost-based* permitting reasons (p. 34). These reasons are familiar, and much discussed in normative ethics (though often presented in terms of agent-centered *prerogatives* or *options*).⁴

In addition to permitting reasons based on the cost to the agent, Pummer argues that we should also accept *autonomy-based permitting reasons*, whose strength is proportional to the extent to which the action would constrain the direction of the agent's life. This kind of permitting reason is non-superfluous, he argues, since it is necessary to explain why we are sometimes permitted to make choices – say to become a humanitarian doctor rather than a philanthropist banker – that would neither involve acting on what the balance of requiring reasons would favor (the banker would save more lives, so these reasons favor that option), nor which would be more costly to the agent (you would be better off as a banker, so could not appeal to the cost of that option to justify choosing the other) (pp. 27–28).

2 Permitting Reasons and Aggregation

We can justify saving two lives over one in cases like *Costly Conflict* by appeal to the aggregation of requiring reasons. Aggregation, however, could have some unappealing implications. First, if C's life can "break the tie" between saving A's life and saving B's, then what is to stop C's finger (or sore throat, or headache)

4 For discussion, see Shelly Kagan, "Defending Options," *Ethics* 104 (1994), 333–351; Thomas Hurka and Esther Shubert, "Permissions to Do Less than the Best: A Moving Band," in *Oxford Studies in Normative Ethics*, vol. 2, edited by Mark Timmons (Oxford: Oxford University Press, 2012), 1–27; and Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Clarendon Press, 1984).

from doing the same (p. 44)?⁵ And second, if we have a weak but positive requiring reason to prevent someone from suffering a mild headache, then what is to stop our requiring reasons to cure a very large number of headaches from aggregating to outweigh our requiring reasons to save a life, so that we are required to cure the headaches at the expense of a life?⁶

Pummer proposes different solutions to each of these problems. To resist the worry that a minor harm can break the tie in the first case, Pummer argues that there is a type of permitting reason that is distinct from those described above. These are “individualist permitting reasons” to save particular people (p. 46). Unlike the other kinds of permitting reasons, these reasons are agent-neutral – they are based on the interest of the claimant to assistance.

In the tie-break case, the small difference in requiring reasons favoring the two options (A’s life/B’s life and C’s finger) is offset by an individualist permitting reason to save A. So the option to save B’s life and C’s finger does not make it wrong to save A, and the agent is permitted to choose either option. The tie-break puzzle for aggregation is thereby resolved: we can aggregate requiring reasons but explain the permissibility of acting against the balance of such reasons by invoking individualist permitting reasons.⁷

As Pummer puts it: “individualist permitting reasons earn their keep by explaining intuitive claims like that it is permissible to save A’s life instead of saving B’s life and C’s finger” (p. 46).

Although Pummer motivates individualist permitting reasons by showing how they can help vindicate our judgments in the tie-break case just described, it would also seem that they can affect which options are permissible whenever the overall strengths of requiring reasons favoring two options are close. Pummer gives an example of a choice between saving two lives, where one life would be better than the other and so is favored by a slightly stronger requiring

5 If losing a finger seems sufficiently serious that there is an open question as to whether it can break the tie, one could jigger the case (as others have done) to substitute a sore throat or headache: see F. M. Kamm, *Morality, Mortality vol. 1: Death and Whom to Save from It* (Oxford: Oxford University Press, 1993); Alistair Norcross, “Comparing Harms: Headaches and Human Lives,” *Philosophy & Public Affairs* 26 (1997), 135–67.

6 These are commonly regarded as the two canonical puzzles of aggregation. See Aart van Gils and Patrick Tomlin, “Relevance Rides Again? Aggregation and Local Relevance,” in *Oxford Studies in Political Philosophy*, vol. 6, edited by David Sobel, Peter Vallentyne and Steven Wall (Oxford: Oxford University Press, 2020), 221–256.

7 There are also individualist permitting reasons at play in the choice between saving one life or two in *Costly Conflict* – we have individualist permitting reasons to save each – but the individualist permitting reason to save the one is not strong enough to offset the large difference in requiring reasons (e.g., between those to save the two and to save the one) in this case.

reason. It is plausible, Pummer argues, that in such a case we are permitted to save either life. And this is explained by the permitting reason to save the worse life (pp. 52–53).

