

The Aggregation of Small Differences*

Abstract

Plausibly, when every affected party has equally strong interests at stake, we ought to help the greater number. I defend an extension of this principle: when every affected party has *nearly* equal interests at stake, we ought to help the greater number. I show that this extension conflicts with many otherwise attractive views, while extant views that satisfy it face other problems.

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Sometimes, the numbers affect what we ought to do. For example, if we can build a playground at one park or another, the fact that more children live near one park bears on what to do. All else equal, we ought to build the playground that more children would use. Generalizing:

Equal Interests

If each affected party has equally strong interests at stake, then all else equal, one ought to help the greater number.

(By “all else equal,” I mean to exclude all considerations other than the interests of the affected parties).

Sometimes, the numbers do not affect what we ought to do. If a stagehand collapses just before the curtain rises, it would be wrong to keep going just to avoid a short delay for the attendees, no matter how many there are.¹ We must help the stagehand immediately. Generalizing:

Disparate Interests

If someone has interests that are far stronger than any individual’s competing interests, then all else equal, one ought to help them.

*Claude created the diagrams and formatted citations. Gemini suggested the proof in the appendix.

¹Scanlon 1998: 235.

It is difficult to explain both verdicts because the natural explanation of each conflicts with the other. Equal Interests suggests an “aggregative” picture where the sum of everyone’s interests determines what to do. But when the numbers are large enough, the sum of everyone’s interests can favor forsaking the stagehand. Disparate Interests suggests a “non-aggregative” picture where the interests of separate individuals do not sum. But this leaves mysterious how the numbers bear on which playground to build.

Philosophers have suggested different theories to capture these verdicts.² These proposals vary considerably in structure and rationale. Yet the very features that enable these views to capture the preceding verdicts lead to a shared problem. My aim in this paper is to introduce an additional datum (§1):

Nearly Equal Interests (Roughly)

If each affected party has *nearly* equal interests at stake, then all else equal, one ought to help the greater number.³

and show that it conflicts with many of these accounts (§2.1 – 2.3). To anticipate, the problem is that these accounts give slightly better benefits for fewer people priority over slightly worse benefits for more people when very many are affected, which violates Nearly Equal Interests. On the other hand, extant accounts that satisfy Nearly Equal Interests face other, no less severe, problems (§2.4 – 2.5). I conclude that we have no good account of all three verdicts.

One might therefore want to reject Nearly Equal Interests. Here are two ways of doing so. First, one might think that when choosing between, say, saving a thousand lives and saving a thousand and one lives, we ought to flip a (perhaps weighted) coin.⁴ This implies that both Equal

²Some examples: Dorsey 2009, Henning 2023, Subjectivity 2, 3, and 4 in Kamm 1993: 165–186, Liao and Lim 2024, Scanlon 1998: 229–241, Scanlon 2021, Temkin 2005, Voorhoeve 2014, Zhang 2024.

³Officially: For any interest, there exist stronger and weaker variants such that: if everyone’s interests lie within their range, then all else equal, one ought to help the greater number.

⁴See Timmermann 2004 and Lang and Lawlor 2016. See also Vong 2020, which argues that fairness requires a weighted lottery, along with Broome 1991: 97–99 and Broome 1998: 956–957, which argue that fairness requires an unweighted lottery.

As for dissenting views, Taurek 1977: 303 says that he *would* flip a coin but not that one *ought* to (Doggett n.d.). Kamm 1984: 184–188 suggests that a weighted lottery may be appropriate when people pay some cost to acquire

Interests and Nearly Equal Interests are false. But lotteries introduce orthogonal complications; for example, many of the accounts surveyed in §2 also do not require a lottery in such cases. To narrow our focus, I will therefore assume that the agents in the following cases have no way to randomize. This paper concerns what we ought to do when no coins are in sight.

Second, one might think that we are simply permitted to save, say, one group of a thousand people rather than another group of a thousand and one people, even though we are also required to save two rather than one.⁵ This again threatens both Equal Interests and Nearly Equal Interests. One argument for this is that in any realistic choice, we would surely feel deeply uncertain about whether to save the larger group, and it might seem absurd to make the decision depend on the marginal one. But I argue neither reaction undermines these verdicts (§3.1). Another argument appeals to the view that the interests of separate people are never equally strong but only ever “on a par.” I argue parity alone does nothing to undermine these verdicts (§3.2).

1 In Defense of Nearly Equal Interests

Suppose that you can either rescue one group of a million people or another group of a million and one, all of whom have equally strong interests at stake.⁶ Intuitively, you ought to save the larger group, and Equal Interests says as much. But consider the following variant:

Case One

There are a zillion people stranded on Island A and a zillion and one people stranded on Island B. You can rescue either but not both groups. Whichever group you do not rescue will perish.

As it happens, the winds favor the former group: it would take six days to reach Island

their chance of survival but not when, as here, they do not. And Henning 2015 argues against the requirement to hold a lottery.

⁵See Kamm 1993: 103 and Rabenberg 2023. For this paper, I simply set aside views that permit saving one rather than two such as Anscombe 1967, Doggett 2011, Munoz-Dardé 2005, Setiya 2014, and Taurek 1977.

⁶If you believe that the interests of distinct people are never equally strong but rather on a par, then you may instead suppose that everyone’s interests are qualitatively identical.

A, but it would take seven days to reach Island B. This difference will not affect the survival of anyone on either island; they all have enough food and supplies to last a week. But the time spent stranded is hardly pleasant; people are bored and anxious and stressed. It is better to be rescued sooner. What should you do?

To my mind, you ought to save the larger group on Island B.

It is true that helping someone on Island A will confer a slightly larger benefit to them than helping someone on Island B, since the former rescue involves one fewer day of waiting on the island. This means (we may presume) one day fewer of waiting to reunite with one's family, return home, touch grass, resume life. And there are a zillion people on Island A for whom this is true. These are reasons to head towards Island A.

On the other hand, heading towards Island B will save an additional life. One more person will be able to reunite with their family, return home, touch grass, resume life. This fact weighs heavily with me. It seems to me a powerful consideration in favor of heading to Island B. When opposed to the reasons for heading towards Island A, it seems to me decisive.

