BEYOND SHALLOW POND

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Forthcoming *Reinventing the Moral Sciences*

Abstract: Morality’s personal strand concerns the project of living your life in such a way that your community is a better place with you than without you. But you do have to make your own choices about what to focus on—what specific contributions you aspire to make.

Peter Singer once proposed a seemingly obvious moral truism that, “If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it.”[[1]](#footnote-1) The intuitive motivation that Singer offers in support has become one of philosophy’s most famous intuition pumps. We now refer to the case as Shallow Pond.

Shallow Pond: If I am walking past a shallow pond and see a child drowning in it, I ought to wade in and pull the child out. This will mean getting my clothes muddy, but this is insignificant, while the death of a child would presumably be a very bad thing.[[2]](#footnote-2)

Most people (including me) see the case as intuitively compelling. Many scholars try to qualify or constrain Singer’s utilitarian intuition with further intuitions—contrary intuitions—regarding separate personhood, personal projects, or agent-centered prerogatives. For argument’s sake, let’s forget about the various ways of restricting utilitarianism. First, let’s ask straightforward question: what can an unrelentingly pure utilitarianism say about Shallow Pond?

Here is what a pure utilitarianism should say:

Shallow Pond is a parametric situation. There is one player. The game is not repeated. Cooperation is not at issue. Reciprocated cooperation pays better than reciprocated withholding in the long run, but there is no long run in Shallow Pond. There is no one who needs to be taught to reciprocate. Therefore, precisely because strategy is moot, what you need to do in Shallow Pond is obvious. Wade in. Save that baby. Then get on with your life. You most likely will never be in that situation again, and hardly any of us have been in that situation even once.

But note: Shallow Pond is not world famine. There is no “end of story” when it comes to famine. The story of hunger will never be a story that ends with you wading in, saving the day, then getting on with your life. The truth is that, if we were literally talking about saving a drowning baby, one of the pivotal facts of the case would be that, if I literally pull a drowning baby out of a pond, I will get up the next morning to a life of my own.

*Budgets*

So, I agree with Singer (and probably so do you) that being moral is about stepping up when emergencies like Shallow Pond fall into our laps. At the same time, another part of the human condition is a moral responsibility beyond Shallow Pond. This other and more personal part of morality is the challenge of embracing a cause.

There is nothing arbitrary about the fact that we cannot function except within a framework of goals and constraints. But one of the most important features of the human condition is that the world itself is not constraining enough to give us a tractable framework for humanly rational choice. We impose constraints from inside so as to have problems we can handle. Thus, we give ourselves budgets: a month to find a house, a thousand dollars for our Las Vegas weekend, another thousand for charitable giving. Limiting a given pursuit leaves room in our lives for other things. Budgets are fleshed out by arbitrarily chosen details, but their function is not arbitrary. Budgets acknowledge that we have more than one goal and that we would not be better people if instead we were consumed by a single goal.

Part of the challenge is that there are external constraints as well, which means all this personal stuff has to fit in with the social side of morality. Social worlds are thick with arbitrary limits. Why does my community set limits at 30 miles/hour, or 18 years of age? Details seem arbitrary, yet we live better lives when we know what to expect from each other. We discover, inherit, and often *fabricate* a framework of limited expectations (of each other and of ourselves) so we can *afford* to be social beings. Between nothing and “too much” is a point where we are responsible for choosing our own way (or *ways*—Singer is allowed more than one, as are we all) of making sure our world is better off with us than without us.

What makes it exemplary to not take marching orders from anyone’s theory, certainly not Singer’s, and really, *not even our own*?

There is a reality here undreamt of by contemporary act-utilitarian moral theory. Namely, humanly rational choice is choice for essentially compartmentalized choosers. We do not get up in the morning with a duty to see things exactly as we saw them the day before. We have no duty to avoid maturing, and learning something new about what seems important and interesting. We have no duty to be oblivious to the fact that we sometimes wake up needing to change the topic, and needing to think about something else for a while. We wake up each morning to a new day, to a space of new opportunities, sometimes to new emergencies, and in any case to the challenge of making new decisions. In order to manage our decision making, we sometimes discover but often simply stipulate budgetary and other constraints that help us fabricate the compartmentalized structure of separate pursuits that add up to a recognizably human life. Such constraints limit our pursuits even while enabling us to be more or less undistracted within them. Morality is not oblivious to this pivotal fact about the human condition.

It would be grossly counter-productive to think each day needs to focus on the same thing as the day before. The optimal number of projects for human beings is not necessarily one; neither is it typically one. Further, it would be brutish to act as if *everyone has a duty to join me* in focusing on the single target that I happen to be passionate about at this moment. You have no such duty. Intuitively you know it, even if you aren’t experienced enough in the art of defending your personal space to explain why.

