

## **Prioritarianism without one-person cases. Leaving behind the relativities**

### **Prioritarismo sin casos de una sola persona. Dejando atrás las relatividades**

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**Resumen:** *En este texto la visión de prioridad será defendida de algunas objeciones propuestas por Michael Otsuka y Alex Voorhoeve. La visión de prioridad resalta la importancia de ayudar a quienes se encuentran en las peores circunstancias incluso si son más difíciles de ayudar. Otsuka y Voorhoeve afirman que esta posición ignora la separación de las personas, un cambio de tratamiento entre casos de una persona y casos de varias personas, y hechos morales importantes respecto a demandas concurrentes. Thomas Porter y Derek Parfit, por otro lado, establecen una defensa de la posición implementando algunas modificaciones o bien apoyando el rechazo completo de un cambio de tratamiento como aquel apoyado por Otsuka y Voorhoeve. La propuesta final tiene en cuenta ambas defensas y elabora una solución que deja atrás los casos de una persona, argumentando que el tratamiento de estos no involucra ningún razonamiento inherentemente prioritarista y no debilita la posición.*

**Palabras clave:** *visión de prioridad, separación de las personas, cambio de tratamiento, demandas concurrentes, casos de una persona, casos de varias personas.*

**Abstract:** *In this text the priority view will be defended from some objections proposed by Michael Otsuka and Alex Voorhoeve. The priority view highlights the importance of helping the worst off even if they are harder to help. Otsuka and Voorhoeve state that this position ignores the separateness of persons, a shift of weighting between one-person and multi-person cases and important moral facts regarding competing claims. Thomas Porter and Derek Parfit, on the other hand, establish a defence of the view keeping in mind some modifications to it or the complete rejection of a shift such as the one endorsed by Otsuka and Voorhoeve. The final proposal takes into account both of these defences and elaborates a solution that leaves behind one-person cases, arguing that the treatment*

*of them does not involve any inherently prioritarian reasoning and does not debilitate the view.*

**Keywords:** *priority view, separateness of persons, shift of weighting, competing claims, one-person cases, multi-person cases.*

## **Introduction**

In this essay I will present a defence of the priority view, taking into account the objections raised by Michael Otsuka and Alex Voorhoeve. There will be three main sections: the first section will explore the basics of prioritarianism and the core objections presented by Otsuka and Voorhoeve; the second section features the work of Thomas Porter and Derek Parfit, who offer some answers to the objections raised against prioritarianism trying to establish a defence of it, each one of them through different means. Finally, in the third section I will present my own alternative keeping in mind the previous responses.

My proposal is that prioritarianism can safely focus on multi-person cases and avoid the complications that arise from the alleged shift of weighting between one-person cases and multi-person cases. Such a movement would need a sound explanation of why, amongst other things, prioritarianism can ignore one-person cases without becoming a weak or irrelevant position. I will heavily draw upon Parfit and Porter's contributions, taking relevant aspects from them but also keeping the distance with some other points.

### **1. Prioritarianism**

In order to understand my defence of prioritarianism it is necessary to follow two basic steps: first, I need to explain what I take prioritarianism to be; and second, I have to clearly state the main objections which I will attempt to answer. In this sub-section I will take care of the first point. According to Parfit (1997), the priority view states that "benefiting people matters more the worse off these people are" (p. 213). This is one of the simplest formulations that can be found regarding prioritarianism and its core proposal, making it an ideal candidate to begin with. Although Parfit and I will differ in some points that will be exposed further in this document, the very idea of prioritarianism does not conflict with this basic statement.

A simple application of the priority view can be summarized through the following example where a morally motivated stranger has to choose between two options. There are two people in the need of some kind of help and you can take only one course of action, each at the same price to you. You can either take a poor child almost about to starve to a special hospital where he will be taken to a somewhat better state, or you can take a child with some minor undernourishment problems to a special centre where he will be easily relieved from that condition and put into good health. For the sake of the argument I assume that the improvement in the situation of the first child from the initial state to the somewhat better state is, in general terms, lesser than the improvement in the situation of the second child from the initial state to the state where he enjoys good health. What should the stranger do? According to the priority view he should help the first child about to starve. Why? To begin with, because he is the worst off in the situation just presented and hence it matters more to help him. However, this is not the only consideration leading to the decision about the course of action that ought to be taken.

Both egalitarians and prioritarrians can reach the same conclusion about the case at issue: you ought to help the child about to starve. Egalitarians are deeply concerned about relativities –although it does not have to be the only consideration–. They take into account the state of the first child and compare it to the state of the other child: if they were to help the latter that would result in an increase of inequality between them, between their health states. This result seems rather undesirable from an egalitarian perspective, other considerations would have to play a huge role in order to tip the balance in favour of the second child: however, I can assume that that is not the case here and egalitarians would help the first child. Since both perspectives would have the same outcome regarding the course of action that needs to be taken, where is the difference? The difference lies behind the reasoning leading to the exposed outcome. While egalitarians take into account how the health state of the first child compares to that of the second, prioritarrians do not care about those relativities.

Parfit (Cfr. 1997) has a good example that helps illustrate the prioritarian perspective: he thinks about how people find it harder to breath at higher altitudes. He explains that individual *x*, who is located at a higher altitude than individual *y*, finds it harder to breath not because he is at a higher altitude *than y*, since he would find it just as hard if there were nobody else at a lower altitude, but because he is at a higher absolute level. It does not matter if there is someone who is lower or higher, his difficulty is exactly the same. Prioritarianism embodies that reasoning and apply it to situations as the one presented

with the two children. In that case, the prioritarian decides to help the first child not because he is *worse off than* the second child, but because he is at a lower absolute level: his situation would be just as urgent even if there were no other child to compare it with. Prioritarians are not concerned with relativities, which is what I consider the main feature of the approach and therefore the focus of my defence. It is clear that the case just sketched is only a very basic application of the prioritarian reasoning: there are multiple details yet to explore and different scenarios that will give ground to some of the main objections proposed by Otsuka and Voorhoeve. These details and complexities will be explored further in the document; for now, however, I have only tried to give a basic description of the priority view and what I consider its main feature, named the lack of attention to relativities and the focus on an absolute scale of general wellbeing. It is now important to explore the main objections to this view.

