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## Equal Worth and the Duty to Adopt

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## Equal Worth and the Duty to Adopt

### Abstract

Is one child more worthy of love, the opportunity to learn to read, a polio vaccination, or enough to eat than another child? Those who answer "no," should consider that when one makes the decision to conceive a child instead of adopting an already existing child, one is saying that simply by virtue of its blood relation, a yet-to-exist child who has no needs is more worthy of one's time, love, energy and money than an existing orphan who has great need. But if all children are equally worthy of love and resources, one must give these things based on who needs them the most as opposed to any morally irrelevant characteristic such as race, sex, birthplace, or potential biological relation to oneself, and already existing orphans desperately need these things while yet-to-exist children do not need them at all. If one truly believes that all children are equally worthy of love, education and material necessities, then one must act on the duty to adopt instead of conceiving biological children.

## Equal Worth and the Duty to Adopt

Katharine Egan

Is one child more worthy of love, the opportunity to learn to read, a polio vaccination, or enough to eat than another child? Those who answer “no,” should consider that when one makes the decision to conceive a child instead of adopting an already existing child, one is saying that simply by virtue of its blood relation, a yet-to-exist child who has no needs is more worthy of one’s time, love, energy and money than an existing orphan who has great need.<sup>1</sup> But if all children are equally worthy of love and resources, one must give these things based on who needs them the most as opposed to any morally irrelevant characteristic such as race, sex, birthplace, or potential biological relation to oneself, and already existing orphans desperately need these things while yet-to-exist children do not need them at all.<sup>2</sup> If one truly believes that all children are equally worthy of love, education and material necessities, then one must act on the duty to adopt instead of conceiving biological children.<sup>3</sup>

One might object that biological relation to oneself is somehow in a different category from traits like race, sex, or birthplace. Yet blood relation is an ascriptive aspect of identity in the same way that race, sex, and birthplace are. Furthermore, these traits are all morally irrelevant, as they are traits for which one bears no responsibility. As Martha Nussbaum, of the University of Chicago, writes, “the accident of being born a Sri Lankan, or a Jew, or a female, or an African-American, or a poor person, is just that—an accident of birth” and thus should “not be taken to be a determinant of moral worth.”<sup>4</sup> Aspects of identity that have no bearing on the worth of a child cannot be used to justify bringing that child into the world.<sup>5 6</sup>

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<sup>1</sup> Indeed, you are saying that simply by virtue of its blood relation to you, a yet to exist child who has no needs is more worthy of life than an existing child, for there are children who will die unless they are adopted, as will be discussed later.

<sup>2</sup> The rationale for the argument that people who have not yet been conceived do not have needs is that yet to exist people cannot feel pleasure or pain and cannot have desires. The onus is on those who argue that the not yet conceived have a need to exist to explain how a potential entity with no cognitive capacity or ability to feel pleasure or pain can have a need. It is also important to note that arguing that we do not have a duty to our own yet to exist child is not the same as arguing that we don’t have duties to future generations. We have duties to future generations because they are going to exist and have needs. We don’t have duties to our own yet to exist children before they exist because they are only going to exist (and thus have needs) if we create them.

<sup>3</sup> This argument relies on the fact that there are limited resources in the world, and that therefore, any resources that go to a biological child cannot go to an already existing child. The resources your biological child will require could have gone to an already existing child if you had chosen to adopt instead.

<sup>4</sup> Nussbaum, Martha, ed. *For Love of Country?* Boston: Beacon Press, 2002, p. 133.

I argue later that aspects of identity for which one is responsible—one’s actions—also don’t affect one’s worth. One might ask how I can argue that aspects of identity for which we are not responsible such as race and biological relation don’t affect one’s worth using the reasoning that one is not responsible for them when I argue that even aspects of identity for which we are responsible don’t affect our worth. My reply is that even if one disagrees and believes that actions do affect one’s worth, one must concede that it would be totally arbitrary and thus unjust to treat people unequally based on traits over which one has no control such as race, sex, and blood relation. Nevertheless, I must admit that it wouldn’t be arbitrary to value them differently based on their actions, even though I don’t agree with doing so.

<sup>5</sup> Once your biological child exists, you are justified in prioritizing her needs over those of other children, not because she is worth more than other children, but because you have incurred a special duty to do so. This will be discussed more later.

<sup>6</sup> One would have to weigh the interests of one’s yet to be conceived biological child more heavily than the interests of an already existing orphan in order to make the decision to conceive a biological child—to bring one’s biological child into the world.

While a yet to exist child has no interests, potential parents do have interests, and thus one could also object that we should be weighing the interests of the potential parents against the interests of a child who needs to be adopted, rather than the interests of a yet-to-exist child against the interests of a child who needs to be adopted. Yet as long as the interests of all people are being weighed equally, the duty to adopt instead of conceive remains.<sup>7</sup> If equal weight is given to each person's interests, there is a duty to help others up until the point where one would "thereby be sacrificing something of comparable moral importance" to what the recipient of one's help would have to sacrifice if help was not received.<sup>8</sup> Potential parents have a duty to adopt because the sacrifices they may make by adopting will not be nearly as great as the sacrifices that an orphan must make if the parents choose to conceive instead of adopt.

The sacrifices of parents who choose to adopt instead of conceive are numerous. Such parents may sacrifice the greater degree of happiness they might have experienced with a biological instead of an adopted child. This greater degree of happiness might have come from the experience of love and commitment that can come with combining one's genes with those of one's life partner, or from the knowledge that one's bloodline will continue. Adoptive parents might also sacrifice the likelihood that their child will be relatively free of problems. While children can make great strides in development once they are adopted,<sup>9</sup> some adopted children—particularly those who suffered in institutional care the longest—do not completely overcome the resulting cognitive, emotional, or physical problems. Some children may suffer from speech and other developmental delays, lower than average I.Q.'s, difficulty attaching to their adoptive parents, or chronic illnesses such as hepatitis. Adoptive parents must also sacrifice the money required to adopt. This advocates that parents adopt the children who will suffer the most if they are not adopted—children from less affluent countries—and international adoptions can cost \$15,000 to \$20,000.<sup>10</sup> Yet none of these sacrifices would constitute a sacrifice of a basic necessity,<sup>11</sup> and thus none would be of comparable moral importance to what orphans must sacrifice if they are not adopted.

In orphanages all over the world, children are dying and sacrificing basic necessities. Thus, the sacrifice parents make when they choose to adopt instead of conceive must be

<sup>7</sup> The principle of equal consideration of interests has ancient roots, notably, in Cicero's *On The Laws*. I will discuss this principle in detail later.

<sup>8</sup> This particular formulation of the principle of equal treatment is from *Famine, Affluence, and Morality in Philosophy and Public Affairs* by Peter Singer vol. 1 No. 3 Spring, 1972, p. 231. He discusses this principle in detail in *Practical Ethics* 2nd ed. New York: Cambridge University Press, 1993, p. 8-26 and throughout. Page 21 is particularly clear.

