

Utilitarian Reply to *Population Ethics*

Kaoru ANDO*

*Associate Professor, Graduate School of Law, Kobe University, Kobe, Japan

1. From a Total-Utilitarian Point of View

As I am a hedonistic total utilitarian like Tännsjö, I will take up Chapter 3 “Total and Average Utilitarianism” of the draft of *Population Ethics* as my first target.

1.1 Intuitions about large numbers

As *Discreteness* of welfare levels is assumed in *PE* (pp. 301-3), we can safely quantise any welfare level and represent it as an integer¹. For a Total-Utilitarian, the Repugnant Conclusion can be expressed as follows:

For any population P with total welfare $U(P)$, there is a population P' which is better than P such that the welfare level of every member of P' is 1, and $\#P'$ (i.e. the number of people in P') $> U(P)$.

Since the “1” mentioned above represents a (difference in) welfare level as minute as possible², $\#(P')$ and $U(P)$ must be *enormously large* integers. As it is filled with vastly many people(?) with slightest positive welfare, P' is the most “repugnant” population better than P under the Repugnant Conclusion scenario.

It is claimed in *PE* that populations with infinity (*i.e.* those of infinite size and those involving people with infinite welfare) are epistemologically problematic even though they might be nomologically possible (pp. 43-4, 303n). I have no objection to excluding those cases as epistemically problematic³. It is certain that we don't have any reliable ethical intuitions about the cases involving infinity.

My contention is that the intuitions involving large numbers are just as unreliable as them. John Broome has pointed out (Broome 2004, pp. 55-8)⁴:

[W]e are dealing with very large numbers of people, and we have no reason to trust anyone's intuitions about very large numbers, however excellent their philosophy. Even the best philosophers cannot get an intuitive grasp of, say, tens of billions of people. [...] On the contrary, we have good reasons for mistrusting them. [...] For example, many people's intuition tells them that the process of natural selection, however many billions of years it continued for, could not lead from primordial slime to creatures with intelligence and consciousness. But they are wrong. Four billion years will do it.

I fully agree with Broome on this point⁵. There exists an enormously large number n for any population P such that population consisting of n people with welfare level of 1 is better than P . Such n is surely large enough to get the better of P though it may be contrary to many philosophers' intuition⁶.

The intuition of Repugnant Conclusion is dependent on two factors: the level of welfare enjoyed by the individuals in the repugnant population and the size of the population. The intuition will get stronger as the former is minimised, but that will make the number of the people larger and the intuition less reliable. If the population becomes larger, the intuition will be stronger but less reliable. Consequently, the intuition of Repugnant Conclusion must be either weak or unreliable.

Thus, I prefer to trust utilitarianism much more than those intuitions, including the *Quality Condition*⁷.

1.2 On momentary lives

Arrhenius has constructed an interesting version of the Repugnant Conclusion argument which holds irrespective of the Pessimistic Claim suggested by Tännsjö:

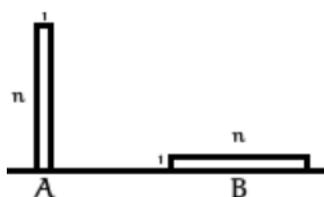
For any perfectly equal population with the same welfare as the people in the privileged parts of the world, there is a population of lives consisting of just one minute of slight happiness, which is better. (*PE*, p. 76)

Tännsjö's reply to this argument is:

A life that goes on for only one minute is not a recognisably human life. [...] Once again, we must guard against the mistake of thinking: In which world would I like to live? In this case, the better world is not meant for creatures like you and me. (Tännsjö 2002, p. 352)

To be fair with Tännsjö (and *pace* Arrhenius), what he denounces as “the objectionable ‘speciesism’ ” seems to be the mistake that we will make when we ask an irrelevant question “In which world would I like to live?”. His contention is that it is true those lives don’t seem attractive for humans like you and me but the unattractiveness as human lives is irrelevant in evaluating them. By his criticism of “speciesism”, Tännsjö is warning us not to ask the irrelevant question “In which world would I like to live?” and not to answer it from a human perspective. Of course, I should add immediately, Arrhenius doesn’t commit a mistake of this kind when he judges the former population to be the better for the reason that it involves lives of much higher quality. However, much of the intuitive appeal of his objection seems to be derived from the fact people are apt wrongly to ask an irrelevant question.

Anyway, I don’t think those momentary lives are particularly inhuman. In fact, our lives are temporal aggregate of momentary lives. From my point of view, a population consisting of a single n -minute-long life with 1 temporal welfare at every minute is axiologically equivalent to a population consisting of n one-minute-long lives with 1 lifetime welfare. Whether we distribute n units of momentary — one-minute-long — lives with slight happiness along the temporal dimension or the spatial dimension doesn’t axiologically matter. A life of just one-year-old baby with slight happiness at every minute in her life is axiologically equivalent with $n = 525,600$ — this is an *enormously large* number, isn’t it? — one-minute-long lives each with slight happiness. Is this really repugnant?