I can perhaps make this thought more vivid with an illustration:

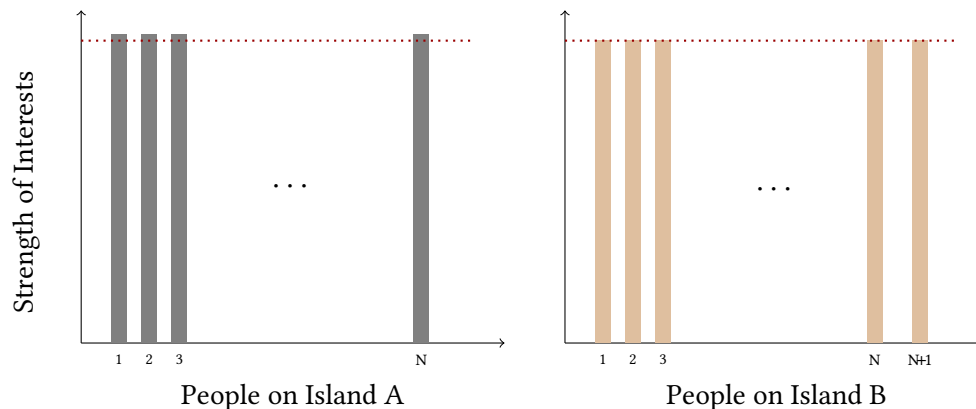


Figure 1: Strength of interests on Island A (N people) and Island B ($N + 1$ people).

The height of each bar represents the strength of an individual's interests. On the left, we have the (slightly stronger) interests of the zillion people who will be saved if you head to Island

A. On the right, we have the (slightly weaker) interests of the zillion and one people who will be saved if you head to Island B. My point is that the zillion protrusions in the bar graph on the left intuitively matter less than the additional bar in the graph on the right, even if the former span a greater area.

We can relate this point to a familiar worry about moral theories, such as utilitarianism, that treat people as mere “value receptacles.” On such views, as Peter Singer writes, “It is as if sentient beings are receptacles of something valuable and it does not matter if a receptacle gets broken, so long as there is another receptacle to which the contents can be transferred without any getting spilt.”⁷ The judgment that we should head to Island A seems to rely on this picture. For if people are merely value receptacles, then we should head to Island A. There is more value, albeit distributed among fewer receptacles. But if people are not merely value receptacles, then the borders between people’s lives matter morally. It is then not implausible to think that, while saving an additional life is a powerful reason to choose B over A, saving a zillion people each a bit sooner is not much reason to choose A over B.

Similar remarks apply to interests of any magnitude, which supports:⁸

Nearly Equal Interests

For any interest, there exist stronger and weaker variants such that: if everyone’s interests lie within their range, then all else equal, one ought to help the greater number.

Whether or not one ultimately accepts Nearly Equal Interests, I hope it is at least *prima facie* plausible. Moreover, it has three interesting theoretical connections.

First, many who accept aggregation will reject Nearly Equal Interests because they believe that we ought to save the smaller group in Case One. Others who reject aggregation, such as Taurek 1977, will reject Nearly Equal Interests for a different reason: they believe that one may save either group in Case One. So Nearly Equal Interests is the rare example of a plausible judg-

⁷Singer 2011: 106, as quoted in Chappell 2015.

⁸To be clear, I do not need the full strength of Nearly Equal Interests in what follows. I need only that *some* interest has such a range.

ment that unites both proponents and the starkest critics of aggregation in opposition.

Second, Nearly Equal Interests makes what we ought to do sensitive to the numbers while conflicting with standard aggregative views. Views that satisfy Nearly Equal Interests may therefore prove more convincing as examples of how the numbers can count without tacitly aggregating the interests of separate people.⁹

Third, among the views that satisfy Equal Interests and Disparate Interests, the ones that violate Nearly Equal Interests all appeal to the idea that only some interests are “relevant” to others, while the views that satisfy Nearly Equal Interests make no such appeal. There may therefore be an interesting theoretical divide between views that satisfy all three verdicts and those that satisfy only Equal Interests and Disparate Interests.

For all these reasons, even those who ultimately reject Nearly Equal Interests may be interested in its consequences.

2 Trouble for Extant Theories

Philosophers have proposed many theories that at least arguably capture Equal Interests and Disparate Interests, and it would be impractical to consider all of them. Instead, I am going to focus on five views, chosen for their influence and diversity of structures. These are (in order of publication):

- Balancing Theory (Kamm 1984: 182)
- Scanlonian Contractualism (Scanlon 1998)¹⁰
- Aggregate Relevant Claims (Voorhoeve 2014)
- Procedural Claims (Henning 2023)

⁹See Otsuka 2000 and Otsuka 2006: 117–118 for expressions of this concern.

¹⁰I consider Scanlon 1998 because of its distinctive structure and broad influence. Scanlon’s own views have changed over the years; see Scanlon 2021 for a more recent statement.

- Equal Consideration (Zhang 2024)

I argue that the three most recent theories (from Voorhoeve, Henning, and Zhang) violate Nearly Equal Interests (§2.1 - §2.3). I then distinguish two versions of Scanlonian Contractualism and argue that one version satisfies Nearly Equal Interests but raises other problems, while the other violates Nearly Equal Interests (§2.4). Our final contender, Balancing Theory, satisfies Nearly Equal Interests, but it cannot, in principle, explain certain patterns of judgments (§2.5).

2.1 Aggregate Relevant Claims

We can think of aggregative moral theories as those that imply some moral property (e.g. interests, rights, goodness) has a sum. This means that, according to the theory, there is a natural way to combine tokens of this property that mirrors the structure of addition on the real numbers.¹¹ Non-aggregative moral theories are then those that are not aggregative. On this way of drawing the distinction, Voorhoeve 2014's Aggregate Relevant Claims (ARC) is an aggregative moral theory that makes a nonstandard choice of what to aggregate. Rather than aggregating, say, the interests of separate people, ARC aggregates their relevant claims.

According to ARC, in cases where one can help one or another group of people, each potential beneficiary has a claim to be helped. The strength of someone's claim to aid depends on the size of the potential benefit for them and their level of wellbeing if unaided. Claims that are far weaker than some competing claim are irrelevant, while all other claims are relevant. One may choose an option iff it satisfies the greatest sum of strength-weighted relevant claims.¹²

To see how ARC violates Nearly Equal Interests, recall:

Case One

There are a zillion people stranded on Island A and a zillion and one people stranded on Island B. You can rescue either but not both groups. Whichever group you do not rescue

¹¹See Bykvist 2021 and Nebel 2023 for this way of thinking about aggregation in ethics.