<sup>9</sup> A study of adopted children who had suffered severe deprivation in Romanian orphanages, including malnutrition and chronic illness, found that the mean I.Q. of those adopted before the age of 6 months increased from 63 to 107 by age four. The researchers found "no measurable deficit" in the growth and development of these children. Of those adopted after the age of six months, the mean I.Q. increased from 45 to 90. (Michael Rutter and the English and Romanian Adoptees Study Team, "Developmental Catch-Up, and Deficit, Following Adoption After Severe Global Early Privation," *Journal of Child Psychology and Psychiatry* 39, no. 4 (1998); 465-476.)

<sup>10</sup> "International Adoption." *The Encyclopedia of Adoption*. Ed. Christine Adamec and William L. Pierce, Ph.D. New York: Facts on File Inc., 2000, p. 152.

<sup>11</sup> Basic necessities are what one needs to stay physically and emotionally healthy: freedom from bodily harm and fear of bodily harm, food, clean water, shelter, warm clothing, education, self-government and the freedom to act unless such action involves harming others, freedom to form and maintain relationships with family and friends, and a certain amount of time free from work. As I will explain in detail later, if sacrificing this money wouldn't require parents to give up any basic necessities, it wouldn't constitute a sacrifice of comparable importance to what an orphan must sacrifice if she is not adopted, and the duty to adopt would remain. However, I will also argue later that if sacrificing the money would require parents to give up any basic necessities, the duty to adopt would also remain, for parents can adopt from the U.S. for very little cost.

weighed against a child's sacrifice of life or the basic necessities. The following are only a few examples from around the world to illustrate what orphans sacrifice when they are not adopted.<sup>12</sup> A 1996 study done by Human Rights Watch/Asia revealed that child "welfare" institutions in China "appear to serve, in effect, as death camps for orphans." According to the Chinese government's own statistics, as reported by Human Rights Watch, the average death rate in China's child "welfare" institutions was 24.7 percent in 1989 (the most recent official figure available). Worse, these official statistics underestimate the true death rate. Human Rights Watch estimates that mortality rates in the late 80's and early '90's "in China's best-known and most prestigious orphanage, the Shanghai Children's Welfare Institute," were probably running as high as 90 percent. Sickeningly, many of the children in China's institutions are dying from "an apparently systematic program" of elimination through the intentional deprivation of food, water, and medical care. At the same "best-known and most prestigious orphanage" in Shanghai, Human Rights Watch has documented extreme forms of neglect and torture, which often result in death. Infants were usually not bottle-fed by hand. Staff saved time by allowing infants to feed themselves. This led to deaths by choking as well as starvation when children lost their grip and could not regain it on the bottle because they were too young or weak to feed without assistance. Human Rights Watch has discovered "several small children" in the Shanghai orphanage "tied to chairs, often wearing only thin clothing with no shoes or socks, and able to relieve themselves only through holes in the chair seats into chamberpots placed underneath," to reduce staff workload. The resulting inability of the children to move to become warm has led to deaths from hypothermia. Common disciplinary measures can be defined as torture. Children are forced to squat over bowls of boiling water, and scalded when they fall. It has also been common to "hang children upside down with their heads submerged in water until nose-bleeds and near suffocation ensue."<sup>13</sup>

Orphans in other parts of the world are also sacrificing their lives and the basic necessities. A study of children adopted from Romanian orphanages documented that before their adoption, "severe malnutrition was the rule; chronic and recurrent respiratory infections were rife; chronic intestinal infections (including giardia) were common; and many of the children had skin disorders of one kind or another." The children were also found to be developmentally delayed, with a mean IQ of 63.<sup>14</sup> Human Rights Watch found in 1990 that Romanian doctors caused large numbers of children to contract HIV when they carried out blood transfusions in a misguided attempt to improve the health of institutionalized orphans.<sup>15</sup> In Armenia, UNICEF reported that in the winter of 2000, in what "was by no means an isolated incident," thirteen children died of malnutrition in an institution for children. According to UNICEF, these institutions are filled to overflowing, and in most, there is "a daily struggle to find food and clothing for the children." In theory, the government provides money for food, salaries, and basic upkeep. In practice, "directors often borrow

<sup>12</sup> Due to inaccurate reporting on the number of orphans and the level of orphan welfare in state orphanages by most poor countries, it is necessary to rely on independent investigations of individual countries for this information. Unfortunately, it seems that such investigations have not been done in even a majority of developing countries, and as a result, organizations like UNICEF and Human Rights Watch do not have statistics on the total number of children in poor countries. Consequently, we must look at orphanage conditions in countries where investigations have been done.

<sup>13</sup> *Death By Default: A Policy of Fatal Neglect in China's State Orphanages*. Human Rights Watch. New York: Yale University Press. 1996.

<sup>14</sup> Michael Rutter and the English and Romanian Adoptees Study Team, "Developmental Catch-Up, and Deficit, Following Adoption After Severe Global Early Privation," *Journal of Child Psychology and Psychiatry* 39, no. 4 (1998), p. 465-476.

<sup>15</sup> *Promises Broken: An Assessment of Children's Rights on the 10th Anniversary of the Convention on the Rights of the Child*. Human Rights Watch. Dec. 1999. <http://www.hrw.org/campaigns/crp/promises/orphans.html>

money or beg for food on credit, and unpaid and impoverished staff have been known to steal it. One director was recently taken to court for unpaid bills (a six month bread bill for the orphanage in question.)” Government ministries order the severing of electricity, water, gas, and telephone lines as bills are not met, unpaid because other ministries have failed to pay. “In a number of institutions, gifted children from poor families learn alongside the mentally disabled, studying curricula designed for the latter. Buildings are in a state of dangerous disrepair. There is little or no heating.”<sup>16</sup> In East Timor, UNICEF investigated 37 orphanages throughout the country, finding that “most centers cannot currently provide” enough clothing, beds, mosquito nets, blankets, electricity, clean water or food for the children in their care.<sup>17</sup>

In 1998, the Human Rights Watch found that in Russia was common for orphans in state care to be beaten, locked in freezing rooms for days at a time and sexually abused. Russian orphans live in a “baby house” until age five, where they often do not receive adequate food, stimulation or education. At age four, they are given a single exam to test for “normal development.” The entire future of these children is based on this exam, which places children in one of three types of orphanage. The top tier of institutions is for ‘normal’ children; the middle tier is for the ‘learning disabled;’ the bottom grouping consists of ‘psycho-neurological’ orphanages. Children placed in the lowest level are not eligible for education or future integration into society. They are often tied to their beds day and night. At age eighteen they are moved to nursing homes, where they live with elderly and handicapped people who need full-time care. Despite the fact that many children slotted into the lowest tier are capable of learning at some level, there is no system for life training and few attempts at anything beyond the most rudimentary education. Worse still, a child can be placed in these low-level orphanages based entirely on a physical handicap, deformity or bad behavior. Those who are placed in the higher levels also face a bleak fate. They receive little education, and often do not learn to read or write. The vast majority “do not have proper job skills or education to find sustainable work.”<sup>18</sup> For orphans who are never adopted out of the Russian system, the prospects are grim. According to a 1997 report by the National Council for Adoption, 1 in 3 become homeless, 1 in 5 commit a crime, and 1 in 10 commit suicide.<sup>19</sup> UNICEF estimates that by the end of 2003, there were 143 million children in 93 developing countries who had lost both parents.<sup>20</sup> Thus, it is obvious that unless we take action to increase adoption, and to improve orphanage conditions, there will continue to be orphans living and dying in such conditions for many years to come.