How can a mere permutation of dimensions $A \leftrightarrow B$ make any distribution of welfare better or worse? If you claim that the permutation makes B worse than A (or makes A better than B), you have to explain the reason for that deterioration or

amelioration. The dialectic situation seems subtle here. As Arrhenius posed his objection against Tännsjö's theory by taking advantage of Tännsjö's hedonistic axiology, it seems he has to explain the deterioration *under the assumption of hedonism*. As hedonism doesn't recognise a temporally integrated life as either a source or a *locus* of value⁸, it will be more difficult to explain the axiological difference. I think hedonistic utilitarians can duly claim that they are equally good and that this version of the Repugnant Conclusion isn't repugnant at all.

1.3 Is Total Utilitarianism problematic especially in population ethics?

The Repugnant Conclusion can be strengthened to the Very Repugnant Conclusion (*PE*, p. 82). If the former is counterintuitive at all, we should admit the latter is still more counterintuitive. Moreover, there are many more counterintuitive examples, such as the Ultra Repugnant Conclusion.

From the Total Utilitarian point of view, these counterintuitive examples commonly refer to a well-known problem of utilitarianism, *i.e.* that utilitarianism tolerates unrestrained trade-off of welfare among distinct persons. The Roman Colosseum case, where utilitarianism (allegedly) prescribes us to make a few gladiators suffer for the slight (or undeserved) benefit of many spectators, will suffice. If so, this problem of utilitarianism is not particularly concerned with population ethics or population axiology. Many utilitarians have tried to explain away the counterintuitive character of utilitarianism. For example, we can point out the fact that we have no moral aversion to large-scale public policy even though we know full well that there will be almost necessarily accidents at any large-scale public policy implementation and therefore victims of these accidents.

Suppose a political party propose a public health policy like water fluoridation and the manufacturing process of the medicine necessary for the provision be physically dangerous and expected to cause deaths of workers at the medicine factory. I guess we will tend positively to support a political party proposing such a public health policy if it is beneficial enough even when it surely involves the deaths of the workers. The individual benefit from such a public health policy may be very slight though the number of the beneficiaries will be large. Then, we may have a moral intuition to tolerate the serious suffering — even deaths — of a few for the slight benefits of many. If these tactics of utilitarians trying to allay the familiar objections are successful at all in the contexts

outside population ethics, they might be utilised to neutralise the Repugnant Conclusion and its relatives⁹.

Currently, the most popular strategy to obviate such criticisms is to endorse indirect utilitarianism. However, this is where axiological objection to utilitarianism can get forceful. The indirect consequentialism separates the objective criterion of rightness/wrongness of actions from the subjective decision-procedure for agents and tries to incorporate commonsensical intuitions into the latter and keep the former intact. But what about the axiological intuitions? The subjective decision-procedure is a matter of deontic — normative — judgements. If we have genuinely axiological intuitions, they cannot easily be incorporated and tamed by the indirectist strategy.

I am not sure we have *sui generis* axiological intuitions. They don't seem to be clearly separable from the correspondent deontic intuitions. Actually it seems to me that, for many people, axiological intuitions are extracted and constructed from deontic intuitions, and not *vice versa*, but this is only a speculation. So, I wouldn't like to resort to indirect consequentialism here. I suppose any Total Utilitarian may as well swallow down the Axiological Repugnant Conclusion. I would like to argue, however, that even direct act-utilitarianism will not probably sanction the correspondent deontic judgements — at least not so easily.

2. Between Axiology and Deontics

2.1 Choosing a population — Whose act is it?

Roughly speaking, if a population *A* is better than a population *B*, you ought to choose *A*. This sounds fairly intuitive enough. However, what is it “to choose” a population? These acts of choice must have the correspondent populations as their *outcomes*. Of course, in general, our actions affect the future population, so populations can be outcomes of them. However, are there any set of acts that has population *A* and *B* — assume they are those of the Repugnant Conclusion — as its outcomes and constitute an alternative set of a particular agent?

If you have some magical device that lets you to actualise any arbitrary population, you have such an alternative set. Well, Total Act-Utilitarianism prescribes you to actualise the population *B*, which sounds “repugnant”. It, however, is not at all

evident that this is problematic. Weird situations will yield weird results. Ethics may well require us to do weird things in a weird situation, and we have no reasons to believe our intuitions about such a situation to be reliable.