Pummer's examples all involve individualist permitting reasons to save some individual's life. But there is nothing in the account that would obviously restrict it to claims to be spared from death. It is plausible that there is an individualist permitting reason for every requiring reason to help an individual, especially on the reasonable assumption that both these reasons would be based in the same facts about the individual's wellbeing. Indeed, Pummer describes an individualist permitting reason as a "reason to *help* a particular individual" (p. 47, italics added). So, for example, it may be permissible for me to save A from losing most of her arm, even when I can save B from losing her whole arm: my individualist permitting reason to help A outweighs the difference in strength of the requiring reasons favoring the two options. We could think of individualist permitting reasons as creating a zone of permissibility around an option, so that the option is equipermittible with alternatives that are sufficiently close in terms of overall requiring reason.

The second potentially troubling implication of aggregation introduced earlier is what we will term the "few against many" problem, where the agent must choose whether to rescue a small number of people from very large harms or many more people from much smaller harms. Pummer gives the example of a choice between saving one person from intense agony and billions of people from very mild pain (p. 51). Another well-known example of such a case is Life versus Headaches: it seems that there is no finite number such that you ought to cure that number of mild headaches rather than saving one person from premature death.⁸ It is clear at the outset that individualist permitting reasons will be of no use to explain the *requirement* to save the smaller number from more serious harm. At best, a permitting reason to save the life could explain why we are *permitted* to save the one rather than preventing a large number of mild headaches; it could not explain why curing headaches is impermissible.

Pummer recognizes this, so looks elsewhere for an explanation of why we are required to save the life in this case. He considers a solution wherein requiring reasons are only "partially aggregative":

[W]hen the harms in question are sufficiently similar, there can be more requiring reason overall to save a greater number of people each from lesser harm than there is to save a lesser number of people each from greater harm. We can then claim that while there is more requiring reason

⁸ See, e.g., Norcross, "Comparing Harms," 135–136.

overall to save 10 people from intense agony than there is to save one from slightly more intense agony (these harms are sufficiently similar), there is more requiring reason overall to save one person from intense agony than there is to save any number from very mild pain (these harms are sufficiently different).

p. 51

2.1 *Partial Aggregation*

In suggesting that requiring reasons could be partially aggregative, Pummer appears to have in mind a discrete “module” that can be appended to his existing account of moral reasons, just to deal with few-versus-many cases.⁹ But, we will argue, partial aggregation has much wider implications for the structure of moral reasons than that, which raise significant challenges for Pummer’s overall account.

To illustrate these challenges, we will begin by setting out two conditions that a partially aggregative view, working in concert with Pummer’s framework of requiring and individualist permitting reasons, should satisfy given Pummer’s commitments in *The Rules of Rescue*.¹⁰

First, the overall view should vindicate the following case judgments:

1. *Single Finger Tie-break*: In a choice between saving A’s life or saving B’s life and C’s finger, C’s finger does not break the tie, leaving both options permissible.
2. *Many Headaches Tie-break*: In a choice between saving A’s life or saving B’s life and preventing a very large number of mild headaches, a sufficiently large number of headaches could be enough to break the tie, leaving the latter option as the sole permissible choice.¹¹
3. *Life versus Headaches*: In a choice between saving A’s life or curing a million other people of mild headaches, saving the life is the only permissible choice.
4. *Better versus Worse Life*: In a choice between saving either A’s life or B’s, even supposing that B would have a somewhat better life than A if she were saved, both options are permissible.

⁹ Pummer does not indicate which partially aggregative view that he is inclined to adopt.

¹⁰ We have taken these conditions from Pummer’s description of the interplay between requiring reasons and individualist permitting reasons and the claimed explanatory virtues of this account. We do not mean to suggest that a proposal’s violating any one of these conditions would constitute a decisive refutation of it. Rather, this is intended to illustrate the tension in the exercise of combining partial aggregation with Pummer’s account of reasons.

¹¹ Pummer does not appear as strongly wedded to this case judgment as some of the others (58–59, n. 7).