### 1.1. Objections: The Shift of Weighting

One of the initial objections raised by Otsuka and Voorhoeve (Cfr. 2009) against the priority view has to do with the treatment that it gives to one-person and multi-person cases. I have already shown that in multi-person cases egalitarians and prioritararians tend<sup>1</sup> to give the same answer about what ought to be done. However, what about one-person cases? An example should be drawn in order to understand the problem that Otsuka and Voorhoeve point out concerning what the priority view dictates.

Thomas has a 50% chance of developing one of these two conditions: *a*) he ends up suffering from an excruciating pain each morning every day, it lasts approximately three hours; or *b*) he develops a constant but less excruciating pain –but still very significant– that accompanies him until he goes to bed at night. You are a morally motivated stranger willing to help but it is impossible for you to know beforehand the condition that Thomas will suffer: you can either provide *i*) a treatment that cures Thomas from *a* and takes him to *b*, or another treatment *ii*) that cures him from *b* and puts him in good health. Treatment one works only if Thomas ends up with condition *a* and treatment two works only if Thomas ends up with condition *b*. This example is intended to point out the same relevant facts shown by the example provided by Otsuka & Voorhoeve (2009) at the beginning

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<sup>1</sup> This does not have to be true for all possible cases, but for now it might not be necessary to explore this issue very deeply.

of *Why it Matters That Some Are Worse Off Than Others: An Argument Against the Priority View*; thus I also assume here that Thomas is indifferent between both treatments. Thomas' indifference translates into an equal increase in utility provided by both treatments. What shall the motivated stranger do in this case? From an egalitarian perspective, Otsuka & Voorhoeve (Cfr. 2009) argue that the stranger should share the indifference of Thomas or, in other words, maximize his expected increase in utility. In that case the stranger could just toss a coin and decide according to that which treatment to provide. Prioritarians, however, would have a different answer to that case according to Otsuka and Voorhoeve: the stranger ought to provide treatment one. Why? Because by doing that the worst possible condition would be tackled, and since the priority view dictates that benefits matter more the worse off people are, this is the adequate course of action. From a prioritarian perspective, the stranger visualizes the two possible outcomes and acknowledges that if Thomas ends up with condition *a* he will be worse off than if he ends up with condition *b*. Even when the stranger cannot be sure of the final outcome, he ought to provide treatment for the worst possible scenario: thus there is an important difference between the egalitarian and the prioritarian answer to this case.

Imagine that the example suffers a modification: there are two individuals now, Thomas and Lisa, it is already known that Thomas will end up with condition *a* and Lisa with condition *b*. What should be done in this situation? Remember the very first example about the child with undernourishment problems: this is just another multi-person case where egalitarians and prioritarians coincide. Both positions would dictate that one ought to give Thomas treatment one in order to raise him from condition *a* to condition *b*. There is a shift of weighting between one-person cases and multi-person cases according to an egalitarian perspective, whilst there is no such shift from the prioritarian side.

Otsuka & Voorhoeve (2009) state that “a shift of weighting when we move to the interpersonal case can be resisted only on pain of denying the moral significance of the separateness of persons” (p. 179). Now, since the priority view cannot accommodate a shift of weighting between multi-person and one-person cases, then it would follow that it denies the moral significance of the separateness of persons. As a consequence of this, one would have to reject the priority view attending to the fact that it runs against that important moral fact. This is considered the main argumentative move on *Why it Matters* and the core of the criticisms of Otsuka and Voorhoeve. The separateness of persons highlights the importance of treating distinctly cases involving single individuals and cases involving multiple persons.

The trade-offs that can be arranged regarding a single individual and his own life are different from the ones that can be made about a group of individuals. Think about the one-person case involving Thomas and the multi-person case involving him and Lisa. In the first case I can take risks on Thomas' behalf inasmuch as I am willing to reach the best outcome for him: the possible risks and the possible benefits accrue to the same individual. However, this kind of reasoning cannot be easily applied when there are more individuals at issue: if I were to take risks regarding the health of individual  $x$  in order to reach the best outcome for individual  $y$ , the risks and benefits would not be shared by the same person and, therefore, the person undertaking the risks would not have any chance of receiving something in return.

The priority view, because of the separateness of persons, is then challenged by the objections raised by Otsuka and Voorhoeve; its inability to accommodate a shift of weighting between one-person and multi-person cases becomes a problem. However, the objections to the priority view do not stop here, Otsuka (Cfr. 2012) has pushed forward more criticisms derived from what I have just exposed here.

## 1.2. Objections: Prudential Justifications

Closely linked to the separateness of persons' objection, Otsuka develops a more specific criticism: he states that "prioritarianism is insensitive to the presence or absence of a prudential justification for a given course of action" (Otsuka, 2012, p. 368). But what is a prudential justification? Recall the one-person case of Thomas and suppose now that he is no longer indifferent between treatment one and two: he now prefers treatment two, the one that raises him from condition  $b$  and puts him in good health. An egalitarian would provide him, accordingly, with treatment two, while the prioritarian would choose treatment one. Imagine now that Thomas ends up with condition  $a$ ; as a consequence, the treatment provided by the egalitarian would be then totally ineffective. How can the egalitarian justify the course of action already taken? He could say that he was acting in a way that would give Thomas the maximum possible increase in utility. Since it is known that Thomas prefers treatment two, and therefore that treatment gives him the greatest increase in utility, the egalitarian could say that he was just trying to achieve that outcome, the best possible outcome for Thomas.

There is a change, however, when one moves to the multi-person case of Thomas and Lisa. Here the egalitarian could not justify his choosing of treatment one to Lisa by saying

that he was trying to maximize her expected utility. As it was already discussed, in this type of multi-person cases the risks and benefits are not shared by the same person, and therefore some trade-offs which are possible in one-person cases are not allowed here. This means that the capacity to give prudential justifications also changes when one moves from one-person to multi-person cases, at least from an egalitarian perspective.