I reckon there is no alternative set of actions belonging to an individual that has largely different populations as its alternative outcomes and that we cannot bridge between axiology and deontics so straightforwardly. You might contend a policymaker — for example, a bureaucrat drafting a population policy — may have such an alternative set. This, however, is not the case because any policy as such has no outcome while its implementation does. Implementation of a population policy is, of course, not a matter of a single act of a single agent but of a temporally extended collective acts of a group of agents.

Let G denote such a group. Can we suppose G has a set of acts each of which is an implementation of population policies that have largely different populations as their outcomes? Not necessarily, because *a group of agents might not be a group agent*. The outcome of the best pattern — let b denote it — of the acts of members of G will be the population B , but a deontic status such as rightness or obligatoriness might not be ascribed to the pattern b itself because a pattern of acts of members is not necessarily a group act.

2.2 Group agency and co-operation

Assume that I am mentally impaired and I cannot co-operate with my future selves. I intend to drink aquavit now but the 5-second-later “I” — the temporal part of mine located at the 5-second from now — refuses to cooperate with me and begins to smoke a cigarette, but 10-second-later “I” refuses to smoke and walk toward a piano to play. It is evident that I lack temporally extended agency under this situation. Ordinarily, we are cooperating with one another among temporal parts of ourselves and this makes us temporally extended agents. Likewise, each member of G must be cooperative with one another for G to be an agent. If they aren’t, G will lack agency and b will not be an act and therefore, we will not be able to attribute any deontic status to b .

2.3 If the Repugnant Conclusion is so repugnant ...

Now, if the Repugnant Conclusion is so “repugnant”, how come the members of G will be cooperative to actualise the “repugnant” population B ? As far as the moral intuition

that the Repugnant Conclusion is repugnant is prevalent, there is no group agent G who can choose to actualise the repugnant population B because the members of G will surely be uncooperative to do so.

Moreover, even if you were a Total Act-Utilitarian, you wouldn't have any obligation to do your part in the best possible pattern b . It will surely be futile as the other people are uncooperative, and you needn't — actually, you mustn't as it is futile — do so.

Consequently, Total Act-Utilitarians can reply to the critics, “If you are right in that the intuition of repugnancy is prevalent, then under Total Utilitarianism, there will be no agent that has an obligation to (try to) actualise the repugnant population. If not, we have no reason to trust your peculiar intuition. Total Utilitarianism will not be problematic either way.”¹⁰

3. On Normative Actualism

I personally find §9.8 and §10.3 the most interesting in *Population Ethics*.

3.1 Separate Satisfiability

The argument against Normative Actualism is that it violates the following principle (*PE*, p. 295):

Separate Satisfiability: For any agent and any situation, there is an action such that if the agent were to perform this action, then her action would not be morally wrong.

Though this principle seems fairly plausible, Normative Actualism might be salvaged if we adopt a weaker link between axiology and deontics. For instance, if you think the moral requirement of beneficence is just one of the various moral requirements and is only *pro tanto*, the requirement not to choose worse population gives us only a *pro tanto* reason. Then, the “performance dilemma” concerning the case Arrhenius mentioned will be as follows(p. 293, Diagram 10.5):

If we chose A and if A would be worse than B in regard to the welfare of the A -people, *there would be a pro tanto reason* not to choose A . On the

other hand, if we chose *B* and if *B* would be worse than *A* in regard to the welfare of the *B*-people, *there would be a pro tanto reason* not to choose *B*. Under this situation, if we actually chose *A*, there would be a reason not to choose *A*, and if we actually chose *B*, there would be a reason not to choose *B*. Consequently, there is no alternative such that we wouldn't have *pro tanto* reason not to choose it.

This, however, seems not a dilemma at all because conflicting *pro tanto* reasons don't pose a genuine dilemma whereas conflicting (all-things-considered) obligations do. It seems unproblematic that there is no action such that if the agent were to perform it, then there would not be a *pro tanto* reason not to do so. For instance, if every action in my alternative set makes the world worse, I have a *pro tanto* reason not to do it for each action. Every action accompanies a *pro tanto* reason not to do it. However, this is compatible with the fact that we should act as the weightiest reason requires us and there seems to be no practical dilemma here. As to the case in question, the reason not to choose *B* weighs more than the reason not to choose *A* because the would-be-worseness of *B* is greater than that of *A*, so that we should choose *A*.

3.2 Practical deliberation of Guardian Angel

There is a subtle problem concerning Normative Actualism in *Population Ethics*. In §9.8, Arrhenius considers the affirmative answer to the existential question. He seems to be sympathetic to the so-called fitting-attitude analysis of (personal) value. However, the practical deliberation of such an impartial observer — Guardian Angel — seems to be that of the agent endorsing Normative Actualism.