Second, individualist permitting reasons should “earn their keep,” contributing to explaining accepted patterns of judgment in these and other cases (p. 46).

2.2 *Relevance View*

Pummer’s description of partial aggregation in terms of “sufficient similarity” of harms is reminiscent of the relevance view, a version of partial aggregation according to which the strength of the requiring reason to satisfy an individual’s claim to be spared from harm varies depending on the claims with which it competes.¹² If a claim is sufficiently strong relative to the strongest claim with which it competes, the associated requiring reason has non-zero strength. If the claim is not sufficiently strong relative to the strongest claim with which it competes, however, it is “irrelevant,” and the associated requiring reason has zero strength. On this view, we are required to choose the option favored by the requiring reasons whose strengths have the greatest sum (after taking relevance into account).

The first thing to note is that in *Single Finger Tie-break*, adopting the relevance view for requiring reasons would make individualist permitting reasons redundant. This is because versions of the relevance view where you are permitted to save A’s life in the tie-break case explain this verdict in terms of relevance: in a choice between saving A’s life and saving both B’s life and C’s finger, the requiring reason to save C’s finger has zero strength (we assume that the claim to have a finger saved is not relevant when in competition with a life claim). In that case, we could explain the permissibility of saving A’s life with reference only to the strength of requiring reasons, and there would be no independent explanatory role for individualist permitting reasons.

The relevance view would also seem to deviate from Pummer’s case judgment in *Many Headaches Tie-break*. According to the relevance view, there is no way for any number of requiring reasons to cure mild headaches to outweigh the individualist permitting reason to save a competing life if the requiring reasons to cure the headaches have zero strength. Thus, no number of headaches could break a tie between two lives. Perhaps Pummer would, on reflection, accept this verdict – as noted above, his inclination towards the converse appears weaker than for some of the other case judgments. At the very least, though, this result is an illustration of how the account of partial

12 For a full treatment, see Alex Voorhoeve, “How Should We Aggregate Competing Claims?” *Ethics* 125, no. 1 (2014), 64–87. Voorhoeve does not apply his version of the relevance view to cases involving heterogeneous types of claims. In what follows, we will assume the extension argued for in Kirsten Mann, “The Relevance View: Defended and Extended,” *Utilitas* 33, no. 1 (2021), 101–110; cf. Patrick Tomlin, “On Limited Aggregation,” *Philosophy & Public Affairs*, 45, no. 3 (2017), 232–260.

aggregation chosen can limit the role for individualist permitting reasons in determining our obligations to assist.

However, in *Better versus Worse Life*, individualist permitting reasons would still have a role to play in delivering the desired case verdict, since both the weaker and stronger life claims would be relevant and so the requiring reason to save the better life would be stronger. So, if Pummer were to adopt the relevance view, individualist permitting reasons would not “earn their keep” in the kinds of cases he originally invokes to justify them, but they would not be entirely superfluous.

2.3 Lexicographic View

Another way of rejecting unfettered aggregation is to adopt a lexicographic approach. On this approach, options are represented as ordered pairs (or n-tuples), where claims to life-saving treatment and other similarly weighty claims are captured by the first component, and weak claims like claims to headache treatment by the second.¹³ Options are ranked according to a lexicographic rule. Let Option *A* be represented by (A_1, A_2) and Option *B* by (B_1, B_2) . *A* defeats *B* if and only if either $A_1 > B_1$ or $A_1 = B_1$ and $A_2 > B_2$.

If requiring reasons have this lexicographic structure, then individualist permitting reasons could help explain the verdict in *Single Finger Tie-break*. If the two options are tied on first-component claims, then a second-component claim breaks the tie, and we are required to save the finger. If both options are to be permissible in this case, then, we must look beyond requiring reasons.