Because there are children who will die if they are not adopted, the choice to conceive instead of adopt always means that a child will have to sacrifice life. As long as sacrificing the money required to adopt would not require parents to give up the basic necessities, parents have a duty to adopt these children because the sacrifice of one’s life is far greater

<sup>16</sup> Armenia’s Child Institutions. UNICEF 2001. [http://www.unicef.org/infobycountry/armenia\\_496.html](http://www.unicef.org/infobycountry/armenia_496.html)

<sup>17</sup> Evaluation Report: 2001/2002: Assessment of the Situation of Separated Children and Orphans in East Timor. Knudsen, C. [http://www.unicef.org/evaldatabase/index\\_14317.html](http://www.unicef.org/evaldatabase/index_14317.html)

<sup>18</sup> Promises Broken: An Assessment of Children’s Rights on the 10th Anniversary of the Convention on the Rights of the Child. Human Rights Watch. Dec. 1999. <http://www.hrw.org/campaigns/crp/promises/orphans.html>. This website contains pictures of Russian orphans who are so sick and malnourished that they look like concentration camp victims.

<sup>19</sup> “Russia.” *The Encyclopedia of Adoption*. Ed. Christine Adamec and William L. Pierce, Ph.D. New York: Facts on File Inc., 2000, p. 235.

<sup>20</sup> UNICEF Children on the Brink 2004 Factsheet: [http://www.unicef.org/media/files/COB\\_2004\\_fact\\_sheet.doc](http://www.unicef.org/media/files/COB_2004_fact_sheet.doc)

than any of the sacrifices adoptive parents might have to make.<sup>21</sup> They also have a duty to adopt the orphans who are not dying but who are sacrificing basic necessities—their health, dignity, chances for a normal life, educations, and the love of parents—for neither the greater degree of happiness parents might have experienced with a biological instead of an adopted child nor the likelihood that one's child will be relatively free of problems constitutes a necessity as basic as those that orphans must give up if they are not adopted. Thus, if adoptive parents give equal weight to their own interests and the interests of orphans, they must conclude that they have a duty to make a smaller sacrifice in order to prevent a child from making a much greater sacrifice.

If the money required to adopt from less affluent countries would require adoptive parents to give up any basic necessities, this would constitute a sacrifice of comparable moral importance to what orphans must sacrifice if they are not adopted, and the duty to adopt from overseas would not apply.<sup>22</sup> However, those who cannot afford to adopt from less affluent countries still have a duty to adopt instead of conceive because they can adopt for no, or a very low, fee from the U.S. through the state's public social services adoption system.<sup>23</sup> The duty to adopt remains because the sacrifices of orphans in the U.S. who are not adopted are still greater than the potential sacrifices of parents who choose to adopt instead of conceive. Even if parents must sacrifice a greater degree of happiness and must care for a child with a physical or emotional problem, such sacrifices are not as great as those that orphans in the U.S. must make if they are not adopted.

A report by the U.S. General Accounting Office found that 12% of children in the foster care system had not received routine health care, 34% had not received any immunizations, only 10% had received services to address developmental delays, and even though three-quarters of the children were at high risk of exposure to HIV, fewer than 10% had been tested.<sup>24</sup> The lack of testing for HIV shortens children's lives, for if caregivers are not aware that a child has HIV, they may not ensure that the child takes vitamins, eats healthily and exercises, all actions that prolong the lives of those with HIV and AIDS.<sup>25</sup> The welfare level of former foster children is indicative of foster care conditions. As many as 40% of adults who were foster children are receiving welfare benefits or are in jail. Only about half graduate from high school, compared to 78% of the general public, and their homelessness rate is at least four times that of the general population.<sup>26</sup> It is clear that the basic needs of children in foster care, such as healthcare, education and the guidance and skills necessary to become an adult who can meet basic needs and live a normal life, are often not being met. Furthermore, children in foster care have no one who is certain to provide a stable long-term relationship, and no one on whom they are certain they can rely for guidance or

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<sup>21</sup> One could argue that if we are truly considering the interests of parents and children equally, and if parents thus have a duty to adopt unless they would have to sacrifice something of comparable moral importance to what an orphan would have to sacrifice if she were not adopted, parents must adopt unless doing so would require them to sacrifice their lives, for orphans must sacrifice their lives if they are not adopted. I have instead argued that potential parents must adopt unless doing so would require them to give up any of the basic necessities—that a sacrifice of any of the basic necessities would constitute a sacrifice of comparable moral importance to an orphan's sacrifice of her life. I explain my reasoning for doing so later.

<sup>22</sup> Please see footnote 21.

<sup>23</sup> "Costs to Adopt." *The Encyclopedia of Adoption*. Ed. Christine Adamec and William L. Pierce, Ph.D. New York: Facts on File Inc., 2000, p. 74-75.

<sup>24</sup> U.S. General Accounting Office *Foster care: Health needs of many children are unknown and unmet*. Washington, D.C.: GAO May 2002. <http://firwebgate.access.gpo.gov/cgi-bin/useftp.cgi?IPaddress=162.140.64.21&filename=he95114.txt&directory=/diskb/wais/data/gao>

<sup>25</sup> "Pathology and Treatment." *Encyclopedia of AIDS*. Ed. Raymond A. Smith. Chicago: Fitzroy Dearborn Publishers, 1998, p. 10-13.

<sup>26</sup> Thomas P. McDonald, et. al., *Assessing the Long-Term Effects of Foster Care: A Research Synthesis*. Washington, D.C.: CWLA Press, 1996

even for love, for DCFS can and often does move foster children from family to family.<sup>27</sup> Even children who are not moved from one foster family to another must live with the knowledge that they could be taken from their families. While children in foster care have no one that is certain to provide a stable long-term relationship, adoptive parents a permanent lifelong relationship. In addition, while adults can have or seek a life partner or close friends and family with whom they can have stable relationships, children are not as capable of building their own relationships, and when they do, they can be shattered if DCFS moves the child.

Thus, even if adoptive parents must raise a child with physical or emotional problems, this would not require a sacrifice as great as the sacrifices foster children must make if they are not adopted. The need, or more properly, the desire to have a child free of emotional and physical problems is not as basic as the need for healthcare, to have a stable long-term relationship and be loved or receive guidance to help live a life free of welfare or jail. These needs are also far greater than the desire adoptive parents may have for the potentially greater degree of happiness the parents might have experienced with a biological instead of an adopted child. Thus, parents who cannot afford to adopt from overseas still have a duty to adopt from the U.S.<sup>28 29</sup>

To conclude, if we give equal weight to each person's interests, we have a duty to help others up until the point where we would be sacrificing something of comparable moral importance to what the recipient of our help would have to sacrifice if one did not receive our help. This requires potential parents to adopt, for the sacrifices they must make if they choose to adopt instead of conceive are not as great as the sacrifices orphans must make if they are not adopted.