¹²Voorhoeve 2014: 66.

will perish.

As it happens, the winds favor the former group: it would take six days to reach Island A, but it would take seven days to reach Island B. This difference will not affect the survival of anyone on either island; they all have enough food and supplies to last a week. But the time spent stranded is hardly pleasant; people are bored and anxious and stressed. It is better to be rescued sooner. What should you do?

According to ARC, everyone on either island has a relevant claim to be helped. So we compare the sum of all claims satisfied by heading to Island A to the sum of all claims satisfied by heading to Island B.

Provided that a zillion is sufficiently high, heading to Island A will satisfy the greater sum of strength-weighted claims. This is because each person on Island A has a claim that exceeds the claim of anyone on Island B by at least some fixed increment, which corresponds to the additional benefit of being rescued a day sooner. The difference between being rescued in six days and seven days may be minuscule, but there must be some difference since it is better to be rescued sooner.¹³ As a result, there is some N such that helping N people on Island A satisfies a greater sum of strength-weighted claims than helping $N + 1$ people on Island B.¹⁴ ARC then implies that we ought to head to Island A in Case One, which violates Nearly Equal Interests.

¹³One might think that the claim of someone on Island A is on a par with (rather than stronger than) the claim of someone on Island B. The implications of ARC then depend on how it handles parity. The standard model of parity uses a set of functions, each of which assigns a precise value to each object, and ranks one object above another iff every function in the set ranks the former over the latter (Hare 2010, Galaabaatar and Karni 2013).

This model implies that when n is sufficiently large, the sum of the claims satisfied by heading to Island A is on a par with the sum of the claims satisfied by heading to Island B. ARC then implies that one may help either group. This also violates Nearly Equal Interests.

¹⁴To illustrate, suppose that real numbers represent the strength of claims. Let a_i represent the strength of the claim of the i -th individual on Island A, and let b_j represent the strength of the claim of the j -th individual on Island B. If there exists some $\epsilon > 0$ such that $a_i > b_j + \epsilon$ for every i, j , then for some n :

$$a_1 + a_2 + \dots + a_n > b_1 + b_2 + \dots + b_{n+1}$$

2.2 Equal Consideration

Zhang 2024's Equal Consideration (EC) also aggregates a nonstandard moral property: relevant impersonal value. But EC additionally gives this aggregative consideration a nonstandard role in the overall theory. Rather than, say, requiring that one do whatever maximizes relevant impersonal value, EC requires that one be willing to forego the same amount of relevant impersonal value to benefit someone as one would forego to benefit someone else to the same degree.

According to EC, the interests of one individual can be irrelevant to the interests of another. For example, someone's interest in relief from their mild, short headache is irrelevant when compared to someone else's interest in a life-saving appendectomy. In cases where one can either help one group or another, helping a given individual requires forgoing the impersonal value that arises from helping the other group. If I can either save Alice or save Betty and Charles, then saving Betty means that I forego saving Alice and so the myriad ways in which Alice would make the world a better place are lost forever. Let us say that the *relevant impersonal value forgone by helping P* is the total amount of impersonal value that arises from helping those members of the group that does not contain P whose interests are relevant when compared to P 's interests.

When deciding whether to help P , EC considers two factors: the degree by which P benefits and the relevant impersonal value foregone by helping P . If P and Q have competing but equally strong interests at stake, then one should help whichever minimizes the relevant impersonal value foregone by helping them. The idea is that equal consideration requires being willing to forsake equal amounts of relevant impersonal value to satisfy equally strong individual interests. And if P 's interests are stronger than those of Q , then one should help P even when helping either involves forgoing the same amount of relevant impersonal value. Equal consideration also requires recognizing that one has stronger reason to help someone with more at stake.¹⁵

I now argue that EC violates Nearly Equal Interests in Case One. According to EC, each islander's interests are relevant to those of any other islander. For simplicity, we suppose that

¹⁵Zhang 2024: 509.

each person on Island A stands to benefit to the same degree from being rescued, and similarly for each person on Island B. Those on Island A, though, stand to benefit slightly more from being rescued than those on Island B since their rescue would involve less time stranded on the island.¹⁶

As before, provided a zillion is sufficiently high, the impersonal value that arises from helping those on Island A exceeds the impersonal value that arises from helping those on Island B. Since everyone's interests are relevant to those of everyone else, the relevant impersonal value foregone by helping someone on Island A just is the impersonal value of helping those on Island B, and vice-versa. Thus, one forgoes less relevant impersonal value by helping those on Island A than by helping those on Island B.

Each individual on Island A has more at stake than each individual on Island B, and one foregoes less relevant impersonal value by helping someone on Island A than by helping someone on Island B. EC thus implies that one must help those on Island A, which violates Nearly Equal Interests.

2.3 Procedural Claims

Henning 2023's Procedural Claims (PC) appeals to the idea that each affected party has a claim to have a certain kind of say over the final decision. Suppose, for example, that everyone has equally strong interests at stake. Each person then has a claim that the agent use a procedure that gives each an equal say in the final decision. Each person also has a claim that the agent use a procedure that is positively responsive to the views of each affected individual. These claims to an equal and positively responsive procedure require the agent to decide via majority vote. If each affected individual chooses to vote for the option that benefits them, then the agent will end

¹⁶If the interests of those on Island A are on a par with the interests of those on Island B, then the implications of EC in Case One depend on how it interacts with parity. On the standard model of parity, which footnote 13 discusses, the impersonal value of helping n people on Island A and helping $n + 1$ on Island B will be on a par when n is large. When two individuals have competing interests that are on a par with one another and the relevant impersonal value foregone by helping either is on a par, EC presumably implies that we may help either. This, again, violates Nearly Equal Interests.

up saving the greater number.