It is not clear, though, how individualist permitting reasons should operate when requiring reasons have this two-dimensional structure. Let us represent the choice between saving *A*'s life on the one hand, or *B*'s life and *C*'s finger on the other, as Option 1 = $(1, 0)$ and Option 2 = $(1, 1)$, respectively. Without individualist permitting reasons, Option 2 ranks above Option 1 on the lexicographic order, rendering Option 1 impermissible. Suppose first that the individualist permitting reason to save *A*'s life augments the first component

13 See, e.g., Chad Lee-Stronach, “Moral Priorities Under Risk,” *Canadian Journal of Philosophy* 48, no. 6 (2018), 793–811. For a general outline of the broad strategy, see Joe Horton, “Partial Aggregation in Ethics,” *Philosophy Compass* 16, no. 3 (2021), 3–4. For an illustration of how a lexicographic view could be justified (beyond its vindication of common case judgments), see S. Matthew Liao and James Edgar Lim, “Lives, Limbs, and Liver Spots: The Threshold Approach to Limited Aggregation,” *Utilitas* 36, no. 2 (2024), 148–167. Note that on Liao and Lim's preferred variant of the view, “*Sub-Threshold Claims Are Not Requiring*,” individualist permitting reasons would be superfluous in a single finger tie-break. This variant of the lexicographic view also would not vindicate the judgment that curing the many headaches breaks the tie in *Many Headaches Tie-Break*.

of the ordered pair by amount $j > 0$. Option 2 makes Option 1 impermissible if and only if $(1, 1)$ defeats $(1 + j, 0)$ on the lexicographic rule. Option 2 does not defeat Option 1 for any $j > 0$, so both options remain permissible as desired. If the individualist permitting reason to save A's life instead augments the second component of the ordered pair (by amount $k > 0$), we have: Option 2 makes Option 1 impermissible if and only if $(1, 1)$ defeats $(1, k)$. Plausibly, the permitting reason to save a life could be quite strong relative to the requiring reason to save a single finger, so again, both options could remain permissible.

While combining the lexicographic structure with individualist permitting reasons can support the desired verdict in *Single Finger Tie-break*, it runs into trouble with the other cases. Consider first *Better versus Worse Life*, and represent the nearly tied options as: Option 1 = $(1, 0)$ and Option 2 = $(0.9, 0)$. If both options are to be permissible, the individualist permitting reason to assist the individual with the worse prospective life must augment the first component of the ordered pair. That is, $(0.9, 0)$ would have to become $(0.9 + k, 0)$ for the purpose of determining whether this option is permissible. But now consider *Many Headaches Tie-break*, and represent the two options as follows: Option 1 = $(1, 0)$ and Option 2 = $(1, 1 \text{ million})$. If the individualist permitting reason to save the sole individual's life augments the first component of the ordered pair, as we just saw was necessary to get the right result in *Better versus Worse Life*, then Option 2 cannot render Option 1 impermissible on the lexicographic rule. $(1 + i, 0)$ is undefeated by $(1, 1 \text{ million})$ for any $i > 0$, no matter how large the second component of Option 2.

Thus, the lexicographic approach could not deliver the desired verdict on all Pummer's cases. As was the case for the relevance view, the least costly move would appear to be to give up *Many Headaches Tie-break*. This is again an example of how the account of partial aggregation chosen has reach well beyond few versus many cases, limiting the possibilities for what individualist permitting reasons and requiring reasons can together do with respect to tie-breaking.

2.4 Bounded View

Finally, the combined strength of the requiring reasons to cure a given number of headaches could be conceived of as being aggregative but with a non-linear relationship to the number, converging to a finite limit below the strength of the requiring reason to save a single life. More specifically, if h is the (unweighted) strength of the requiring reason to cure a single headache, then the strength of the requiring reason to cure the i th headache in a group is equal to h times some bounded function of i , call it $f(i)$, and the total requiring reason to cure a group of n headaches is equal to the sum $f(1)h + f(2)h + \dots + f(n)h$. For

example, the weighting function could have a value of 1 for first headache, $\frac{1}{2}$ for the second, $\frac{1}{4}$ for the third, and so on. Then the total strength of the requiring reason to cure any finite number of headaches could not exceed $2h$. If the requiring reason to save a single life had a strength of at least $2h$, then, the total requiring reason to save any number of headaches would always be outweighed by the requiring reason to save the life.¹⁴