There are many implications of the duty to adopt instead of conceive. One implication is that the duty to avoid having biological children would involve abstaining from intercourse before menopause and in the absence of certain infertility, for such intercourse always risks conception.<sup>30</sup> Forms of intimate contact that do not risk conception are obviously not included. Again, the sacrifice of intercourse is far smaller than the sacrifice of one's life or basic necessities such as health, dignity, the chance of living a normal life, an education and the love of parents—sacrifices that a child must make each time parents conceive instead of adopt. The need to have intercourse as opposed to other forms of intimate contact is not as basic as the needs of orphans to stay alive or to have love, food, shelter, physical safety and health. Yet most people, even those open-minded enough to agree that the duty to abstain from intercourse does follow from equal consideration of interests, will probably consider acting on this duty to abstain from intercourse absurd. Most people are likely to deeply resist such self-denial for the sake of others. Yet such a reaction does

<sup>27</sup> Children in foster care are moved from one foster family to another an average of 3 times in the first two years they are in care. *Children in Foster Care* James G. Barber and Paul H. Delfabbro. New York: Routledge Press, 2004.

<sup>28</sup> There are approximately 550,000 children in foster care in the U.S. About 250,000 of them are waiting to be adopted. It is thus clear that there will continue to be orphans in need of adoption in the U.S. for years to come. (U.S. General Accounting Office *Foster care: Health needs of many children are unknown and unmet*. Washington, D.C.: GAO May 2002. <http://frwebgate.access.gpo.gov/cgi-bin/useftg.cgi?IPaddress=162.140.64.21&filename=he95114.txt&directory=/diskb/wais/data/gao>)

<sup>29</sup> At this point, one might ask what duties the principle of equal consideration of interests places on people who do not want children. Such people have the same duty that potential parents have to help others up until the point where they would "thereby be sacrificing something of comparable moral importance" to what the recipient of their help would have to sacrifice if she didn't receive their help. People who want children may fulfill this duty by adopting children or by adopting children as well as helping in other ways. People who don't want children may fulfill this duty by helping in ways other than adoption. One example would be by donating money to UNICEF to feed starving refugees. I will discuss the extent of this duty later.

<sup>30</sup> Even surgical sterilization has a failure rate



not have any bearing on the logic or morality of my argument. The duty to abstain from intercourse follows from a commitment to equal consideration of interests regardless of resistance to such a duty. If people who believe that they are not inherently worth more than orphans choose to have sex, they must admit that their actions are inconsistent with their beliefs. At the very least, one would expect such people to admit this and to combine surgical sterilization with another form of contraception or to use multiple forms of contraception in general.

Another implication is that the human race will become extinct if all people act on the duty to adopt instead of conceive. Yet regardless of the possibility of extinction, as long as there remain people on earth who are struggling to meet their basic needs, we have a duty to help them before we bring more people into the world. If one is considering the interests of all equally, one must give more consideration to people who exist and who lack the basic necessities than to people who are yet to exist and thus who do not have needs. Furthermore, the interest people will have in continuing the human race or in having children at all is again outweighed by the interests of people in having their basic needs met. If humankind ever reached a stage where all children who need parents have been adopted and the basic needs of all people were met, people could have children to prevent extinction.

What duties do parents have to the children of the world if the parents' biological children have already been conceived? If we apply the principle of equal consideration of interests, we find that these parents too have duties beyond what common morality dictates. Yet it is true that the case of one's own *already existing* children is the one case in which one can incur a duty that trumps the duty to consider the interests of all equally. While the interests of one's biological child do not deserve more consideration because of the biological relationship, one incurs a special duty to ensure emotional and physical health, which involves a degree of prioritizing the child's needs over those of other children.<sup>31</sup> Thus, one cannot consider the interests of all children equally when one has a child. Yet even though one has a duty to care for one's own children, because all children are equally deserving of love and having their basic needs met, one has a duty to work to meet the basic needs of other children as long as one can do so without neglecting the basic needs of one's own children. Consequently, one cannot justify providing any non-essential material goods—more clothes than are necessary for warmth, food that is not necessary for health, meals at restaurants, toys,<sup>32</sup> trips, cars etc.—for one's own children when the basic needs of other children have not been met. Determining the amount of time and energy that one's children require for emotional health, and thus that one can justifiably give them when other children are in far greater need, is more problematic than determining what material goods are necessary and thus justifiable. It will undoubtedly vary according to the child. Parents must make relatively subjective decisions, but such decisions should be governed by the belief that other children are not worth less than one's own child, and that therefore one should help other children as much as possible while fulfilling the duty one has incurred to ensure the physical and emotional health of one's own children.

Fortunately, ensuring the emotional health of one's own child and working to meet the basic needs of all children are not mutually exclusive. By working with one's own child to raise money for UNICEF or volunteering with the child at a shelter for women and children, one's child may experience the joy that often comes with helping others and will gain knowledge of how to be empathic. Thus, exposing one's child to the experience of helping

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<sup>31</sup> I admit that this exception to the duty to consider the interests of all equally is based on my opinion of duties and is therefore arbitrary.

<sup>32</sup> Some people may think it cruel to refuse children toys, particularly when their friends have toys. However it is crueler to buy a toy for your child instead of donating the money you would have spent on the toy to UNICEF because to do so would be to prevent UNICEF from using that money to feed a malnourished child.

others can offer her a possible path to happiness while allowing one to consider the interests of all children equally as much as possible by helping needy children.

Martha Nussbaum addresses the issue of obligations to the children of the world if one's biological child has already been conceived in *For Love of Country*. She questions the morality of paying for an expensive college education for her daughter "while children all over the world are starving and effective relief agencies exist." Her conclusion is that paying for the expensive education is justified not because her daughter is worth more than other children, but because doing so

is the only sensible way to do good...if I tried to help all the world's children a little bit, rather than devote an immense amount of love and care to Rachel Nussbaum, I would be no good at all as a parent...But that should not mean that we believe our own...family is really worth more than the children or families of other people—all are still equally human, of equal moral worth.<sup>33</sup>

The problem with this reasoning is that it sets up a false dichotomy. Nussbaum is juxtaposing focusing her care on one child against dividing it among all the world's children. The only way to do good if these are really one's choices is obviously to focus on one child. But in reality, she faces the choice of whether to pay for an expensive college education for her daughter instead of using the money to feed a smaller number of children for whom the money would mean the difference between life and death. Because this is really her choice, and because parents are only justified in prioritizing their own children's material needs above the needs of far more needy children up until the age of eighteen,<sup>34</sup> when their own children are able to provide for themselves, it is clear that Nussbaum has a duty to help the children in greater need. The starving children have the greater need because the sacrifice her daughter would have to make if Nussbaum chose to give her college money to an organization to feed starving children would not be anywhere near as great as the sacrifice starving children would have to make if Nussbaum chose to pay for the college education. These children would be sacrificing their lives, whereas her daughter would not even have to sacrifice a college education. If she had to work her way through college, it might take her over four years to graduate and she might have to spend some weekends working instead of with friends, but these sacrifices are not basic necessities and are not nearly as great as a starving child's sacrifice of food. Nonetheless, parents do have a duty to continue to provide emotional support and guidance for their children, for while children may be able to work at age eighteen, they still require guidance, as they live in a complex world in which it can be difficult to remain emotionally healthy and to make wise life choices. Thus, while Nussbaum has a duty to use her material resources to help the children in the greatest need, her duty to continue to provide support and guidance for her daughter would continue. And if Nussbaum's daughter could not work her way through college and thus would have to sacrifice a college education if Nussbaum refused to support her, Nussbaum would be justified in helping her to pay her tuition because a college education will give a child the means to obtain a job that will allow her to meet her basic material and emotional needs,<sup>35</sup> and it is a parental duty to give one's child these means.