How does PC apply when some have stronger interests at stake than others? Some interests, according to PC, are irrelevant in a given choice, and those with irrelevant interests get no vote.¹⁷ Each person with a relevant interest gets a vote that is weighted by the strength of their interests.¹⁸

This leads PC to violate Nearly Equal Interests in Case One. According to PC, each islander's interests are relevant to those of any other islander. Again, we may suppose that each person on a given island stands to benefit to the same degree, while those on Island A each stand to benefit slightly more from being rescued than those on Island B.¹⁹ PC then requires one to assign each person a vote weighted by the strength of their interests. Each person on Island A gets a vote that is slightly weightier than the vote of each person on Island B. We may suppose that each person votes in line with their own interests.

As before, provided a zillion is sufficiently high, the weighted votes of those on Island A sum to a greater value than the weighted votes of those on Island B. According to PC, if we do what we ought, then we will save those on Island A. But according to Nearly Equal Interests, we ought to help those on Island B. So if we do what we ought, then we will not save those on Island A.

Contradiction.

¹⁷More precisely, an interest is relevant to some choice according to PC iff it is close to some affected interest ... that is close to some affected interest that is close to the strongest affected interest (Henning 2023: 772). Irrelevant interests are those that are not relevant.

¹⁸Henning 2023: 771.

¹⁹As before, if the interests of those on Island A are on a par with the interests of those on Island B, then the implications of PC in Case One depend on how it interacts with parity. We may suppose that each person votes in line with their own interests. On the standard model of parity, which footnote 13 discusses, the sum of the votes for helping n people on Island A will be on a par with the sum of the votes for helping $n + 1$ people on Island B when n is large. The procedure that PC requires then presumably permits one to help either group. This, again, violates Nearly Equal Interests.

2.4 Scanlonian Contractualism

We now turn to accounts that at least arguably capture Nearly Equal Interests and my reasons for rejecting them. I start with the contractualism of Scanlon 1998, where I argue that the official statement of Scanlonian contractualism (OSC) captures Nearly Equal Interests but raises other problems. In response to one of these problems, Scanlon considers an amended version that allows lesser but relevant harms to bear on what one should do. I argue that this amended version of Scanlonian contractualism (ASC) ends up violating Nearly Equal Interests.

According to OSC, an action is wrong iff “its performance under the circumstances would be disallowed by any set of principles for the general regulation of behavior that no one could reasonably reject as a basis for informed, unforced general agreement.”²⁰ Equivalently: for any principle (for the general regulation of behavior) that allows the action (under the circumstances), there is someone who could reasonably reject that principle (as a basis for informed, unforced general agreement).

Let me walk through this formula. Principles are general conclusions about the status of some reason in a range of circumstances.²¹ For example, the Principle of Established Practices says that one should not deviate from an established practice merely for one’s own convenience.²² The Rescue Principle says one should help someone in dire need when doing so requires only a small sacrifice.²³

When assessing a candidate principle, we imagine a world where this principle is known to be widely accepted.²⁴ Given this possibility, we consider whether there is any standpoint from which the principle could be reasonably rejected. Rather than considering the standpoints of particular flesh-and-blood individuals, though, we consider generic standpoints, which are characterized

²⁰Scanlon 1998: 153. I should clarify that “that” refers to “principles” rather than to “set.” This is why Scanlon talks about whether particular principles can be reasonably rejected, rather than whether some set of principles can be reasonably rejected.

²¹Scanlon 1998: 199.

²²Scanlon 1998: 339.

²³Scanlon 1998: 224.

²⁴Scanlon 1998: 202–203.

in terms of the reasons that people in various positions generally have.²⁵ When assessing the Rescue Principle, for example, one generic standpoint worth considering is that of someone in dire need. Another is that of the rescuer.

Whether some principle can be reasonably rejected from some generic standpoint depends on the personal reasons for rejecting that principle from that standpoint, as well as the personal reasons for rejecting any alternative from any other standpoint. Personal reasons are reasons that one can raise on one's own behalf, e.g. that some principle harms one or treats one unfairly.²⁶ According to OSC, a principle can be reasonably rejected from some standpoint iff the personal reason to reject that principle from that standpoint is stronger than the personal reason to reject any alternative from any standpoint.²⁷

Let us now turn to the principles that interest us. Suppose that we can help a smaller or larger group of people, all of whom have equally strong interests at stake. We can imagine three candidate principles:

- Principle 1: when everyone has equally strong interests, then all else equal, one must help the smaller group
- Principle 2: when everyone has equally strong interests, then all else equal, one may help either group
- Principle 3: when everyone has equally strong interests, then all else equal, one must help the larger group

Scanlon argues that Principles 1 and 2 can both be reasonably rejected by any member of the larger group, but nobody can reasonably reject Principle 3. It is true that members of the larger and smaller group both have reasons to reject various principles based on their individual interests. But those in the larger group have an additional personal reason: Principles 1 and 2 treat

²⁵Scanlon 1998: 204.

²⁶Scanlon 1998: 219.

²⁷Scanlon 1998: 195–197.

them unfairly. Any principle that permits one to save the smaller group fails to positively value the interests of someone in the larger group, since their addition makes no difference to what one ought to do.²⁸ Given this additional reason, the members of the larger group each have stronger personal reason to reject Principles 1 and 2 than members of the smaller group have personal reason to reject Principle 3. Thus, only Principle 3 is not reasonably rejectable.

How does this apply to cases where not everyone has equally strong interests? Scanlon answers that the principles he defends use only distinctions among “broad categories of moral seriousness,” such as the difference between serious and moderate losses.²⁹ This suggests the following revision of Principle 3:

- Principle 3*: when everyone has serious interests at stake and all else is equal, one must help the larger group

I assume, *arguendo*, that the above argument shows that this principle is not reasonably rejectable while alternatives are. With such principles, OSC plausibly captures Nearly Equal Interests, which Scanlon explicitly endorses.³⁰

Despite its vindication of Nearly Equal Interests, OSC raises a few concerns. First, it has the further implication that when deciding whether to provide a slightly larger benefit to one group or a slightly smaller benefit to another group of the same size, we may do either. For when both groups are the same size, we presumably have:

- Principle 4: when everyone has equally strong interests and both groups are the same size, then all else equal, one may help either group

As there is no reason to favor one group over the other, this principle presumably cannot be reasonably rejected while alternatives can be so rejected. But by reformulating in terms of “broad categories of moral seriousness,” we obtain:

²⁸Scanlon 1998: 232.

²⁹Scanlon 1998: 238 – 239.

³⁰Scanlon 1998: 238.