To understand the implications of this view for mixed cases like *Single Finger Tie-break*, we need to elaborate. Suppose that by choosing some option you stand to prevent k moderate harms and n headaches and that the strength of the i th moderate harm in a group consisting only of such harms is $g(i)m$. Then the combined strength of the requiring reason to prevent k moderate harms and n headaches is $g(1)m + g(2)m + \dots + g(k)m + f(k+1)h + \dots + f(k+n)h$. That is, we order harms in descending order of severity and apply the weights on that basis. If we instead started the weighting function at its maximum for each type of harm, we could end up with a situation where no number of broken fingers outweigh a single life, no number of headaches outweigh a life, but m fingers and n headaches outweigh a single life. This is the result of the declining marginal value of headaches and fingers on the bounded view.

On this approach, the strength of requiring reasons is aggregative, with the method of aggregation straightforward addition. The only difference from simple additive aggregation is that each reason has a different weight, depending on where it falls in the ordered sequence of claims. On this view, a single weak claim added to a group of other claims will always have non-zero marginal strength. So, considering requiring reasons alone, a sore throat will always break a tie between two identical lives. Individualist permitting reasons thus have a potential role in explaining why both options in *Single Finger Tie-break* are permissible. And individualist permitting reasons could be accommodated within the bounded framework in broadly the same way as on Pummer's original account.

The bounded view together with individualist permitting reasons can vindicate the judgments in all Pummer's cases. First, just as for Pummer's original account, the requiring plus permitting reason to save A's life can outweigh the requiring reason to save B's life plus the (weighted) requiring reason to save C's finger. Second, in *Many Headaches Tie-break*, it would

14 See, e.g., John Broome, "No Argument against the Continuity of Value: Reply to Dorsey," *Utilitas* 22, no. 4 (2010), 494–496; Eric Carlson, "Aggregating Harm: Should We Kill to Avoid Headaches?" *Theoria* 66, no. 3 (2000), 246–255; Seth Lazar and Chad Lee-Stronach, "Axiological Absolutism and Risk," *Noûs* 1 (2019), 97–113. Unlike for headaches, requiring reasons to save lives could have linear weights, since we are not concerned with trying to limit the total requiring reason to save a large number of lives.

be possible for the total requiring reason to cure a large enough number of headaches to outweigh the individualist permitting reason to save A's life, since we assume with Pummer that an individualist permitting reason is weaker than the corresponding requiring reason (were it not, we would not be able to explain why we are not permitted to save one life rather than two.)¹⁵ Third, consider *Better versus Worse Life*. If two people have competing claims for your assistance and the requiring reasons to assist are close but not equal, then the individualist permitting reason associated with the weaker could be sufficient to outweigh the difference in strength of the two requiring reasons, rendering both options permissible. And, of course, the bounded view delivers the desired result in *Life versus Headaches*.

The cost of adopting the bounded view, however, is that it has independently implausible implications. For one thing, it is hard to accept that helping an additional person is more important if you are already helping two people than if you are already helping 100. And, if we assume that the sum of requiring reasons to save lives is also bounded above, there can be situations where saving an additional life adds less to the overall requiring reason to choose one option than curing an additional headache adds to an alternative. Suppose that by helping Group A, you would save a very large number of lives, and by helping Group B, you would cure one headache. Now add another person facing premature death to Group A, and another headache sufferer to Group B. If the number of people in Group A is large enough, then we have added more to the overall reason to save Group B than we have to Group A.¹⁶

Another implication of the bounded view is that headaches may be able to outweigh one harm of a given type, but not some finite number of harms of the same type. For example, suppose that there is a type of harm of intermediate severity such that some number of headaches outweigh one of these harms, and some number of these harms outweigh a life, but there is no number of headaches that outweigh a life. Let n be the number of intermediate harms that outweigh a life. Then both the following hold:

1. There is some number of people such that there is more requiring reason to save that many people from headaches than there is requiring reason to save one person from intermediate harm.
2. There is no number of people such that there is more requiring reason to save that many people from headaches than there is requiring reason to save n people from intermediate harm.

15 It could be, however, that enough headaches can break the tie between competing single lives, but not, say, between two groups of 100 lives each.