<sup>33</sup> Nussbaum, Martha, ed. *For Love of Country?* Boston: Beacon Press, 2002, p. 135-136.

<sup>34</sup> Admittedly, this is an arbitrary age to choose for when a person is able to provide for her own material well-being. The development of reason, a prerequisite for being able to hold a job and provide for oneself, is a gradual process that may or may not be complete by age eighteen. I chose eighteen because it seems that by this age most people have developed the capacity to reason and to hold a job. Exceptions could be made for those with more or less developed reasoning capacity.

<sup>35</sup> Without a college education, it is almost impossible to obtain a job that will allow one to meet one's basic material needs without working so hard or under such conditions that one's health is in jeopardy, and to earn enough to allow one free time to spend helping others—a necessary prerequisite for fulfilling one's emotional need for a meaningful life. I will argue the case for this last point later.

These arguments contradict what most think is right, or place duties on people that they would rather not have, has no bearing on their soundness or morality. Nonetheless, the principle the arguments are based on should be examined a bit more closely before considering whether to reject common morality or the argument.

As mentioned earlier, the argument is based on Peter Singer's principle of impartial consideration of interests. This principle requires that equal weight be given to each person's interests. If the same weight is given to others' interests as one's own interests, one must treat others as one treats oneself. One maximizes the benefit one gives oneself,<sup>36</sup> so one must maximize the benefit one gives to others. Maximizing the benefit one gives to others would require deciding how to act based on how one can provide the greatest benefit for humanity. The limitation on this principle is that we as individuals have a moral duty to help others up until the point where they would thereby be sacrificing something "of comparable moral importance" to what the recipient of their help would be sacrificing if they did not receive their help. So if one person could save the lives of ten terminally ill people by killing oneself and donating one's body to research for a cure, one would not be required to do so even though doing so would mean that ten, as opposed to one, person must die. This limitation is necessary because if one has a duty to consider the interests of all equally, one has a duty to treat oneself as one treats others, and reducing one's own level of welfare below that of those helped would not constitute treating oneself as one treats others.<sup>37</sup>

If individuals consider the interests of all equally, they cannot give greater weight to their own interests simply because they are theirs.<sup>38</sup> They can only weigh their interests more heavily than other's interests in order to maximize good for humanity or to prevent making a sacrifice of comparable moral importance to what the recipient of their help would be sacrificing if they did not receive their help. What would constitute such a sacrifice of comparable moral importance will be elaborated on later.

It is important to note that equal consideration of interests—equal treatment—does not entail identical treatment. Considering the interests of all equally allows individuals to treat people differently according to their actions because all people who have done the same actions are treated identically. They are treating people equally when they can jail a murderer but let a philanthropist go free because they would jail all murderers. If they believe in equal treatment, we treat people differently when this is the best way to maximize good for humanity, not because some people are inherently worth less than others are. Hence they jail a murderer but not a philanthropist because this is the best way to maximize good for humanity, not because the philanthropist is worth less than the murderer. Similarly, they help people who are willing to help themselves before those who are not because doing so will provide a greater benefit to humanity, not because those who are less willing to help themselves are worth less than those who are more willing to help themselves.

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<sup>36</sup> In my opinion, human beings were designed by nature to survive. In order to survive, a being must work to maximize the benefits—food, shelter, etc.—it receives. Thus, the goal of all of our actions is inevitably self-benefit. Even when one chooses to make a "sacrifice" for others—say, to spend Saturday afternoon volunteering at a soup kitchen even though one would rather be napping, one wouldn't voluntarily choose to do so unless doing so provided more benefit than not doing so. In this instance, the benefit one might experience might be the satisfaction that one had helped those less fortunate. This point is debatable, and I admit that it is one of the assumptions upon which my argument is based. Yet it should be noted that even if one doesn't think that we perform all of our actions in order to benefit ourselves, one must admit that we treat ourselves well; in most cases, better than we treat others. Very few people live up to the goal of doing unto others as they would have done unto them. If we are considering the interests of all equally, we have a duty to treat others as well as we treat ourselves even if we don't believe we always strive to maximize the benefit we confer on ourselves.

<sup>37</sup> The limitation is also only necessary if we believe that the duty to consider the interests of all equally should trump the duty to maximize good. I believe it should because otherwise the duty to maximize good could lead to sacrificing the welfare of individuals for the greater good, which I disagree with. This is, admittedly, an opinion.

<sup>38</sup> Singer, Peter. *Practical Ethics* 2nd ed. New York: Cambridge University Press, 1993, p.13.

Equal consideration of interests also implies that people consider similar or equally legitimate interests equally. They consider each equally hungry person's interest in obtaining food equally, but give more weight to the interest in obtaining food than the interest in obtaining a new car; they give more weight to any basic necessities than to any other desires—to needs according to how basic they are.

The principle of equal consideration of interests is based on the assumptions that pain is bad, that all people have virtually the same capacity for pleasure and pain and that the experience of the same pain is equally bad regardless of who experiences it—essentially that all people have equal worth. If these premises are accepted, there is a duty to work to avoid pain regardless of who experiences it, and this is what people do when they weigh the interests of all equally.

The assumption that all people have equal worth is debatable, for one can argue that people's actions affect their worth. For example, a murderer's actions make the murderer worth less than a philanthropist. There is no proof that all people have equal worth regardless of their actions. Yet even if one accepts that equality may be "a basic ethical principle, not an assertion of fact,"<sup>39</sup> we can still see that justice requires equal treatment. One who believes that people's actions affect their worth is likely to believe that justice requires treating people differently according to one's actions. Yet this belief does not provide a reason for failing to treat people equally, for treating people equally allows for differential treatment according to one's actions. As argued earlier, considering the interests of all equally allows one to treat people differently according to their actions because one treats identically all people who have done the same actions. One treats people equally when one can jail a murderer but let a philanthropist go free because we would jail all murderers. Thus, those who believe that people's actions do affect their worth do not avoid the duty to treat people equally, for treating people equally allows them to treat people differently according to their actions, and thus to remain true to their belief that people should be treated differently according to their actions.

Those who believe that people's actions do affect their worth give a different reason for this differential treatment than those who believe that people have equal worth regardless of their actions. The former argue that one should jail a murderer but not a philanthropist because *the murderer is worth less* than the philanthropist rather than because this is the best way to maximize good for humanity. But the reason one gives for differential treatment has no bearing on the duty to treat people equally.

If people have a duty to help up until they would have to sacrifice something of comparable moral importance to what the recipient of their help would have to sacrifice if they did not receive their help, they must determine what constitutes a sacrifice of comparable moral importance to the sacrifice of their lives, for there are always people who will die if they do not help.<sup>40</sup> One might argue that only one's life is of comparable moral importance to

<sup>39</sup> Singer, Peter. *Practical Ethics* 2nd ed. New York: Cambridge University Press, 1993, p.21.