- Principle 4*: when everyone has serious interests at stake and both groups are the same size, then all else equal, one may help either group

It might seem uncharitable to draw such implications, since Scanlon might have intended the reformulation to apply only to principles governing groups of different sizes. But Scanlon explicitly endorses such implications. To repeat his example, in a choice between saving one person from losing two fingers or saving another from losing three fingers, OSC permits us to choose either.³¹ Personally, I am far less confident in this conclusion than I am in Nearly Equal Interests, and it seems odd to tie the truth of Nearly Equal Interests, which governs cases with different numbers of beneficiaries, to these claims about cases with the same number of beneficiaries. I therefore prefer an account of Nearly Equal Interests that lacks this implication.

Second, as Scanlon notes, OSC struggles in cases where some have weaker but still significant interests at stake. For example, it is plausible that becoming blind and dying belong to different categories of moral seriousness. Given this, OSC implies that in a choice between saving one person's life or sparing any number of people from becoming blind, one must choose the former.³² Yet this seems mistaken.

In response to this concern, Scanlon suggests (without endorsing) the possibility of an amended view that allows lesser but still intuitively relevant harms to bear on what we should do. This is what I call ASC, and I contend that it violates Nearly Equal Interests.

One difficulty is that Scanlon offers little detail about how, exactly, ASC works. He writes:³³

It is possible that a less tightly constrained version of contractualism, which gives more structure to the idea of how individuals can demand that their interests be taken into account, might yield aggregative principles that would apply to a wider range of cases, in which the harms on each side were not equally serious. I have not shown that this is the case, but my argument does not exclude it.

³¹Scanlon 1998: 238.

³²Scanlon 1998: 239.

³³Scanlon 1998: 241. See also Scanlon 1998: 239–240.

This leaves a range of ways to develop ASC. Even if people can reasonably reject principles that *do not* consider their relevant interests, it remains unclear *how* one must consider them.

Perhaps the most obvious answer is to aggregate them. On this version of ASC, nobody can reasonably reject the principle that, all else equal, one must do whatever satisfies the greatest sum of relevant interests. But this leads to violations of Nearly Equal Interests via reasoning like what we have already seen in the case of ARC.

In similar fashion, both EC and PC can be seen as ways of developing ASC. One would argue that the only principles that nobody can reasonably reject require one to consider the interests of others as these theories prescribe. But again, if this is so, we get violations of Nearly Equal Interests.

It is striking that three quite different ways of developing Scanlon's appeal to relevance violate Nearly Equal Interests. This does not prove that no version of ASC both avoids the preceding problems and vindicates Nearly Equal Interests, but it provides reason to believe it.

2.5 Balancing Theory

Another example of a theory that captures Nearly Equal Interests is the Balancing Theory (BT), which is inspired by the balancing argument of Kamm 1984.³⁴ I emphasize that Kamm herself did not propose or endorse this theory, and that she in fact doubts Nearly Equal Interests.³⁵ Nonetheless, it is a natural proposal that will prove instructive to consider.

According to BT, in a choice between helping one or another group, we should consider whether any two individuals have roughly equal and competing interests at stake. If so, then their interests "balance" or "neutralize" each other, and we remove both individuals from consideration. We continue this balancing process until none of the remaining individuals have roughly equal and competing interests. Then, we must help whichever group includes the person that,

³⁴See Kamm 1984: 182, Kamm 1993: 114–119, Kamm 2006: 57–61. See also Kumar 2001 and Kumar 2011: 140–143.

³⁵Kamm 1993: 103.

among those remaining, has the most at stake.³⁶ If nobody remains, then we may help either group.

Let me explain how this applies to Case One. The interests of anyone on Island A are roughly equal to the interests of anyone on Island B. Thus, we can remove from consideration the zillion people stranded on Island A and a zillion of the people stranded on Island B. This leaves one individual on Island B. Thus, we ought to head to Island B. Similar reasoning applies to any case of this structure, so BT implies Nearly Equal Interests.

To my mind, this is a reasonable explanation of Nearly Equal Interests. My objection to BT is instead that there are certain plausible combinations of judgments that it cannot capture. For example:

- One should give Alice \$1,000 rather than give Bob \$900.
- One should give \$900 to each of Bob and Carol rather than give Alice \$1,000.

\$100 is a large enough difference to make (1) plausible. Even so, one should benefit two people rather than provide one person with a slightly larger benefit. Readers who disagree with this example may nonetheless accept other examples with the same structure.³⁷

Here is the dilemma for BT. Either one's interests in receiving \$900 are roughly equal to one's interests in receiving \$1,000 or they are not.

- If they are roughly equal, then consider the choice between giving Alice \$1,000 or giving Bob \$900. These interests balance one another, so we set them aside when deciding what to do. There are no other interests to consider, so BT permits us to choose either option.

This violates the obligation to help Alice rather than Bob.

³⁶One might additionally require that this person's interests are not an "irrelevant utility" (Kamm 1993: 144–164).

³⁷For example: one should give one person both health and dental insurance rather than give another person only health insurance, but one should give two people health insurance rather than give another person both health and dental insurance.

- If they are not roughly equal, then consider the choice between giving Alice \$1,000 and giving Bob and Carol each \$900. By hypothesis, we cannot balance anyone's interests. BT then implies that we ought to help Alice. This violates the obligation to help Bob and Carol rather than Alice.

Thus, BT cannot capture both of the above judgments. And, of course, nothing in this argument depends on the particular choice of example. BT has a structural problem; it cannot capture:³⁸

Tradeoffs

For any strength of interest S , there exists a strength of interest T and some number n such that all else equal:

- (i) one ought to help one person with interests of strength S rather than another with interests of strength T , and
- (ii) one ought to help n people with interests of strength T rather than one person with interests of strength S .

3 An Objection to Nearly Equal Interests

Given the difficulties that Nearly Equal Interests raises, perhaps we should reconsider our acceptance of it. After all, some philosophers believe:

May Save Fewer

One may save a zillion lives rather than another group of a zillion and one lives.

This threatens to imply that Equal Interests is false, which would in turn imply that Nearly Equal Interests is false.

Considered on its own, I find May Save Fewer implausible. The difference between saving two and saving one is a single life. So is the difference between saving a zillion plus one and a zillion.