Two implications here: first, on the social side of morality, there is no reason to believe all of us should have a single, common destination, and second, on the personal side of morality, there is no reason to believe that Singer has a duty to wake up every morning with the same destination he had the day before. Singer can, and in fact does, focus on famine one day, on factory farms the next, on how laboratory animals are treated a day later, and on tending to an ailing mother the day after that. What makes it right for Singer to find his own way—to find *a fistful* of ways—of making it good that he lived here, feeling no need to regiment all his days under the banner of a single project? Where is the theory that draws the lines in such a way that Singer has room to breathe, and need not worry that when he gets on with his normal life for one day, he thereby crosses a line and is rightly convicted of immorality?

*After Utilitarianism*

There is a literature on whether Singer’s interpretation of utilitarian morality demands too much, and whether utilitarianism as a decision procedure leaves room for personal projects. If I had nothing to say beyond joining that fray, I would not bother.

I am not saying Singer made a small, obvious mistake. If Singer made a mistake, it is so huge that we need to step way back to see it. We need to step back to see how different it would be to take a break from asking what to do and instead ask what works.

The difference would be somewhat like the philosopher Alvin Goldman asking what works when it comes to reliably forming true beliefs, and in the process re-inventing epistemology. Epistemology spent centuries trying to escape from inside your head, searching for tools to refute solipsism on solipsism’s own terms, and thereby prove you are not dreaming. There was an evidence-based alternative: study belief formation from outside. Ask which ways of processing information are relatively reliable ways of forming accurate beliefs. Goldman’s move was simple but revolutionary. Moral theorists need to start doing the same thing: stop thinking morality is all about what you should do and instead treat the launching pad of morality as a question about what works. How did society get past a world in which the main causes of death were starvation, violence, and infectious disease, and where average life expectancy was under forty years? How did society get us to a world like we live in today: a world that manifestly still has serious problems but just as manifestly has made serious progress?[[3]](#footnote-3)

The concern that drove Singer to craft the Shallow Pond case was not a concern about babies drowning, of course. It was a concern about world famine. But there is a pivotal disanalogy to which academic philosophy is not yet sensitive. Namely, the world sharply limits the scope of your duty in Shallow Pond. You know exactly what to do, you know the crisis will then be over, you know that the baby you save is only your problem for a moment, and you know the problem won’t stop you from getting on with your life when the moment passes. By contrast, in the case of world famine, there is no natural limit to a duty to save the sick and the hungry, so you have to craft your own. The limits you craft will have to be somewhat arbitrary, in the same way that you can’t even shop for an apartment unless you arbitrarily limit how much time you will spend looking, which neighborhoods you will check, and so on. Operating within self-imposed limits is the heart of the daily business of living a meaningful live.

Taking this point to heart, Singer nowadays asks people to give not to a point of marginal disutility but to give, say, 1% of their income, and build on that if, as Singer plausibly predicts, giving that much turns out to enrich a giver’s life. According to simple act-utilitarianism, 1% has nothing to do with the truth about how much we ought to give, but if Singer’s job is to maximize how much he can get us to give, 1% might be the maximally influential request.

Without meaning to criticize, I observe only that moral theory as usually understood is an attempt to articulate truths about morality, not to influence behavior. If it is *true* that 1% is what we should give at a certain stage in a certain set of life-circumstances, then that is a truth that indeed fits well with morality as I conceive it, as requiring that we operate within a framework of constraints—often self-imposed and sometimes, unavoidably, somewhat arbitrary. But note: this is a truth that abandons act-utilitarianism.

*The Rules of Famine-Proof Countries*

Here is my practical suggestion for those whose business is crafting moral theories. We can theorize about something other than acts. A utilitarian can ask: how did some societies make famine a thing of the past? Why are fewer people starving today than in 1972 when Singer first began publishing on the topic of world famine? More specifically, what enables farmers in some societies to develop and successfully act on an ambition to feed customers by the millions?

History is a complex, poorly controlled experiment, but its lessons are clear enough when it comes to detecting which communities have a history of securing reliable access to food in the face of periodic shocks that otherwise have lethal consequences. In the arena of world hunger, we are trending in a good direction. But happy trends come at the end of stories about what induces, expands, and sustains patterns of trade and cooperation in a social world. Singer rightly acknowledges (in conversation in 2013) that the percentage of people starving (even the absolute number of people starving!) has fallen since 1972.[[4]](#footnote-4)

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| Number and percentage of world’s undernourished: | | | |
| 1990–1992 | 1015 | million (19%) |
| 2000–2002 | 930 | million (15%) |
| 2006–2008 | 918 | million (14%) |
| 2009–2011 | 841 | million (12%) |
| 2012–2014 | 805 | million (11%) |

The UN estimates the number of undernourished in 2015 at 795 million.[[5]](#footnote-5)

Between 1990 and 2014, something ramped up food production, and made producers more effective at getting food to consumers who need it. Society as a mutually advantageous cooperative venture was scaling up: advances in finance (micro-banks), communication (cell phones, the Internet, the “app”), transportation (global container shipping), etc..