Egalitarians can accommodate this change in the ability to give prudential justifications since they embrace a shift of weighting between one-person and multi-person cases, they treat them differently. Nonetheless, the case of prioritarrians is different: since they cannot account for such a shift of weighting, it is equally impossible for them to take into account the differences in the application of prudential justifications. They are insensitive to the presence –in one-person cases– or absence –in multi-person cases– of prudential justifications. Furthermore, there is still another way in which prioritarrians cannot cope with prudential justifications, one not explicitly explored by Otsuka.

The prioritarian chooses treatment one thinking about the greater sum of priority-weighted utility, but what if Thomas ends up with condition *b* rather than condition *a*? Treatment one would be completely ineffective in such a case. If that happens, what can the prioritarian say? Could he provide a prudential justification such as the one given by the egalitarian? He could not say that he was trying to reach the maximum expected increase in utility *for Thomas*, since Thomas would have preferred treatment two instead. It is impossible for the prioritarian to give such a justification. In fact, he is totally insensitive to that sort of reasoning: all what matters from the prioritarian side is reaching the maximum amount of priority-weighted utility.

### 1.3. Objections: competing claims

Besides the lack of concern about prudential justifications, Otsuka (2012) also says that prioritarianism ignores “the presence or absence of competing claims of different individuals to benefit” (p. 370). What is a competing claim? Think about the following example. John is the head of a public institution and he has to decide between these two options: he can either construct a huge club for the elite of the city, or he can build a complex of parks in the poorest area of the city, benefiting the children living there that otherwise would not have any other space for recreation. Of course, what John should do sounds obvious from many perspectives, but the point I want to highlight here is that the children living in the poor neighbourhood have a very strong claim regarding the

resources that should be allocated to them. It is harder to justify to them the construction of the club for the elite, than it is to justify to the elite the construction of the parks in the poor area.

Why is it harder to justify the construction of the club to the poor children? Basically because these children are worse off than the elite and, were the parks to be constructed instead, the possible improvement in their welfare would be very significant. Two considerations play a role there: on the one hand, there is a comparison between the state of the children and the state of the elite. It is clear that the average level of wellbeing of the elite is much higher than that of the poor children. On the other hand, there is also a comparison of the possible benefits that could be enjoyed by the two groups. Maybe, if the decision John had to take was between giving the rich people a club, or giving a handshake to a poor child, the club would have won. But the case here is different, the benefit to the poor children is more than significant: the parks have great importance. If one conjoins the baseline from which both groups depart and the significance of the possible benefit, then it is possible to determine who has got a bigger claim: in this case, the poor children.

Recall now the cases where prudential justifications applied: they applied in one-person cases, but not in multi-person cases. With competing claims is just the opposite: they apply in multi-person cases but not in one-person cases. They emerge because of the difference of wellbeing –and possible benefits– between two or more individuals. If there is only one individual, there are no competing claims. Again, there is a change between the treatment of one-person cases and multi-person cases, a difference acknowledged by egalitarians but ignored by prioritarians, according to Otsuka (Cfr. 2009 & 2012). Since prioritarians treat both cases as on a par, but competing claims are supposed to imply a differentiated treatment, it is possible to say that prioritarians ignore the presence or absence of competing claims.

Three objections have now been summarized: the core proposal about the shift of weighting –and the separateness of persons– between one-person cases and multi-person cases, and the two derived objections about prudential justifications and competing claims. These are not the only objections, but they will be the centre of the discussion throughout this work. It would be interesting enough to provide a sound answer to those objections even if there are more possible ways to attack prioritarianism.



## 2. Answering the Objections

In this section I will explore the work of Thomas Porter and Derek Parfit, who have contributed to the discussion trying to defend prioritarianism from the objections raised by Otsuka and Voorhoeve (Cfr. 2009 & 2012). Both authors approach differently the criticisms presented before; while Porter (Cfr. 2012) doubts about the necessity of the shift of weighting, Parfit (Cfr. 2012) tries to elaborate a modified version of prioritarianism capable of accommodating the shift. These ideas will help in the further elaboration of my own proposal, where the contributions of these authors will be highly valued.

### 2.1. Thomas Porter and the Shift of Weighting

I would like to begin with a very simple fact highlighted by Porter in his article *In Defence of the Priority View* that I take to be an essential starting point when it comes to analyse Otsuka's criticisms. Prioritarians and egalitarians tend to give the same answers about what should be done in multi-person cases. Recall the example of Thomas and Lisa: both prioritarians and egalitarians endorse treatment one, willing to raise Thomas from state *a* to state *b*. Regardless of the presence or absence of a shift of weighting, from both perspectives the recommended course of action for multi-person cases remains unchanged. The reasons behind are, indeed, different, but the outcome itself is the same. Think about the following reasoning: there is a situation that is treated differently by two persons. If person one says to person two that she ought to treat that situation in a different way –say, in the same fashion as person one treats it–, there has to be a reason behind, otherwise it would not be a serious claim. There has to be a reason of why person one considers that the treatment given by him to the situation is adequate while the treatment given by person two is inadequate. If both persons gave the same treatment, there could not be any complaint. If prioritarians and egalitarians give the same treatment to multi-person cases, the supposed change that ought to be endorsed by prioritarians cannot be supported by an alleged wrong treatment towards multi-person cases. As Porter (2012) says, “if prioritarians’ strategy doesn’t but *ought* to change when we turn from one-person cases to multi-person cases, that must be because their *one*-person strategy is faulty” (p. 358). The focus would be on the strategy for one-person cases. However, before

considering what Porter has to say about that, it is necessary to explore some details about the treatment of multi-person cases.