As to the Future Bliss or Hell case (*PE*, p. 217, Diagram 9.2), the Guardian Angel approach goes like this (let *A* denote Bliss and *B* Hell):

If I [=Guardian Angel] chose *B*, I would prefer *A* to *B* for people agonised in *B* but non-existent in *A*'s sake, and therefore *A* would be better for them, so that *Person Affecting Restriction* doesn't exclude the betterness of *A*.

This seems all right as far as Future Bliss or Hell case is concerned. However, if the actualistic practical deliberation is inherently problematic because it violates *Separate Satisfiability*, this reasoning is also of course problematic. If the rejection of Normative

Actualism in §10.3 is appropriate, the analyses of the subjunctive formulations of Person Affecting Restriction in §9.8 will be redundant because the route via the combination of the affirmative answer to the existential question and the fitting-attitudes analysis will be doomed in the first place. Fortunately, this will not be the case since Normative Actualism and the subjunctive practical deliberation of Guardian Angel can be salvaged as we saw above.

3.3 A (somewhat) related manoeuvre

Let me go back to the problem of group action. I think there will be a manoeuvre which restricts — like those views considered in Chapter 10 — the range of people who should be taken into consideration under population choice situations.

If we take into consideration only the people *secured* by an action, that is, the people whose existence is necessitated by the performance of it, the Deontic Repugnant Conclusion can be deflected in cases without unrealistically magical devices even when the members are co-operative. Think of the pattern b as a temporal series of actions of the members of G — the people of a sovereign state — leading to a repugnant population and let a_1, a_2, \dots denote it. It is very likely that each action in this series will secure only the part of the repugnant population. Then, at each moment of choice by the members of G , it is highly likely that the agent of a_i has an alternative better than a_i at the moment of her choice because, without any magical devices, the number of the slightly happy people the individual action a_i will secure and add to the future population will be very small. Even if each member in G chooses her right alternative, the repugnant population will almost never be actualised. This will complement the previous argument where it is presupposed that not all of the members of G will act morally rightly.

Concluding Remarks

Population Ethics is ingeniously written and its scrupulousness is really impressive. That said, I'm afraid I cannot but confess a shamelessly utilitarian feeling of dissatisfaction. Arrhenius enumerates the restricting conditions for population axiology, grounding them on their intuitive appeals. However, what he achieves with his meticulous arguments and impossibility theorems is a negative result that there cannot be an intuitively plausible population axiology and this means that something must be abandoned. Very good. Then, why don't you abandon not the individual intuitions but the method of axiology itself

which is heavily dependent on moral intuitions? One of the very few points for which I find *Population Ethics* wanting is that there seems to be little that justifies the heavy reliance on intuitions and sways the bullet-biting utilitarians. Though some toil on metaethics and perhaps, metaphilosophy may be necessary for that, I am convinced that it will rewardingly complement his really excellent work.

1. I myself don't find *Discreteness* problematic, either.↵
2. This difference might be sub-noticeable. The noticeability of the difference is irrelevant inasmuch as there *is* difference.↵
3. If populations can involve people with infinite welfare, Total Utilitarianism can easily satisfy the *Quality Condition* with a population consisting of a single person with infinite welfare. This, however, is a rather vacuous victory.↵
4. Broome resorts to “the intuition of neutrality”, that is, the *Axiological Asymmetry* (*PE*, p. 223), instead of the Repugnant Conclusion, but I find it implausible as Professor Arrhenius does.↵
5. We can find similar distrust of our intuition or imagination involving large numbers in Tännsjö's writings (for instance, Tännsjö 1998, p. 73).↵
6. I must confess I have no strong “intuition of repugnance” in the first place. I didn't have any even when I learnt Parfit's argument for the first time.↵
7. I assume the *Quantity Condition* to be unproblematic though they are about large numbers. From the Total Utilitarian point of view, this condition is substantially the Archimedean property of \mathbb{Q} and \mathbb{R} and I can safely trust this as a mathematical principle.↵
8. If you adopt a weaker version of hedonism — any value must supervene on pleasure — the personal integrity of bits of welfare is possibly valuable. This, however, is not Tännsjö's brand of hedonism.↵
9. Even if those manœuvres aren't available, I feel a strong urge to say “To be a Total Utilitarian is to bite the bullet and endure all those criticism at once.” I think this is basically the same position as Tännsjö's.↵
10. Of course, we might be able to manipulate the moral intuitions of people in various ways (perhaps, with indoctrination or weird medicines). If the unpopularity of a moral intuition is a result of such intervention, it is not an evidence for its unreliability. However, that is another matter.↵