<sup>40</sup> The following are just a few examples of people dying due to lack of help. According to UNICEF, six million children die totally preventable deaths each year. If aid organizations had enough funding, their lives could be saved with basic, cost-effective measures such as vaccines, antibiotics, micronutrient supplementation, insecticide-treated bed-nets, and access to safe drinking water. (<http://www.unicef.org/childsurvival/index.html>) According to Amnesty International USA, 10,000 refugees are dying each month in the Sudan, mostly from the preventable ills of malnutrition and disease due to poor sanitation. While more aid would not be able to stop these deaths entirely, it could greatly reduce them. (personal interview with Dr. William F. Schulz, executive director of Amnesty International USA, 10/26/2004 at Illinois Wesleyan University.) Aid agencies such as UNICEF are working to provide adequate food, sanitation, vaccinations, and medical care in the Sudanese refugee camps. Yet according to UNICEF, "a much greater effort is needed to provide adequate water, sanitation, food and health services. As yet, aid agencies have only received about half the funding they need for their operations in Darfur." ([http://www.unicef.org/emerg/darfur/index\\_23705.html](http://www.unicef.org/emerg/darfur/index_23705.html)) The World Food Program predicts that 2.8 million Sudanese will die of starvation next year even if the civil war ends, for crops have not been planted or harvested due to the fighting. (<http://www.wfp.org/index.asp?section=2>)

another's life, and thus that the principle of equal consideration of interests would require one to sacrifice everything except one's life in the quest to help others. Yet the principle of equal consideration can be seen as a form of rule utilitarianism,<sup>41</sup> and if all people help others to the point where they reduce their own welfare to a level just above death, a sacrifice of comparable moral importance to the sacrifice of one's life in several ways would be constituted. First, if people helped others to the point where they reduced their own welfare to a level just above death—to the same level of welfare as the potential recipients of their help—the helpers would then become the people who would sacrifice their lives if they did not receive help, just as the potential recipients of their help would have sacrificed their lives if they had not received help. The sacrifice of the lives of those who reduced their welfare by helping others would be an equal sacrifice to the sacrifice of the lives of those who would have died if they had not received help.<sup>42</sup> Second, if all people helped others to the point where they reduced their own welfare to a level just above death, no one would have the strength to work and the economy would crash, which would further threaten everyone's ability to earn enough to stay alive. Third, in this state, no one could continue to help others, for everyone would be trying to ensure one's own survival. This would constitute a sacrifice of comparable moral importance to the sacrifice of one's life, not necessarily for the helpers, but for the people the helpers could have helped in the future if they had maintained their ability to help. If the helpers could not help people in the future, people in the future would have to sacrifice their lives. The sacrifice of the lives of people the helpers could have helped in the future would be just as great a sacrifice as the sacrifice of the lives of people the helpers could have helped today by reducing their level of welfare to a level just above death. Finally, if everyone helped others to the point where they reduced their welfare to a level just above death, democracy could be threatened because when people are desperate, they may rebel against their government and institute any regime that promises to improve their material quality of life. Also, a democracy requires a level of education that would probably not be reached if people were struggling to meet their basic needs. The sacrifice of democracy would constitute sacrificing the principle of equal consideration of interests itself because without a democracy, people are not likely to be treated equally under the law. It would also constitute a sacrifice of comparable moral importance to the sacrifice of one's life because people are more likely to die at the hands of the government under undemocratic than democratic regimes. Thus, we must consider a sacrifice of any basic necessities—of what is necessary to maintain one's physical and emotional health and thus one's life, the economy, one's ability to continue to help others in the future, and democracy—to be a sacrifice of comparable moral importance to another person's sacrifice of life.

If people have a duty to help others up until the point where they would be sacrificing something of comparable moral importance to what the recipients of their help would be

<sup>41</sup> Will Kymlicka gives a nice explanation of rule utilitarianism. He writes that "rule-utilitarians argue that we should apply the test of utility to rules, and then perform whichever act is endorsed by the best rules, even if another act might produce more utility . . . we should assess the consequences, not simply of acting in a particular way on [one] occasion, but of making it a rule that we act in that way." (Kymlicka, Will. *Contemporary Political Philosophy*. Oxford: Clarendon Press. 1990, p.27.) Thus, even though reducing one's level of welfare to a level just above death could potentially maximize the amount of help a single individual could give in that one instance, if all people reduced their level of welfare in this way on a regular basis, this would not maximize the amount of help they could give for the reasons described above.

<sup>42</sup> One could argue that this would also be the case if a single individual instead of all people helped to the point where she reduced her own level of welfare to a level just above death. I am not making that argument, though, because if only one person as opposed to everyone reduced her level of welfare in this way, the lone person would probably be able to receive help from other members of society, and would probably not die, whereas if all members of a society reduced their welfare in this way, there would be a much greater likelihood that they would die, for it is more difficult for an entire society of desperate people to help each other or to be helped than for one desperate individual in an affluent society to be helped.

sacrificing if they did not receive their help, and sacrificing the things necessary to maintain their physical and emotional health—the basic necessities—would constitute a sacrifice of comparable moral importance to the sacrifice of one's life, we must now determine what is necessary to maintain our physical and emotional health. Doing so will allow them to determine what exactly constitutes a sacrifice of comparable moral importance to the sacrifice of their lives, and thus the ways in which they can justifiably nurture themselves even when others are dying and we could save their lives by helping them instead of nurturing ourselves<sup>43</sup>.

Because deep relationships require time that could be used to save lives or that could be used to earn money that could be spent to save lives, the decision to spend time on a relationship instead of on helping means that another person will die. Those who doubt this claim need only consider that a child dies of measles every minute and that UNICEF needs only \$7 to pay for a measles vaccination.<sup>44</sup> It would seem that if people are truly committed to considering the interests of all equally, they cannot justify having personal relationships, for they take time and energy they could use to prevent the sacrifice of one's life, and the sacrifice of personal relationships does not appear to constitute a sacrifice of comparable moral importance to the sacrifice of one's life. Yet sacrificing personal relationships would constitute a sacrifice of comparable moral importance to the sacrifice of one's life because such relationships are a basic necessity. Sacrificing them would cause one to sacrifice one's mental and emotional health. Humans are social animals and need to form deep bonds with one another.<sup>45</sup> It is difficult to imagine a society in which people did not take the time for personal relationships, but it is likely that without the emotional support provided by spouses and close friends, people in such a society would not be able to function normally, which would threaten the economy and democracy, thereby constituting a sacrifice of comparable moral importance as described earlier. Furthermore, people who did not feel supported by stable loving relationships would also probably lose the will to continue to help others. As argued earlier, the ability to help others in the future is comparable to the sacrifice of one's life because the sacrifice of one's life on the part of people one could have helped in the future is just as great a sacrifice as the sacrifice of one's life on the part of people one could have helped today by using the time required by deep relationships saving lives instead. Even though the time and energy one must spend in order to have personal relationships could have been spent saving the lives of others, spending this time and energy on such relationships is justified because the sacrifice of such relationships would threaten the economy and democracy as well as the ability of people to continue to save lives in the future, and these sacrifices constitute sacrifices of comparable moral importance to the sacrifice of the lives one could have saved today if one had spent the time and energy required by personal relationships saving lives instead.