It is true that the recommended course of action in the case of Thomas and Lisa is the same for both prioritaricians and egalitaricians; however, what about the separateness of persons? What about that important moral fact that? According to Otsuka (Cfr. 2009 & 2012), prioritaricians ignore the separateness of persons since they treat one-person cases and multi-person cases equally. Porter (Cfr. 2012), on the other hand, does not accept that idea. He thinks that prioritarianism fully acknowledges the separateness of persons, avoiding the problems that other theories such as utilitarianism cannot avoid; from Porter's perspective, for instance, utilitarianism would have the undesirable consequence of counting "a very badly off person's sacrifice of one unit of utility as justified if the alternative was for a very well off person to sacrifice two units of utility" (Porter, 2012, p. 357).

The problem with utilitarianism is that it does not take into account who is receiving –or who is losing– a given amount of resources. The only important objective is to maximize the total amount of utility: if I have to choose between giving ten dollars to the super rich, or 5 dollars to the poor person, and the first option represents the greatest increase in total utility, then I will choose that option regardless of the condition of the poor person. Egalitarianism, and more importantly, prioritarianism, do not commit that mistake: they do take into account who is receiving or losing a given resource. Prioritaricians deal with *priority-weighted utility*, where the additional ingredient is the absolute level of the individuals at issue. This consideration renders it possible to take into account the specific situation of individuals when it comes to distribute a given benefit. If I were a utilitarian<sup>2</sup> and I had to choose between giving five dollars to the super rich and five dollars to the poor, I could perfectly toss a coin and decide, since the final total utility would be the same. However, if I were a prioritarian I would not flip the coin, I would undoubtedly give the five dollars to the poor, since he is at a lower absolute level and that is enough to break the alleged tie.

Porter (Cfr. 2012) considers that the separateness of persons is exactly what utilitaricians ignore, and since prioritaricians do not, they would not be running against that important fact. If any, prioritaricians could potentially have some sort of trouble regarding the unity of the individual, but not the separateness of persons. Later in this sub-section I will

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<sup>2</sup> This conception of utilitarianism could be very simplistic; however, a detailed picture of utilitarianism is not the main objective here and therefore I allow this sort of vagueness.

explain what this is about. For now, it is important to return to the considerations about the treatment of one-person cases. Is prioritarianism treating those cases wrongly? Porter does not think so.

Recall the one-person case of Thomas. Otsuka & Voorhoeve say that the most reasonable course of action is to maximize Thomas' expected utility: if treatment two provides him with a greater expected utility, one ought to take that option. If he prefers treatment one, then treatment one should be provided. Prioritarians, as was already seen, go against that: they always take the option that renders the greatest priority-weighted utility, in this case treatment one. What does Porter say about this? He thinks that the only support for the course of action recommended by Otsuka and Voorhoeve comes from an alleged shared intuition about what should be done in these cases:

presumably, then, the idea is that when we, the readers, are confronted with one-person cases we shall find that we too share Otsuka and Voorhoeve's intuitions about them, and oppose, therefore, the prioritarian denial that the appropriate response is to be guided by the individual's expected utility alone (Porter, 2012, p. 352).

According to Porter (Cfr. 2012), Otsuka and Voorhoeve lack a strong argument to support their position about what should be done in one-person cases; thus he concludes that the prioritarian alternative for one-person cases does not find a strong rival there and its recommended course of action can be completely reasonable. It does not have to be counterintuitive to suppose that you should provide treatment for condition *a* (Porter, 2012, p. 352). From Porter's perspective, there is a huge gap between the widely shared intuition about what should be done in multi-person cases, and the alleged shared intuition about one-person cases.

If the rejection of the course of action recommended by egalitarians in one-person cases is conjoined with the points presented before regarding the lack of troubles with the treatment that prioritarianism gives to multi-person cases, it seems that prioritarianism lives to fight another day. It has been exposed that prioritarianism and egalitarianism tend to give the same answer to multi-person cases, dispelling important controversies. This indicated that the shift of weighting could not be necessary because of the treatment of multi-person cases; instead, if it was necessary, the reasons should arise from the treatment of one-person cases. Prioritarians had to be wrong about these cases; however, Porter suggests that there is no strong argument indicating that prioritarians are in fact wrong. So, if they treat correctly multi-person cases, and there are no compelling reasons to think that they treat inadequately one-person cases, why does the shift have to be

endorsed? If it does not, as Porter seems to think, then prioritarianism is safe from the criticisms already exposed.

Finally, in order to conclude this sub-section, it is important to summarize briefly what Porter says about the *unity of the individual*. It has already been exposed that, according to Porter, prioritarianism does not run against the separateness of persons. If any, it might have problems with what he calls the unity of the individual. These two things are closely linked, but the unity of the individual refers more precisely to the fact that it is possible for a single person to take some risks in order to receive some possible benefits since there is a unity that allows for those trade-offs: the unity of the individual.

I have said that, according to Porter, there are no problems with the treatment given by prioritarians to multi-person cases, and that even in one-person cases there are no strong rivals for the course of action recommended by prioritarians: Otsuka and Voorhoeve (Cfr. 2009) present only some sort of intuition that is not necessarily powerful. Moreover, Porter (Cfr. 2012) explicitly talks about utilitarianism trying to explain why that doctrine does not respect the separateness of persons but prioritarianism does. What then about the unity of the individual? If the objection was that prioritarianism ignores the unity of the individual, would that objection succeed? First it is necessary to understand the basics of the objection. When Porter talks about the unity of the individual he is keeping in mind what I referred to before as prudential justifications. This special kind of justification is only possible in one-person cases and is the alternative to the *priority-weighted-utility analysis* made by prioritarians. Prudential justifications support a different course of action than that recommended by prioritarians. The question would be, is it necessary to embrace the suggestion presented by prudential justifications? Is it necessary to deviate from the option endorsed by prioritarians for one-person cases?