16 We are grateful to an anonymous reviewer of this journal for suggesting this point.

This is puzzling, but unavoidable given the non-linear relationship between the number of people suffering headaches and the total requiring reason to assist.

We also note (by way of interest, not in objection to Pummer), that combining individualist permitting reasons with bounded aggregation of requiring reasons introduces a new category of lesser/greater harm pairs, beyond the categories familiar from the dominant accounts of partial aggregation. On these existing accounts, given any pair of harms, one of lesser severity and one of greater, then either (1) some number of the lesser harms can outweigh one of the greater harms, in which case you are required to avert the lesser harms; or (2) no number of the lesser harms can outweigh one of the greater harms, in which case you are required to avert the greater harm. These deontic verdicts can be understood within Pummer's framework of requiring and permitting reasons as follows:

1. When two types of harm are close enough, the requiring reasons to avert sufficiently many of the lesser harms aggregate to outweigh the combined requiring reason plus individualist permitting reason to avert one of the greater harms. If the lesser harms are sufficiently numerous, then, you are required to avert the lesser harms rather than one of the greater harms.
2. When two types of harm are very different, the requiring reasons to avert any number of the lesser harms do not aggregate to outweigh the combined requiring reason plus individualist permitting reason to avert one of the greater harms. Moreover, the requiring reason to avert one of the greater harms outweighs the combined requiring reason plus permitting reason to avert any number of the lesser harms. You are never permitted to avert the lesser harms, then, no matter how numerous they are.

To these we now add a third, intermediate, category:

3. When two types of harm are somewhat different, the requiring reasons to avert the lesser harms do not aggregate to outweigh the combined requiring reason plus individualist permitting reason to avert one of the greater harms, no matter how numerous the lesser harms are. However, the requiring reason to avert a single greater harm does not outweigh the aggregate of requiring and individual permitting reasons to avert a sufficiently large number of the weaker claims either. So, it is always permissible to satisfy a single stronger claim over any number of the weaker and it is *also* permissible to satisfy a sufficiently large number of the weaker claims over the single stronger claim.

In summary, the three options discussed for reconciling Pummer's account of reasons with the partial aggregation of requiring reasons are: (a) adopt the

bounded view alongside Pummer's account, accepting the counterintuitive implications of the bounded view; (b) adopt the lexicographic view alongside Pummer's account, at the cost of giving up the desired verdict in *Many Headaches Tie-break*; or (c) adopt the relevance view alongside Pummer's account, again at the cost of *Many Headaches Tie-break* and also of a reduction in the explanatory role played by individualist permitting reasons. A further option is to give up this project altogether, adopting Pummer's account of reasons with full aggregation or rejecting Pummer's account of reasons, including individualist permitting reasons.

What this discussion has shown, then, is that it is difficult to incorporate partial aggregation within Pummer's general account of reasons into a plausible overall view. While Pummer makes only minimal commitments with respect to the aggregation of requiring and permitting reasons, these are enough to significantly limit which partially aggregative views can combine with the existing account in the manner that he appears to envisage.

2.5 Individualist Permitting Reasons

Individualist permitting reasons are not discussed again in *The Rules of Rescue* after Pummer deploys them in chapter two to reconcile the aggregation of requiring reasons with the non-aggregative verdict in *Single Finger Tie-break*. It seems to us, though, that the discussion of individualist permitting reasons is one of the novel and interesting parts of this book, with potentially far-reaching implications. So let us consider how they operate in the tie-break cases where Pummer puts them to work, and what they might mean for the broader account.

As noted, the sole justification that Pummer offers for individualist permitting reasons is that they "earn their keep" in cases like *Single Finger Tie-break*. However, if we restrict our discussion to this sort of case, it is not clear that they are superior to competing explanations. We might think, for instance, that we have a fairness-based reason to give A a chance to be saved, strong enough to outweigh our reason to save C's finger, but not our reason to save C's life.¹⁷ Or perhaps we find it hard to accept that C's finger is relevant in the choice context, relative to A's life. It even seems questionable whether reference to an individualist permitting reason in the cases of interest offers much in the way of explanation at all. Does it go beyond the reassertion of the

17 John Broome, "All Goods Are Relevant," in *Summary Measures of Population Health: Concepts, Ethics, Measurement and Applications*, edited by Christopher J.L. Murray, Joshua A. Salomon, Colin D. Mathers, and Alan D. Lopez (Geneva: World Health Organisation, 2002), 727–730.

intuition that it ought to be permissible to save A in this choice situation, even though the balance of requiring reasons favor B's life and C's finger, and there are no cost or autonomy-based permitting reasons in play?