If sacrificing deep personal relationships is not required by the principle of equal consideration of interests, one might ask why sacrificing a relationship with one's biological child by adopting instead *is* required by the principle of equal consideration of interests. The answer is that sacrificing a relationship with one's biological child by adopting instead would not actually require one to sacrifice a deep personal relationship, for one would still have such a relationship with an adopted child. A relationship with an adopted child is a stable lifelong relationship in the same way that a relationship with a biological child is. If adopting instead of conceiving would not cause one to sacrifice a deep personal relationship, it would not require one to sacrifice the basic necessity of one's emotional

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<sup>43</sup> I do not mean to indicate that helping others and nurturing ourselves are in any way always mutually exclusive. Indeed, I believe that more often than not, to give is to receive.

<sup>44</sup> [http://www.unicef.org/immunization/index\\_why.html](http://www.unicef.org/immunization/index_why.html)

<sup>45</sup> I admit this is an assumption.

health, and therefore would not constitute a sacrifice of comparable moral importance to the sacrifice of one's life.

It is clear that material goods that are not necessary for physical health are not basic necessities, and thus do not constitute a sacrifice of comparable moral importance. This observation makes apparent the extent to which we must reconceive morality if we truly believe that we have a duty to consider the interests of all equally. Singer writes that most people in affluent countries today consider it generous to give money to famine relief. Those who choose to buy new clothes or cars instead of giving to famine relief are not condemned and do not feel that there is anything wrong with their actions. Yet if people gave the money they would spend on non-necessities<sup>46</sup> to famine relief, they would not be sacrificing any basic necessities, and thus would not be sacrificing anything of comparable moral importance to the lives of the potential recipients of their aid—what they will have to sacrifice if they do not receive the food aid that the money spent on these non-necessities could provide. Yet if the duty to consider the interests of all equally is taken seriously, it must be considered a duty rather than an act of charity to give money to famine relief up until the point where one would have to sacrifice something of comparable moral importance<sup>47</sup>—up until we would have to sacrifice any of one's basic necessities in order to ensure that others have the basic necessities.

It is important to note here that any sacrifice that would prevent people from *continuing* to meet their own basic needs would also constitute a sacrifice of comparable moral importance. Giving up health insurance, a job that allows one to save enough to provide for one's basic needs in the event of illness or old age, or savings that would allow one to do so would all prevent people from continuing to meet their own basic needs in the future.<sup>48</sup> Sacrificing any of these three things would thus constitute a sacrifice of comparable moral importance to the sacrifice of one's life, for a sacrifice of the basic necessities constitutes such a sacrifice. Of course, it is impossible to know the amount necessary to save in order to care for oneself in the event of illness. Yet, there must be a limit, lest one spend one's life hoarding money. Perhaps it is safe to assume that for a healthy person with health insurance, saving enough money to live on for six months would be sufficient.

The material resources that one is justified in keeping for oneself in order to prevent sacrificing the basic necessities—in order to prevent making a sacrifice of comparable moral importance to the sacrifice of one's life has been considered. It has been argued that one is justified in providing for one's own basic material needs even while others are starving because doing so is necessary to prevent making a sacrifice of comparable moral importance. But can one justify taking a vacation or going to a movie when one could spend the money on saving the lives of children dying of measles by donating to UNICEF?<sup>49</sup> How much leisure time is necessary for mental health? Is one justified in having it because giving it up would constitute a sacrifice of comparable moral importance to another person's sacrifice of life? Ideally, one would find that to give is to receive, and would often be fulfilled and rejuvenated by helping others. Yet even if this were the case, sacrificing time off altogether would still almost inevitably cause one to sacrifice one's mental health. Consequently, decisions regarding the amount of time and money one is justified in spending on oneself while over 2 million children are dying each year for want of the seven dollars UNICEF needs to vaccinate a child

<sup>46</sup> Examples of non-necessities include clothes that are not necessary for warmth, cars that are not truly necessary to get to work or school, tickets to the play, and food that is not necessary for health including dinners at restaurants.

<sup>47</sup> This is the argument Peter Singer makes in the article *Famine, Affluence, and Morality in Philosophy and Public Affairs* vol. 1 No. 3 Spring, 1972, p. 235.

<sup>48</sup> This might not be true for some countries, such as the Scandinavian countries that have social welfare to the extent that one would not have to sacrifice any basic necessities if one were dependent on the state for one's survival. But it is true in U.S. where those on welfare and without health insurance struggle to maintain their health.

<sup>49</sup> According to UNICEF, over 770,000 children died of Measles in 2001, though the disease is preventable with a \$7 vaccination series. ([http://www.unicef.org/immunization/index\\_why.html](http://www.unicef.org/immunization/index_why.html))

against the major childhood diseases<sup>50</sup> should be governed by the fact that spending time rejuvenating is necessary for mental health. Yet such decisions must also be governed by the fact that spending money rejuvenating is less necessary. It is important to take time off, but one doesn't need to spend that time in Barbados, getting a \$30 massage, or even going to a \$7 movie. One can rejuvenate with car trips, long walks, rented movies, or by sharing massages with a friend. As long as one is considering the interests of all equally and there are starving people in the world, one must choose these forms of self-care over more expensive ones.

If one is considering the interests of all equally, one has a duty to help others up until the point where one would be sacrificing something of comparable moral importance to what the recipient of one's help would have to without one's help. This constitutes maximizing the amount of benefit one can give to humanity, while maintaining the principle of equal consideration of interests. Yet in order to maximize the amount of benefit one can give to humanity, one must focus one's help.<sup>51</sup> If one has a million dollars, one will be able to help more by using the money to found and run an orphanage for fifty children than by giving one dollar to a million needy children. Similarly, one will be able to help more effectively if one focuses one's attention in order to gain specific knowledge of how to help a specific group of people. This raises the question of how to focus help—how to choose who to help in order to maximize good for humanity.

If people are considering the interests of all equally, they can only give greater weight to the interests of any person over the interests of another when they have weighed the interests of all equally and concluded that they can help humanity the most by doing so or when failing to do so would require a sacrifice of comparable moral importance to what the recipients of their help would be sacrificing if they did not receive help,<sup>52</sup> for this would constitute giving less weight to one's own interests than to the interests of others. The severity of need being experienced by the potential recipients of help, knowledge of how to best help those in need, physical ability, and proximity to the needy are all factors that people must take into consideration in determining how they can maximize good. However none of these provide independent reasons for helping one person over another. If people are weighing the interests of all equally, the only reason for helping one person over another is because doing so will allow them to maximize good for humanity or to prevent making a sacrifice of comparable moral importance.

Yet common morality dictates that people choose whom to help based largely on their relationships. It is acceptable for a woman to loan her brother \$500 to fix his car simply because the man is her brother even when there are far more needy people in the world. However, if people are considering the interests of all equally, they can only help their family, friends, or compatriots before others when it is the best way to maximize good for humanity or when failing to do so would require a sacrifice of comparable moral importance. In this instance, the woman could only help her brother over those with greater need if doing so would allow her to maximize good for humanity or if either she or her brother would have to sacrifice something of comparable moral importance to the lives of those who would have to die if the woman gave the money to her brother instead of to them.