Porter (Cfr. 2012) thinks that, at the end, it is all about the intuitions concerning what course of action is reasonable to take in one-person cases and, as it was seen before, Otsuka and Voorhoeve's proposal is not necessarily convincing. Prioritarianism can ratify its position for one-person cases since there is no strong objection to it; thus, following what the prudential justifications suggest becomes something optional, not mandatory. It is clear that there are much more details to explore regarding this specific topic about Porter and his answer to the different facts about the unity of the individual; however, that analysis can be skipped in order to make room for the most urgent objectives of this work. It is time to explore Parfit's position, the last step before my own proposal.

## 2.2. Derek Parfit and the New Shift of Weighting

In his article *Another Defence of the Priority View*, Derek Parfit explores the criticisms to the priority view already exposed here, the shift in weighting, the presence or absence of prudential justifications, and the point about competing claims. Parfit's work is very extensive and detailed, treating multiple aspects of each of the aforementioned objections and some others. Here I will only explore some of his remarks regarding the objections already considered and three of the most iconic examples that he uses in his article.

When it comes to assess the capacity of prudential justifications to dictate a specific course of action, Parfit (Cfr. 2012) points out that it might be possible for a perspective such as utilitarianism to formulate its own sort of prudential justifications. He draws the following example, a mixture between the multi-person and one-person cases that I have analysed before:

*Case Two*, it is equally likely either that [Billy] is very badly off and [Lucas] is very well off, or that [Billy] is very well off and [Lucas] is very badly off. We could either

do X, which would benefit the person who is very badly off,

or

do Y, which would give a slightly greater benefit to the person who is very well off. (Parfit, 2012, p. 413-4)

Both egalitarians and prioritarrians would choose X, helping the person who is very badly off. However, utilitarians would choose Y, since that would result in a greater total utility. Recall that utilitarians ignore the separateness of persons and only take into account the total sum of utility. Since Y gives *a slightly greater benefit to the very well off*, that would be the adequate course of action from that perspective.

If one actually does Y and, say, Lucas ends up being the very badly off person, he could object the course of action just taken. Lucas could say that one should have done X, helping the very badly off (Parfit, 2012, p. 414). But here is where the *new* role of prudential justifications comes into play; according to Parfit (Cfr. 2012), the utilitarian could explain Lucas that he was trying to do what was expectably better for him –Lucas could have ended up being the very well off person–. The utilitarian has just provided a prudential justification for his selected course of action that is unavailable for both egalitarians and prioritarrians. There are more details regarding this case, and it is not necessary to go to the bottom of that issue; however, with this example Parfit has just

shown that prudential justifications can be arranged so as to support a determined position that does not have to be always the same.

Egalitarians provided a prudential justification for their chosen course of action in the one-person case of Thomas. In that case, egalitarians think that one ought to share Thomas' preferences and act accordingly, maximizing his utility. Case Two is, indeed, a special case that is different from the normal multi-person case –such as the one of Thomas and Lisa–, and different from the common one-person case. However, one can interpret Parfit's example as showing that prudential justifications can be formulated out of multiple positions. The prudential justification given by egalitarians in the one-person case works because of their conception of what should be done in that case; however, if one changes that conception, new prudential justifications might emerge. If the prioritarian provides treatment one, but Thomas ends up with condition *b*, he could tell Thomas that he was trying to avoid the worst possible scenario. I would explore this aspect in more detail in the next section.

For now, it has been enough about prudential justifications. What does Parfit say about the shift of weighting? Does he embrace the same shift proposed by Otsuka and Voorhoeve, conceding that the priority view is flawed? Does he think that the shift is not necessary at all –as Porter seems to think–? None. He thinks that the priority view can accommodate a special sort of shift between one-person and multi-person cases, protecting itself from Otsuka and Voorhoeve's objections. Contrary to what Porter does, Parfit is trying to account for the shift; however, he does it thanks to a modification to the priority view.

Parfit (Cfr. 2012) takes into account not only the goodness of outcomes, but also the goodness of prospects. This introduces a new feature to the priority view, leading eventually to a shift between cases that was not present before. More specifically, a different treatment between one-person and multi-person cases. I will here cite examples *Eight* and *Nine* from *Another Defence*, willing to expose clearly the structure of the cases that will serve to explain how the shift can be accomplished:

*Case Eight*, Jack is aged 40, and has a disease that needs immediate treatment. We are doctors, who could either

X give Jack some treatment that would partly cure his disease, so that he will live to 70.

or

Y give Jack another treatment that has equal chances of either wholly cure his disease, so that he will live to 90, or being a less effective partial cure, so that he will live to 60.

Since Jack is unconscious, and we don't know what we would prefer, we must choose on Jack's behalf between these treatments. (Parfit, 2012, p. 425)

The one-person case just exposed will be duly compared with the following multi-person case:

*Case Nine*, Jack and Jill are both aged 40, and have different diseases that need immediate treatment. Given our medical resources, we must give both Jack and Jill the same treatment. We could either

X do what would partly cure both Jack and Jill, so that they will both live to 70, or

Y do what would make it equally likely either that Jack will live to 60 and Jill to 70, or that Jack will live to 70 and Jill to 90.

Since Jack and Jill are both unconscious, and we don't know what they would prefer, we must choose on their behalf between these treatments. (Parfit, 2012, p. 426)

In both cases, option X has a fixed value that is completely certain; however, option Y always present two *sub-options* each with a fifty percent chance of occurring. To take into account not only the goodness of outcomes, but also the goodness of prospects, is to give weight to the chance that each of the *sub-options* illustrated by Y has of occurring. How? If I choose Y in case *Eight* I can take the mean between 90 and 60, since both options have an equal chance of occurring: it would be 75 –had the probabilities not been equal, the result would have been different–. Thanks to this analysis, I can take 75 to represent the expected value of option Y in case *Eight* –there, both sub-options of Y accrue to the same individual, Jack–.

Is it possible to make the same calculation about the life expectancy of the individuals in case *Nine*? It is. Option X remains the same for both persons. Option Y gives Jack an equal chance of living to 60 or 70, and gives Jill an equal chance of living to 70 or 90. Since the chances are the same, I can take a simple mean again: under option Y, Jack will have a life expectancy of 65 and Jill will have a life expectancy of 80.