³⁸As with Nearly Equal Interests, I do not need the full strength of this principle. That there is some such S would suffice.

I am therefore disinclined to treat these choices differently. I also worry that our best arguments for saving two rather than one generalize to saving a zillion and one rather than a zillion.³⁹

But there are also two arguments for May Save Fewer worth considering. The first appeals to our reluctance, in realistic cases, to simply save the greater number. The second appeals to the idea that the similar interests of separate people are “on a par” rather than equally strong. I address each in turn.

3.1 Intuitions

It seems clear that we ought to save two lives rather than one. But it seems far less clear that we ought to save a zillion and one rather than a zillion lives.⁴⁰ Moreover, it seems absurd to think that the choice between saving these groups could depend on the precise number of lives saved by each option. Having decided to save one group, it seems absurd to think that we must reconsider upon hearing that the other group contained one more person than we initially thought. How could a choice like this come down to a single life?⁴¹ These intuitions support May Save Fewer.

I feel the pull of these intuitions. But I think they can be explained in a way that is compatible with Equal Interests and Nearly Equal Interests. In any realistic choice that affects very many people, there will be many considerations beyond the sheer numbers that bear on our choice. For example, the group that contains a zillion people may contain a few more people in the prime of their lives, while the group that contains a zillion and one people may contain a few more people whose best years are in the distant past. It may then be permissible (or even obligatory) to save the smaller group. As a result, in a choice between saving one group of a zillion people and another group of a zillion and one, the fact that the latter saves an additional person makes a

³⁹I believe, but will not argue here, that this is true of Barnett 2025: 580–582’s decompositional argument, Kamm 1984: 180–181’s balancing argument, Scanlon 1998: 232’s tiebreaking argument, and Sung 2022’s moral dominance argument (provided we give any credence to, say, utilitarianism without parity).

⁴⁰Kamm 1993: 103.

⁴¹Lang and Lawlor 2016: 307. Munoz-Dardé 2005: 230 suggests we would be reluctant to let the numbers decide and that we would look for other considerations.

difference, but this difference is *fragile*. It can easily happen that we nonetheless may or ought to save the smaller group because of other differences between the groups. By contrast, in a choice between saving one or two lives, the fact that the latter saves an additional person makes a *robust* difference. It is unlikely that, despite the additional life, we may or ought to save the smaller group.

We can support these claims by constructing a simple model that verifies them. (Readers uninterested in formal models may skip this paragraph). Suppose that:

- We can save one group of N lives or another group of $N + 1$ lives.
- On our evidence, each beneficiary has an equal, independent probability of living another fifty years or another year if helped. (One may imagine that the benefit for each is determined by a fair coin flip.)
- Leximin is the correct moral theory: we (objectively) ought to maximize the number of people who would live for another fifty years, and when both options do so, then we ought to maximize the number of people who would live for an additional year.⁴²

When N is small, the probability that we ought to help the greater number is high. For example, when deciding whether to save one person or two people, the probability that we must help the smaller group is 12.5%, while the probability that we must help the larger group is 87.5%.⁴³ But when N is large, the probability that we ought to help the greater number drops. In the limit, the probability that we must help the smaller group rises to 50%, while the probability that we must help the larger group drops to 50%.⁴⁴

⁴²The conclusions that follow are robust to the choice of moral theory. For example, suppose utilitarianism is correct and we ought to maximize the total number of years lived. Then, exactly the same conclusions follow.

Alternatively, suppose that ARC is correct and an additional year of life is irrelevant to an additional fifty years of life. Then, in a choice between saving one or two lives, the probability that we must save the smaller group is 12.5%, the probability that we may save either is 25%, and the probability that we must the larger group is 62.5%. Otherwise, the same conclusions follow.

⁴³There are eight equiprobable possible outcomes, and only one of them requires us to help the smaller group. The others all require us to help the larger group.

⁴⁴Given our setup, one must save the smaller population iff doing so helps strictly more people live an additional

When there is uncertainty about how people will be affected, learning that one option saves an additional life provides weaker and weaker evidence about what to do as the number of affected parties increases. And this makes intuitive sense; as the numbers increase, the additional life is a smaller proportion of the total set of considerations, so it is less likely to be decisive. This can explain why in realistic cases, we are (rationally) not confident that we ought to save a zillion and one rather than a zillion lives, and it can explain why making such decisions depend on a single life seems absurd. It would be like making this decision depend on learning that, say, at least one person in the first group has more to gain than at least one person in the second group. This flimsy consideration barely moves the needle amidst all the background uncertainty. We are understandably reluctant to rest our decision on it.

We can test this explanation of our intuitions by considering cases that eliminate all background uncertainty. For example, suppose that one can either save a zillion and one qualitative duplicates of the Earth or save another zillion qualitative duplicates of the Earth. Here, my sense is that we clearly ought to choose the former. This suggests that the intuitions that favor May Save Few depend on such uncertainty.

In sum, our reluctance to simply save a zillion and one rather than a zillion lives in realistic cases can be explained by variation in the stakes for each individual and the resultant uncertainty about what, in light of this variation, we ought to do. But when we eliminate this uncertainty, this reluctance (at least for me) goes away. So May Save Fewer may be true in realistic cases where what people stand to gain varies. But this is compatible with thinking that in unrealistic cases where people have exactly the same (or incredibly similar) interests at stake, one must save the larger group as Equal Interests and Nearly Equal Interests require.

fifty years than saving the larger population would. As mentioned, we can imagine that the benefit for each person is decided by a coin flip. So this corresponds to the event that a fair coin flipped n times comes up heads strictly more often than another fair coin flipped $n + 1$ times. The appendix proves that, in the limit, this probability is 50% (Fact 1). By considerations of symmetry, the probability that one must save the larger population cannot be smaller than the probability that one must save the smaller population. So the probability that one must save the larger population also converges to 50%.

3.2 Parity

Another possible basis for May Save Fewer is the idea that the similar interests of separate people are “on a par” rather than equally strong. Two considerations are on a par when neither is stronger than the other, nor are they equally strong.⁴⁵ For example, someone may have reason to pursue a career in philosophy and reason to pursue a career in law. It may be that neither set of reasons is stronger than the other, and yet they are not equally strong. For if they were equally strong, then any slight improvement to either option (e.g. slightly higher salaries for lawyers) would tip the balance of reasons (e.g. make it the case that one should pursue a career in law). And this is counterintuitive.