I sometimes say, moral institutions are the ones you want your children to grow up with. As an empirical observation, *empirical research is the kind of research we do when we care*. If you are helping a son or daughter choose a car or college, or whether to decline chemotherapy, you stop looking for clever ways to win arguments and you start gathering information! Amartya Sen earned his Nobel Prize partly for his work on 20th century famines, showing that not one was caused by lack of food. Natural disasters can push a population over the edge, but they do not force a population to live on the edge in the first place. The upshot of Sen’s research is that famine is caused more by eroding rights than by eroding soil. When local farmers lose the right to choose what to grow or where to sell it, they lose everything, and that is when people starve.

There are ways of structuring, refereeing, and playing the game that result in war, famine, and corruption on a genocidal scale, while other ways lead to peace and prosperity. What Amartya Sen learned was that the rules of famine-proof countries don’t stop farmers from producing and shipping food to places where they can get a good price for it. Famine-proof rules acknowledge that farmers have for generations been gathering and updating information regarding how to produce, store, transport, and sell particular crops in particular places. Famine-proof rules don’t take decisions out of their hands. Famine-proof rules don’t route decisions through offices of distant Brahmins: people who may never have met a farmer, and for whom the thought of caring about a farmer (or anyone born into that low a caste) would be foreign.

The legacy of the social science launched by Hume and Smith boils down to the idea that what has massively good consequences, and ends famine, are patterns of cooperation and mutual expectation that observably, not hypothetically, are in place and facilitating trade. Respecting conventions and expectations that facilitate cooperation is what makes people fit for roles as productive members of society.It is an empirical matter which patterns of rules and expectations are functional enough to command the respect implicit in deeming them moral. But whatever social morality turns out to be, it does not go to heroic lengths to fool me into thinking that morality starts with a question of what I should do.

So, again, even if utilitarian morality as depicted in Singer ([1972](file:///Users/Updates/Dropbox/zPROJECTS/1%20Moral%20Science/*TOC/3%20Solipsism%20Chapters/AppData/Local/Temp/7zO9FEF.tmp/Famine,#Ref18)) were in some theoretical way too demanding, toning down its demands would miss my point. I cannot tell how demanding social morality is by asking what I need to do to have a clean conscience. Moral philosophy has come to treat ethics as revolving around an egocentric question, “What does morality demand of me?” and this egocentric focus has been a mistake. In fact, I learn how demanding my social morality is by doing some social science. I learn how demanding my social morality is by observing and evaluating the traffic management scheme in which I live. Insofar as that scheme observably is facilitating cooperation and thereby making its world famine-proof, partly by leaving us all with room to breathe and to develop our own ways of making the world a better place, then that scheme (and the set of rules it encodes, other things equal) commands my respect.

1. Singer, Peter (1972) “Famine, Affluence, and Morality,” *Philosophy & Public Affairs* 1, 229-43, at 230. [↑](#footnote-ref-1)
2. Singer [1972](file:///Users/cathleenjohnson/Library/Containers/com.apple.mail/Data/Library/Mail%20Downloads/C31C76C2-885D-434F-9A84-891050B83AEA/AppData/Local/Temp/7zO9FEF.tmp/Famine,#Ref18): 231. [↑](#footnote-ref-2)
3. To be clear, Singer is perfectly aware of these decisively important dimensions of human progress, and he happily accepts them for what they are. Make no mistake: I am critical of Singer as a moral theorist, and no one is perfect, but by any standard, Singer has lived a great life. He embraced causes and made his life meaningful. He made the world a better place. [↑](#footnote-ref-3)
4. Data gathered by the United Nations (see <http://www.fao.org/hunger/en/>). Given that the world since 2016 has been on a binge of mutual trade restrictions, and given that now we are in the grip of a pandemic that is stifling trade around the world, I would predict that current trends as I am writing this in 2020 are not good. I hope trends are improving again by the time you read this! Feel free to use the web sites listed here to check. [↑](#footnote-ref-4)
5. <http://www.fao.org/news/story/en/item/288229/icode/>. [↑](#footnote-ref-5)