According to a prioritarian that takes into account the goodness of prospects as well, one ought to do Y in *Eight* and X in *Nine*. In *Eight*, Y provides Jack with a greater life expectancy, making him better off than X (X=70, Y=75). In *Nine*, X represents the greater possible life expectancy for *both* of them. While Y gives Jill a life expectancy of 80, it also gives Jack one of 65, which is less than the life expectancy provided by X. Since it

matters more to help the worse off, it is more urgent to benefit Jack so that he enjoys a life expectancy of 70 rather than 65, than it is to benefit Jill so that he achieves a life expectancy of 80 rather than 70.

These calculations have shown a shift between *Eight* and *Nine*; the prioritarian that takes into account the goodness of prospects gives a different answer to the one-person case of *Eight* and the multi-person case of *Nine*. According to Parfit, this fact should be enough to explain how prioritaricians can accommodate a shift of weighting between these two types of cases, answering one of the most powerful objections presented (Parfit, 2012, p.436).

What about competing claims? Parfit (Cfr. 2012) thinks that those claims can be understood in a way that does not appeal to relational facts. He takes some statements made by Otsuka and Voorhoeve about the strength of competing claims and finds that the *relational* component is rather unnecessary, adding nothing special to the statements. In other words, it is possible to make sense of competing claims without involving a relational component.

Rather than rebuilding Parfit's reasoning this time, I will offer a brief explanation of how I understand this point. Think about the following question: *a*) why does X have a stronger complaint than Y over a certain good? Because X is worse off *than* Y and therefore justifying to X the allocation of that good to Y is harder than justifying to Y the allocation of that good to X. This is what an egalitarian would say about competing claims. But what if I ask another question, what if I ask why is X worse off than Y? There one could say that X is worse off than Y because he is at a lower absolute level. Once this point is reached, it is possible to see how question *a* can be answered directly without making reference to relational facts. One could simply answer that X has a stronger complaint than Y because he is at a lower absolute level: there one would be using a *prioritarian vocabulary* rather than an egalitarian one. Later on this text I will draw upon these comments in order to explain my own points.

So far I have presented some remarks about the essence of prioritarianism, its objections, and potential defences. The following is my proposal for this debate, a proposal that draws heavily upon Porter and Parfit's intuitions regarding the possibilities of prioritarianism and will also include some enlightening thoughts forged by Harry Frankfurt.



### **3. Defending Prioritarianism**

In this section I will expose my own ideas concerning prioritarianism and how it could avoid some of the criticisms already presented. As it was suggested at the beginning, I support the idea according to which prioritarianism should focus on multi-person cases and leave behind the complications caused by the treatment of one-person cases. I will begin by pointing out the aspects in which my view differs from Porter's and Parfit's. My proposal is different from Porter's in at least one respect: Porter (Cfr. 2012) thinks that the shift of weighting is not necessary since prioritarianism has a plausible answer for one-person cases. In my proposal, the question about the shift would not even arise; if there is only a treatment of multi-person cases, there is no place for a shift between one-person cases and multi-person cases.

Regarding Parfit's proposal, he does acknowledge a shift of weighting –via his modified version of prioritarianism–. Once again, the question about the shift would not even apply to my view. Furthermore, I will not deal with the details introduced by the hybrid prioritarianism introduced by Parfit: I will not appeal to such modifications in order to justify a shift since I will take another path. Of course, there are much more differences between the statements yet to come concerning my own view and the positions defended by Porter and Parfit; however, the few points mentioned before should be enough to highlight the most relevant discrepancies.

#### **3.1. Prioritarianism Without One-person Cases**

When it comes to give an answer to one-person cases prioritarianism tends to provide a solution that takes into account the worst possible scenario for the individual: it tries to avoid it, even if it implies a smaller benefit for the recipient than other alternative that works only under specific conditions. It might seem that all the one-person cases are the same –leaving behind obvious considerations regarding the particular details of each situation–; however, it is possible to distinguish at least two different kinds of cases. Parfit is aware of this and works with it in some parts of his article. There are cases in which a decision regarding a single individual needs to be taken while she is unconscious and there is no information about her preferences. On the other hand, there are some other cases where her preferences are well known.

Taking into account Otsuka and Voorhoeve's work, I would say that whenever the preferences of the single individual are well-known and there is no evidence of manipulation, confusion or similar factors, one should provide that individual with a treatment that maximizes her utility. If that individual considers that treatment X gives her a greater increase in utility than treatment Y, one ought to provide treatment X. I would take a different path, however, when the preferences of the person are not known: I would take the option of the risk averse –that coincides with the prioritarian *studied before*–, trying to avoid the worst possible outcome even if that implies a smaller benefit at the end. Why? Or better, why not? Is it unreasonable and damaging to provide a treatment that avoids the worst possible outcome? It is true that the maximization of the utility could end up out of reach because of such a path, but it also has important benefits. Parfit (2012) says: “when we have to make some decision on someone else's behalf, and we don't know how this person would prefer us to act, we may believe that we ought to be cautious, or risk averse” (p. 423). I think that this way of acting is far from unreasonable, and even if it is not decisive, it might prove to be a valuable option to consider. This is presented as a prioritarian reasoning by Parfit, one that is applied to one-person cases where the preferences of the individual are not known: I will try to see if it is essentially prioritarian.

Until now I have presented two scenarios, one where the preferences of the individual are well known and the other where they are not. I have also suggested two different courses of action regarding these scenarios, so now it is time to ask the following questions: does prioritarianism have a decisive role in any of the two mentioned scenarios? Recall the first case: if I do what the patient considers appropriate to do because of her preferences, am I being prioritarian? I am certainly not. But what if, as in the second scenario, I am risk averse? One might be tempted to say that there is an inherently prioritarian reasoning behind that course of action; however, I don't think so. What I see behind that course of action is plain risk aversion, an attempt to avoid the worst possible outcome for the individual while refusing to take different gambles on that person's behalf.