Several philosophers accept similar claims about our reasons to help one or another person. Consider:

Case Two

You can either extend Alice’s life by fifty years or extend Bob’s life by fifty years and a day. What should you do?

These philosophers believe that the mere fact that Alice stands to gain a bit less than Bob does not suffice to establish an obligation to help Bob. Rather, one’s reasons to help Alice or Bob are on a par, and one may help either.⁴⁶ Similarly, in:

Case Three

You can either extend Alice’s life by fifty years or extend Bob’s life by fifty years and extend Carol’s life by a day. What should you do?

these philosophers believe that one may help either group.⁴⁷ Given these judgments, one may think that parity also favors the conclusion that we are permitted to save a zillion lives rather than another group of a zillion and one lives, contrary to Equal Interests and Nearly Equal Interests.

⁴⁵Chang 2002.

⁴⁶See Hare 2009 and Rabenberg 2023. Pummer 2023: 46 concurs in the verdict but appeals to permitting reasons, rather than parity, and Scanlon 1998: 238 also concurs but appeals instead to the broadness of moral categories.

⁴⁷See Kamm 1993: 146 and those cited in footnote 46, with the exception of Scanlon who does not explicitly address this case.

My point, in response, is simply that parity alone neither favors nor disfavors Equal Interests and Nearly Equal Interests. I grant that one can combine parity with an aggregative theory, such as Aggregate Relevant Claims, and thereby capture these judgments in Cases Two and Three while violating Equal Interests and Nearly Equal Interests.⁴⁸ But one can also combine parity with a non-aggregative theory, such as Balancing Theory, and thereby capture these judgments while satisfying Equal Interests and Nearly Equal Interests. Parity alone favors neither side.

Let me explain how the Balancing Theory can accommodate these judgments. As before, we begin with the idea that some interests are roughly equal to others and that roughly equal interests “balance” or “neutralize” one another. But now, we add that when removing a pair of competing interests from consideration, they leave behind some residual normative significance. (This reflects the fact that these competing interests are on a par, rather than equally strong, and explains why we should feel ambivalence, rather than indifference, when choosing between them.⁴⁹) The degree of this residual normative significance depends on the strength of the interests removed from consideration. As before, we continue balancing until none of the remaining competing interests are roughly equal to one another. If the strongest remaining interest exceeds the residual normative significance from any prior instance of balancing, then we must choose the option favored by that interest. Otherwise, we may choose either option. Call this the Balancing Theory with Parity (BTP).

Here is how BTP captures the above judgments:

- Case Two: Alice and Bob’s interests are roughly equal. So we may remove both from consideration, leaving some residual normative significance. There are no remaining interests to consider, so we may choose either option.
- Case Three: Alice and Bob’s interests are roughly equal. So we may remove both from consideration, leaving some residual normative significance. The strongest remaining in-

⁴⁸See footnote 13 for details.

⁴⁹Hare 2009: 167–168 and Rabenberg 2023: 305–307 connect parity to ambivalence.

terest, namely Carol's interest in an additional day, does not exceed this residual normative significance. Thus, we may choose either option.

Admittedly, there are cases where BTP diverges from aggregative theories that incorporate parity. Consider:

Case Four

You can either extend Alice's life by fifty years or extend Bob's life by fifty years and extend the lives of a zillion people each by a day. What should you do?

Some philosophers who accept the foregoing judgments nonetheless believe that, in this case, you must help Bob and the zillion.⁵⁰ It is easy to see how an aggregative theory that incorporates parity could secure this result. But according to BTP, we may help either group. (The reasoning is the same as in the above treatment of Case Three.)

I am not sure, though, that the failure to accommodate this judgment in Case Four counts decisively against BTP. Let me tally up the scorecard, comparing BTP to Aggregate Relevant Claims with Parity (ARCP) and Utilitarianism with Parity (UP):⁵¹

	Balancing Theory with Parity	Aggregate Relevant Claims with Parity	Utilitarianism with Parity
Equal Interests	✓	✗	✗
Disparate Interests	✓	✓	✗
Nearly Equal Interests	✓	✗	✗
Case 2: may save either	✓	✓	✓
Case 3: may save either	✓	✓	✓
Case 4: must save many	✗	✓	✓

Table 1: Verdicts of the theories under parity.

⁵⁰Rabenberg 2023: 302 considers a structurally analogous case.

⁵¹See footnote 13 for an overview of ARCP. UP can be defined as the limiting case of ARCP where every interest is relevant to any other.

Equal Interests and Nearly Equal Interests seem far more compelling than the judgment that, in Case Four, one must save the many. So even when compared to versions of ARCP that capture the latter judgment, BTP seems to me to do a good job of handling the complications that parity raises.

To be clear, I am not defending BTP. As mentioned in §2.5, its violation of Tradeoffs seems to me a fatal flaw. (But so do the other theories' violations of Equal Interests, Disparate Interests, or Nearly Equal Interests). I offer it instead as reason to think that it is not parity alone which counts against Nearly Equal Interests. Rather, it is only by combining parity with theories that, like Aggregate Relevant Claims, anyways violate Nearly Equal Interests that we end up violating it. Parity alone places no thumb on the scale.

Finally, I want to highlight an attractive consequence of combining parity with Nearly Equal Interests: such views sharply distinguish between two ways of sweetening an option. Suppose I can either save a zillion lives to my left or save a zillion lives to my right. One way to sweeten an option is by making it slightly better for each person it helps. For example: it turns out that if I save the zillion to my left, then each of them will also get a free lollipop. Another way to sweeten an option is by making it far better for an additional person. For example: it turns out that I can save a zillion and one lives by helping those on the right. These two ways of sweetening an option seem quite different, as views that accommodate both parity and Nearly Equal Interests recognize.

Conclusion

I have argued that no extant theory captures Equal Interests, Disparate Interests, Nearly Equal Interests, and Tradeoffs.⁵² This does not show, of course, that no theory could do so, and my own

⁵²As far as I can tell, Official Scanlonian Contractualism also fails to capture Tradeoffs. The reasoning is the same as for Balancing Theory in §2.5, except we replace “roughly equal” with “belongs to the same broad category of moral seriousness.” Any two competing interests, for example, either will or will not belong to the same category.

suspicion is that there are attractive ways to accommodate all four verdicts. Insofar as one finds these judgments compelling, they may be productive constraints for future theorizing.