Individualist permitting reasons do not seem to inherit any plausibility from the considerations that support other sorts of permitting reasons. The effect of cost- and autonomy-based permitting reasons is to open some moral "breathing room" – a sphere of choice within which the agent has discretion, namely whether and how much to sacrifice her own interests to do good. The effect of individualist permitting reasons is similar; they broaden the suite of permissible options available, allowing the agent some discretion over who to help when the strength of requiring reasons favoring her options is close enough. But there is no obvious link between increased discretion for the agent and the source of the individualist permitting reason. The permission to choose either option in *Single Finger Tie-break* seems more plausibly to rest in the moral status of the claims at stake, not in deference to some sphere of agential discretion.

In instances where an individualist permitting reason alone is supposed to license an agent's choice of a suboptimal option, the agent must be genuinely indifferent between that option and the optimal one. If the agent would suffer any cost from choosing the optimal option – even the frustration of a mild preference – then cost-based permitting reasons could explain why choosing the suboptimal option would be permissible. Given this, any rationale for individualist permitting reasons must be based in the individual who stands in need of the agent's assistance.

Perhaps the discretion that individualist permitting reasons provide the agent is what is required for her to respond appropriately to each individual in need. Why not just aggregate requiring reasons, and help whichever group is favored by the greatest sum? It could be argued that this would fail to take account of something important about the individual claims to which the aggregated requiring reasons correspond – that each is the claim of an *individual*, with a distinct viewpoint and set of interests. Individualist permitting reasons, the argument would go, give the agent space to attend with sympathy to each individual in need, and permit the agent to act on her sympathy when this would not be too much at odds with the balance of requiring reason.¹⁸ The combination of requiring and permitting reasons might be seen as a reconciliation of Nagel's impersonal and personal standpoints within the

18 We are grateful to an anonymous reviewer of this journal for suggesting this line of thought, which they suggest might find some support in Kieran Setiya, "Love and the Value of a Life," *Philosophical Review* 123 (3) (2014), 251–280.

ethics of rescue.¹⁹ This explanation is compelling, because it seems to get to the heart of why an ethics of rescue might need individualist permitting reasons in the first place. It does, however, raise yet more difficulty for combining Pummer's model of requiring and permitting reasons with partial aggregation of requiring reasons. Partial aggregation is often justified by its proponents through a similar appeal to the personal standpoint and the distinctness of individual claims.²⁰ If, however, the impersonal and personal standpoints are aligned with requiring and permitting reasons to help individuals respectively, then it is harder to make sense of partial aggregation of requiring reasons in terms of the personal standpoint.

Another rationale in a broadly similar vein might be that individualist permitting reasons honor the moral importance of claims that are not the strongest overall. Perhaps if two competing claims are separated by the smallest margin in terms of other sorts of reasons, we should not be able to dismiss the weaker of the two so easily. Individualist permitting reasons would seem to make such claims harder to dismiss. The effect of individualist permitting reasons is that a person's claim on us is weaker when we are asking the question "Must we help her?" than when we are asking the question "Must we *not* help her?" However, it is hard to see how the moral importance of the claims themselves is not already properly recognized when we carefully weigh them against each other. Do we not already honor the moral importance of a claim through the weight that we accord it in terms of the considerations that could justify not acting to satisfy it? It is not clear that making the choice a matter of the agent's discretion shows more sensitivity to the moral importance of each of the competing claims than simply requiring that she choose the strongest claim, all things considered.