While this risk aversion is not incompatible with some prioritarian principles, it can perfectly survive without appealing to them: one can see how risk aversion has been analysed throughout multiple disciplines without referring to prioritarianism even once. It has been studied in economics, finance, and of course one can also identify important elements of it on Rawls' Theory of Justice –especially regarding his treatment of the

maximin<sup>3</sup>-. One could say that the risk averse behaviour falls under a prioritarian category since the final consequence is that *it is more urgent to help the worst off*. However, this urgency is not a complete interpretation of the prioritarian reasoning, it does not include by itself all the considerations about an absolute scale of wellbeing and the lack of attention to relational facts, which are essential points of prioritarianism.

Thanks to the previous analysis one can conclude that none of the alternatives for the one-person cases described before is essentially prioritarian. If I follow the desires of the individual, it is clear that I am not prioritarian; if I am risk averse and provide treatment for the worst condition, I am not necessarily prioritarian. Hence, it seems that the influence of prioritarianism in this sort of cases is rather null. The contribution can be deemed as non-existent, rendering prioritarianism as useless before these cases. It might sound as a bad thing for prioritarianism, a debilitating factor, but in fact it does not have to be.

What about the role of egalitarianism, for instance? Are you being essentially egalitarian when you follow the desires of the individual at issue? You could take that path by supporting your decision on autonomy grounds or even utilitarian grounds, if that were the case. You will not be invoking any strong relational principle there; there is no reduction of inequality between possible states of the same individual. And what about the cases where one is risk averse? The answer is the same given in relation to prioritarians. So it turns out that the egalitarian shares the same place with the prioritarian when it comes to analyse one-person cases. Nonetheless, one wouldn't deem the egalitarian approach as weak or defenceless only because it does not make a contribution to the analysis of one-person cases. Its strength lies within the treatment of multi-person cases, where all the relational considerations apply; something similar happens to the prioritarian, its strength lies within the treatment of multi-person cases and its considerations about absolute levels of wellbeing.

Given that the possible alternatives for one-person cases are reachable by means that do not imply any prioritarian reasoning, and this does not suppose any weakness for prioritarianism, it follows that prioritarianism can safely focus on multi-person cases. It does not contribute to one-person cases but this lack of contribution does not touch its main theses about the lack of attention to relativities. These facts ensure that a prioritarian that does not give any command before a one-person case is not running away from the

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<sup>3</sup> See: Rawls, J. (1991). *A Theory of Justice*. pp. 132-133.

problem: this prioritarian would only be focusing on matters where her theses are indeed applicable, such as multi-person cases.

By focusing on multi-person cases prioritarianism avoids all the problems linked to the treatment of one-person cases. If one follows Porter these are great news, given that he thinks that multi-person cases are rather unproblematic for prioritarianism. The task now is to show that, in fact, the arguments of prioritarianism for multi-person cases are solid. In order to reach that objective, I will compare prioritarianism with egalitarianism, as usual<sup>4</sup>, showing that focusing on an absolute level of wellbeing and leaving relational facts behind is better than taking them as a core idea.

### 3.2. Prioritarianism and the Lack of Attention to Relational Facts

In his article *Equality as a Moral Idea* Harry Frankfurt defends a *doctrine of sufficiency* according to which economic<sup>5</sup> equality should not be a prevailing objective: one should reach instead a state where everyone has enough. This doctrine leads to a rejection of economic egalitarianism, being this position one that attempts to reach an equality of income and wealth. Frankfurt (1987) thinks that, in general, the discomfort of most of the people with economic inequality responds to a fact different from the mere inequality between persons. He believes that what these people find

to be morally objectionable, in the types of situations characteristically cited as instances of economic inequality, is not the fact that some of the individuals in those situations have *less* money than others but the fact that those with less have *too little* (Frankfurt, 1987, p. 32).

Frankfurt's thesis, I believe, is justifiable by multiple facts. Think about the difference of income between the CEO of a successful but medium-sized company in Denmark and Tim Cook, CEO of Apple. The difference would surely be of epic proportions, but *most* of the people would not blink an eye before this fact. Why? Because both of them have more than enough, they have plenty of money, surely a great house in a peaceful environment, etc. What this example highlights is the fact that even an inequality as big

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<sup>4</sup> In their text *Egalitarianism and the Separateness of Persons* Alex Voorhoeve and Marc Fleurbaey (Cfr. 2012) highlight the importance of egalitarianism as a view that might succeed where others have failed (p. 382). This is one of the reasons why I think that it is a good strategy to have egalitarianism as a strong rival for prioritarianism and compare it with it.

<sup>5</sup> Frankfurt always deal with *economic* equality since that is the one he considers problematic. He is not against, for instance, an equality of basic human rights and related.

as the one just described can be deemed as irrelevant when the people involved is well enough.

Take now the following example: what if the comparison is not between the CEO in Denmark and Tim Cook but between Tim Cook and an hourly worker at McDonald's? The worker is not going hungry, she is not in great need, she has got a roof to sleep under, and she can survive the way she is right now. Both seem to have enough so, does that mean that the huge inequality between them is irrelevant? Most people would consider that there is indeed something wrong, and they would be probably right. The point here is that this inequality has more consequences than the mere gap between incomes and wealth. When there is one person living with a wage such as Cook's and thousands more living with a minimum, just surviving, there is probably something wrong with the way the system works. The gap between people might be the product of an unfair market, for instance, in which case the discomfort with the inequality would be better explained by those unfavourable conditions.

It might seem even more problematic when the comparison is between Cook and a homeless person that is starving. However, this case is actually much easier to explain in Frankfurt's terms than the last. The wrongness of this huge inequality arises mainly from the fact that the homeless person is in awful conditions: that is the triggering factor. Suppose that the situation of the homeless person is now improved and she finds herself at the level of the McDonald's employee mentioned before: one might still say that there is something very wrong with it. In response, the situation of the person is further improved so that she is now the chief officer of a small company: the inequality seems to become less problematic. After a certain point, any improvement in her situation will make no difference in how much one cares about the inequality between her and Cook. Once some threshold is reached, the inequality ceases to be problematic even when it is still of epic proportions. All these facts support the idea that inequality is not the main problem: each person reaching some threshold is.