Here is one suggestive possibility. Perhaps the problem with the Balancing Theory is its treatment of “balancing” or “neutralizing” as an all-or-nothing affair. Either two interests are roughly equal (whereupon we may remove both) or they are not (whereupon no balancing occurs). But balancing may instead be a scalar operation that applies even when people have quite different interests at stake. Perhaps, for example, one person’s moderate interests partially balance someone else’s severe interests, leaving the latter with some residual but nonetheless diminished objection if not helped.

We can generalize the operation of balancing while preserving its distinctive structure: each person’s interests can be balanced against the interests of at most one other person. Nobody can be balanced against multiple others. (Perhaps our idea is that some kind of empathy is morally basic, and that while one can empathize in this way with another individual, it is not possible to do so with a group). One must then do whatever minimizes the strongest individual objection after such balancing.⁵³

A view along these lines seems able to secure Tradeoffs. In a choice between Alice’s severe interest and Bob’s moderate interest, Alice may retain a decisive objection even after (partially) balancing her interests with those of Bob. But this objection may be weaker than Carol’s unbalanced objection, whereupon we must secure Bob and Carol’s moderate interests rather than Alice’s severe interest. Such a view could also secure Equal Interests, Disparate Interests, and Nearly Equal Interests via the same reasoning that applies to the Balancing Theory.

This suggests that the constraints set by these verdicts are hardly insurmountable. Showing that some such view is philosophically well-motivated represents, of course, a further challenge. But there is at least one thing to be said for such a view: it requires us to help more people, even when doing so fails to maximize impersonal good. It separates the role of the numbers

⁵³Unbalanced parties retain objections whose strengths vary with their interests.

from the role of impersonal good in a way that may better align with our inchoate but, I believe, deep-seated sense that morality is somehow about individuals, considered as individuals.

Appendix

Fact 1. In the limit, the probability that a fair coin flipped n times comes up heads strictly more often than another fair coin flipped $n + 1$ times is $\frac{1}{2}$.

Proof. Let H_1, T_1 denote respectively the number of heads and tails among the n coin flips, and similarly for H_2, T_2 and the $n + 1$ coin flips.

Then, $H_1 \geq H_2 \Leftrightarrow T_1 < T_2$. By considerations of symmetry, $\Pr(H_1 < H_2) = \Pr(T_1 < T_2)$. Thus, $\Pr(H_1 \geq H_2) = \Pr(H_1 < H_2) = \frac{1}{2}$.

Now, we want to find $\Pr(H_1 = H_2)$:

$$\begin{aligned} \Pr(H_1 = H_2) &= \sum_{k=0}^n \Pr(H_1 = k) \Pr(H_2 = k) \\ &= \sum_{k=0}^n \frac{\binom{n}{k}}{2^n} \frac{\binom{n+1}{k}}{2^{n+1}} \\ &= \frac{1}{2^{2n+1}} \sum_{k=0}^n \binom{n}{k} \binom{n+1}{k} \\ &= \frac{1}{2^{2n+1}} \sum_{k=0}^n \binom{n}{n-k} \binom{n+1}{k} \\ &= \frac{1}{2^{2n+1}} \binom{2n+1}{n} \end{aligned}$$

where the last equality follows from Vandermonde's Identity.

We now show that $\lim_{n \rightarrow \infty} \Pr(H_1 = H_2) = 0$.⁵⁴ Let $P_n = \frac{1}{2^{2n+1}} \binom{2n+1}{n}$ and let $R_n = \frac{P_n}{P_{n-1}}$. Then,

⁵⁴Alternatively, one can apply Stirling's formula: $n! \sim \sqrt{2\pi n} \left(\frac{n}{e}\right)^n$, where $\sim$ means that the ratio of the two sides approaches one as n goes to infinity (Feller 1968:52). Substituting and simplifying, we get:

$$\Pr(H_1 = H_2) \sim \frac{1}{2^{2n+1} \sqrt{\pi n}} \sqrt{\frac{2n+1}{2n+2}} \frac{(2n+1)^{2n+1}}{n^n (n+1)^{n+1}} \leq \frac{1}{2^{2n+1} \sqrt{\pi n}} \frac{(2n+2)^{2n+1}}{n^n (n+1)^{n+1}} = \frac{1}{\sqrt{\pi n}} \left(\frac{n+1}{n}\right)^n$$

Since $\lim_{n \rightarrow \infty} \left(\frac{n+1}{n}\right)^n = e$, $\lim_{n \rightarrow \infty} \frac{1}{\sqrt{\pi n}} \left(\frac{n+1}{n}\right)^n = 0$ as desired.

$P_n = \frac{1}{2} \Pi_{k=1}^{k=n} R_k$. Moreover,

$$R_k = \frac{P_k}{P_{k-1}} = \frac{\binom{2k+1}{k} 2^{2k-1}}{2^{2k+1} \binom{2k-1}{k-1}} = \frac{2k+1}{2k+2}$$

Let $Q_k = \frac{2k+2}{2k+3}$. Then, $Q_k > R_k$ for all $k \geq 0$. Thus,

$$\Pi_{k=1}^{k=n} R_k^2 < \Pi_{k=1}^{k=n} R_k Q_k$$

Moreover,

$$\Pi_{k=1}^{k=n} R_k Q_k = \left(\frac{3}{4}\right) \left(\frac{4}{5}\right) \left(\frac{5}{6}\right) \cdots \left(\frac{2n+2}{2n+3}\right) = \frac{3}{2n+3}$$

Thus, $\Pi_{k=1}^{k=n} R_k^2 < \frac{3}{2n+3}$. Since each R_k is positive:

$$\Pi_{k=1}^{k=n} R_k < \sqrt{\frac{3}{2n+3}}$$

Thus, $P_n < \frac{1}{2} \sqrt{\frac{3}{2n+3}}$ and so $\lim_{n \rightarrow \infty} \Pr(H_1 = H_2) = 0$.

Since $\Pr(H_1 \geq H_2) = \Pr(H_1 > H_2) + \Pr(H_1 = H_2)$, we conclude that $\Pr(H_1 > H_2)$ converges to $\frac{1}{2}$. □

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