2.6 *Near Ties*

Interestingly, *The Rules of Rescue* does not contain an extended discussion of what seems to us to be the most significant upshot of individualist permitting reasons, a general result that we will refer to as *Near Ties Are Ties*. *Single Finger Tie-break* is one instance of this result: the totals of requiring reasons favoring each of the two options are very close, so the weaker of the two is not outweighed by the stronger when augmented with the corresponding

19 Thomas Nagel *Equality and partiality*. Oxford University Press, 1995. See also Kamm, *Morality, Mortality*, especially ch. 8, which characterizes non-consequentialist thinking as involving the "inweaving" of "personal and impartial, subjective and objective ... views," 150. Voorhoeve ("How Should We Aggregate?") develops and extends these ideas in support of an account of partial aggregation of requiring reasons.

20 Voorhoeve, "How Should We Aggregate?"; Kamm, *Morality, Mortality*, chs. 8–10.

individualist permitting reason. This means that you are permitted to choose either option, as if the two were perfectly tied. The choice, discussed above, between saving most of A's arm or all of B's is another example. If you have an individualist permitting reason to help A, this could be sufficient to offset the small difference in the strength of requiring reasons favoring the two options. A third example, discussed by Pummer, is a choice between saving 100 lives or 101 different lives. If the individualist permitting reasons to save the 100 together outweigh the difference in requiring reason between 100 and 101 lives, you are permitted to choose either. This depends, of course, on whether individualist permitting reasons aggregate like requiring reasons do. If they do, it is very plausible that while the individualist permitting reason to save a single life could not outweigh a one-life difference in requiring reasons, the individualist permitting reasons to save 100 lives could do so, thus making it permissible to choose either option (p. 54).

Near Ties Are Ties means that the opportunities for individualist permitting reasons to "earn their keep" are much wider than the specific tie-break cases that Pummer discusses. Assuming that there is an individualist permitting reason corresponding to every requiring reason to help an individual (see the discussion in the first part of Section 2), we see this result in a wide range of cases: where two individuals' competing claims have nearly the same strength, when an individual's claim has nearly the same strength as the aggregate of a larger group of weaker claims with which it competes, and when the aggregate strength of one group of claims is close to the aggregate strength of another. *Near Ties are Ties* also means, interestingly, that rescue cases display the insensitivity to mild sweetening that will be familiar from the axiological literature on incommensurability.²¹ Given a two-option rescue case in which both options are permissible, we could increase the strength of requiring reasons favoring one of the options by some (possibly very small) amount without tipping the balance to make that option alone permissible. For example, if you are permitted to save either the 100 people on island A or the 100 people on island B, adding a 101st person to island B would not make it impermissible to rescue the inhabitants of island A. That is, Pummer's account of reasons reproduces the structure of incommensurability – with the attendant explanatory payoff – without recourse to new axiological categories like parity.

Near Ties Are Ties has some attractive practical implications for doctrines like Effective Altruism, on which we are required to put our charitable contributions to the most effective use possible. Individualist permitting

21 See, e.g., Ruth Chang, "The Possibility of Parity," *Ethics* 112, no. 4 (2002), 659–688.

reasons introduce a sort of blurriness into the moral landscape, perhaps mitigating the charge sometimes leveled at the Effective Altruist of obsessive bean counting, treating matters of life and death like an accounting problem. If one charity would do nearly as much good as another, our choice need not be prescribed by the small difference between the two.²²

3 Conclusion

The rejection of unfettered aggregation in rescue cases is an important feature of Pummer's non-consequentialist account of our duties of rescue. To allow for requiring reasons to aggregate in cases like *Costly Conflict* while limiting aggregation in other cases, Pummer supplements his account of aggregative requiring reasons and cost/autonomy-based permitting reasons with two further elements: a new category of permitting reasons – individualist permitting reasons – and limits on the aggregation of requiring reasons. We have argued that far from being isolated components of the account that fix discrete problems, these two additions have broad implications for our duties of rescue.

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22 We note that *Near Ties Are Ties* would lead to challenges for incorporating individualist permitting reasons into a fully worked-out view, just as it does in the case of incommensurability. The question of how to treat permitting reasons in cases involving risk, for example, would need to be addressed. See, e.g., Caspar Hare, "Take the Sugar," *Analysis* 70, no. 2 (2010), 237–247.