The explanation given before shows one reason of why it might be more important to focus on levels of wellbeing than in relational facts. There are multiple cases where pointing out an inequality between two persons does not give any information to praise or condemn it –think about the case of the CEO in Denmark and Cook– Moreover, in cases in which pointing out an inequality seems to highlight a relevant aspect –recall the case of Cook and the homeless person–, the situation is better understood by appealing to

the need that the badly off person has regardless of whom is better off than her. There are more reasons to set apart<sup>6</sup> relational facts though. Frankfurt (1987) thinks that:

to the extent that people are preoccupied with equality for its own sake, their readiness to be satisfied with any particular level of income or wealth is guided not by their interests and needs but just by the magnitude of the economic benefits that are at the disposal of others” (p. 22).

This fact is well illustrated by the behaviour of a significant part of the population – especially in developed countries– that consume goods in an uncontrolled fashion, well beyond a reasonable level of satisfaction. The ultimate goal is to be on par with the latest achievements reached by others. This could be regarded as an oversimplification of the matter at issue, and it is indeed a very simple way to put it; however, it is undeniable that when the *focus* –and not only a bit of attention– is on equality, in the relation that one sustains with others, the level of wellbeing of them permeates greatly the conception of oneself.

In their article *Why it matters* (2009) Otsuka and Voorhoeve dedicate one section to discuss the possibility according to which prioritarianism could be meant to apply only to one-person cases. They explore a different reasoning than the one presented here: I will not rebuild it. However, a part of the answer they give could be analysed taking into account my own proposal. They talk about Parfit’s response to Thomas Nagel’s two-child case<sup>7</sup> and the hypothetical case where there is only one child. The central matter is that, according to Parfit (1991), “it would be just as urgent to benefit the handicapped child even if he had no sibling who was better off” (p. 26). This would imply that the priority view is meant to apply to one-person cases.

One could face two different types of one-person cases, the typical case already explored –where an individual is about to suffer from one of two conditions and there are two treatments available with different outcomes and requirements– and a simpler case where there is someone in need and one can help or not. The analysis of the first type was already presented, having as a conclusion that there is no inherent prioritarian reasoning behind. Regarding the second type of case, I don’t see why a decision to help the individual, say, from drowning on a pond, has to invoke a complete version of prioritarianism. The basic sentence “benefiting people matters more the worse off these people are” (Parfit, 1997,

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<sup>6</sup> Relational facts do not have to be totally forgotten or despised. They might be important and even Frankfurt (Cfr. 1987) acknowledges that; however, the important matter, morally, should not be represented by them.

<sup>7</sup> See: Nagel, T. (2012). “8. Equality”. In: *Mortal Questions*. pp. 106-127.

p. 213) provides a good comprehension of one of the core interests of prioritarianism; however, it does not by itself contains its methodology and particularities. It does not talk about absolute levels of wellbeing or the lack of attention to relativities: a complete view should take into account these essential details, and I have tried to argue that they only become relevant at the light of multi-person cases. Prioritarianism would have nothing special to add to this second type of one-person cases either: the decision to help or to ignore might be taken thanks to a thousand different views, none of them implying a clearly and complete prioritarian reasoning. In other words, I think that for a given reasoning to be called prioritarian there have to be more conditions fulfilled than the mere “urgency to help the worst off”.

It might be useful now to summarize the consequences of what I have explained up to this point. Complications regarding the treatment of one-person cases can be avoided by focusing on multi-person cases: the presence or absence of prudential justifications – applicable only to one-person cases– becomes irrelevant if it is to represent an objection to prioritarianism; criticisms regarding the unity of the individual become inapplicable as well, since they are related to the possible trade-offs for a single individual; the shift of weighting does not arise since there is no movement between types of cases: there would only be multi-person cases.

With respect to multi-person cases, I support some of Frankfurt’s theses in *Equality as a Moral Ideal*. I support the fact that in most of the cases what discomfort people presented with an inequality is not the gap between persons itself: it is rather the fact that some live in awful conditions. This is linked to the fact that, after a certain point, inequalities cease to be significant even when they are of great proportions, showing that people reaching a certain threshold is a more central issue. It has also been suggested that focusing on relational facts deviates the attention of people, making it more difficult for a single individual to feel satisfied with a given state of affairs independent from what others might acquire.

Before in this text I presented an alternative treatment of competing claims. It was said that competing claims could be understood without making reference to relational facts. When faced with the question *why is X worse off than Y?* one would simply answer that it is because X is at a lower absolute level. However, there is another possible answer that now I have the tools to deal with. One could say that X is worse off than Y just because X has less than Y. But is that enough? For an inequality to be significant it has to be of a certain kind. Recall the case of the CEO in Denmark and Cook: in that situation the

inequality is rather irrelevant since both individuals are well enough. But on the other hand, if the inequality is between Cook and the homeless person, then relational facts are no longer needed to the extent that the wrongness of such situation is determined by the awful conditions of the homeless individual and not by the mere gap. In both cases it is shown that caring about the absolute level of wellbeing of individuals is more important and basic<sup>8</sup> than making statements about inequality.

After all the options explored throughout this text, prioritarianism might have another chance to stand ground. It does not mean, of course, that it is free from any problems. Just to mention one of them, in his text *Prioritarianism and the Measure of Utility* Otsuka (2015) explores further criticisms that have not been treated here and represent a challenge of great relevance to the priority view. Here I have made an analysis of the basics of the debate, of the objections stated in *Why it Matters* and in *Prioritarianism and the Separateness of Persons*, taking into account some of the most important advocates of prioritarianism such as Porter and Parfit. My proposal is greatly in debt with these authors, I have used a huge amount of ideas originally proposed by them in order to give form to my own version.

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<sup>8</sup> When I say *basic* here I am not making reference to *simplicity*, rather I am thinking about the priority that such a task should have.



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