<sup>50</sup> [http://www.unicef.org/immunization/index\\_why.html](http://www.unicef.org/immunization/index_why.html)

<sup>51</sup> Here, we see that focusing our help is not inconsistent with the principle of equal consideration of interests. It is necessary in order to maximize good, which is necessitated by equal consideration. Furthermore, as long as we consider the interests of all equally when choosing who to help—when choosing who we will treat differently—doing so is not inconsistent with equal treatment, for equal treatment allows for differential treatment as long as we treat all of the same kind of people (people with the same degree of need, who have done the same actions, who we can help the same amount etc.) identically.

<sup>52</sup> I made the argument earlier that because the principle of equal consideration of interests is a form of rule utilitarianism, a sacrifice of any basic necessities would constitute a sacrifice of comparable moral importance to the sacrifice of the lives of those who will die if we do not help.



In regard to the question of whether the woman would maximize good to humanity by giving her brother the loan or by donating to UNICEF, it is almost certain that the woman would do more good if she gave the \$500 to feed starving children, even if her brother needed the car to get to school or work. Yet one must not forget that one is treating the principle of equal consideration of interests as a form of rule utilitarianism, and if all people chose to help the more desperate instead of those in their own communities *who needed the help in order to prevent sacrificing a basic necessity* (in this case, the ability to work or to obtain an education), this would constitute a sacrifice of comparable moral importance to the sacrifice of the lives of those who could have been helped. For an entire society to sacrifice any basic necessities would constitute a sacrifice of comparable moral importance for it would threaten the economy, everyone's ability to stay alive, and democracy. The fact that a person is one's brother or from one's community does not provide an independent reason for helping. One can only help the local if this is the best way to maximize good or to prevent making an equal sacrifice. The situation above is an example of when helping the local would be necessary to maximize good. If, however, all people chose to help the more desperate instead of those in their communities *who needed the help but who didn't need it in order to prevent sacrificing a basic necessity*, they would be violating the principle of equal consideration of interests, for they would be favoring the local even when doing so was not necessary to maximize good or to prevent an equal sacrifice—a sacrifice of any basic necessities.

Would the woman to sacrifice a basic necessity if she chose to give the \$500 to starving children instead of her brother? If the car were not necessary for the brother to get to work or school, it could not be considered a basic necessity. If the car were truly necessary to get to work or school, sacrificing it would constitute a sacrifice of a basic necessity, and the woman would be justified in loaning her brother the \$500 instead of saving the lives of starving children by donating the money to UNICEF. In this situation, the effect upon the relationship of the woman's choice to give the money to UNICEF instead of her brother must be considered, for relationships are basic necessities. If failing to give the money to her brother would destroy or severely damage their relationship, she and her brother would be making a sacrifice of a basic necessity, and thus the woman could justifiably give the loan to her brother. Yet giving money to loved ones should not be necessary for the health of relationships. If the other person in the relationship understands the commitment to equal consideration of interests or believes in the principle, that person should understand the decision to give the \$500 to UNICEF to save the lives of hundreds of children instead, provided that one would not have to sacrifice a basic necessity without the loan, and the decision should not damage the relationship. Some forms of prioritizing one's relationships over helping others, such as giving emotional support to the other person in the relationship—are of course necessary to maintain such relationships. But giving money should not be necessary unless one is doing so to prevent the other person in the relationship from making a sacrifice of comparable moral importance.

If the interests of all are equally considered, one has a duty to help those one can help the most—in such a way as to maximize good for humanity—instead of those who happen to be closest. One's help usually makes the greatest difference for those in the greatest need. Yet many try to justify the common practice of helping local people who have less severe need instead of distant people who have more severe need by arguing that doing so is the best way to maximize good. One argument they make is that individuals can do the most good by helping local people because their familiarity with the needs of local people will allow them to help more effectively than distant people. This argument does not consider the fact that in almost every place in the world, aid agencies have people on the ground who work daily with those they are trying to help. Ideally, these people speak the local language, understand the culture, communicate with those in need and local aid agencies and

know how to effectively help people, at least as much as the local YWCA knows how to help people in any U.S. city. Donating money to any of these agencies is a way to give distant people the same kind of specific, responsive, effective help that is given local people with whose needs we are personally familiar.

The argument that the best way to ensure that all people have their basic needs met is for all the world's people to care for the needy in their own local communities ignores the fact that many people in poor countries do not have the resources to meet the basic needs of people in their communities. Indeed, hundreds of millions do not have the resources to meet their own basic needs. How can a refugee in Sudan who is struggling to escape genocide and procure clean water and enough to eat work to help another refugee in the same position? This is not to say that people should not be helped in such a way that they can eventually help themselves and those in their communities. *Self-sufficiency for the recipients of aid should be the goal of all aid.* However, people often need outside help to meet their basic needs for nutrition and bodily safety before they are in a position to become self-sufficient.

Another argument for why helping the local over the distant is the best way to maximize good is that the cost of transporting aid to distant people diminishes aid to the extent that it does more good locally. This view does not take into account the ease of transferring money to distant people. A donation to UNICEF does not require any more effort on the donor's part than a donation to the local YWCA. Some of the money UNICEF receives does go to flying their people and the needed food, medicine, etc. to distant needy people, but the money we give to aid agencies like UNICEF makes the difference between life and death for many of their aid recipients. When those in affluent countries help locally, the aid usually does not make a dramatic difference in welfare, for those in affluent countries are usually not threatened by starvation. Furthermore, the same amount of money provides much more help in most poor countries than in affluent countries. For instance, UNICEF can feed four malnourished children for a month with a donation of \$15. It would take hundreds of dollars to feed four children in the U.S. for a month. Thus, because the same number of U.S. dollars can buy so much more aid in poor countries than affluent ones, and because money can more often make the difference between life and death for those in poor countries, the cost of transporting aid does not provide a reason for helping locally, in affluent countries, over helping those in distant poor countries, who are in greater need.

These arguments against claims that helping locally is the best way to maximize good are not meant to indicate that helping local people with less severe need instead of distant people with more severe need is never the best way to maximize good. Again, helping locally is necessary in order to prevent the local from sacrificing the basic necessities, and thus to prevent the society from making a sacrifice of comparable moral importance. Yet if we are weighing the interests of them and the distant equally, allowing proximity of need to trump severity of need is only justified when it is the best way to maximize good, and this is not often the case in affluent countries.

One might argue that it would be nearly impossible to determine how to maximize good—that a complicated method for determining how to maximize good would have to be developed in order to do so. Yet spending time and resources trying to determine who exactly will benefit the most from the help one can give would obviously be a waste of resources that should go toward helping, and would thus keep one from maximizing good. There are so many people in the world who are suffering so terribly that one should simply work to help people whose basic needs have not been met.

The objection to this will inevitably be raised that such a commitment requires people to restrict their individual freedom, and thus their ability to fulfill their own desires, too much. Yet all laws, belief systems and religions restrict people's actions because there

are greater goods than freedom.<sup>53</sup> This is a law against murder because society believes the right to life is more important than the freedom to kill. Morality inevitably requires duties that restrict individual freedom.<sup>54</sup> Consequently, in considering whether or not to adopt the principle of equal consideration of interests, the freedom to take an expensive vacation, to eat at a restaurant, to weigh the interests of those closest more heavily than the interests of others, even when doing so is not necessary to maximize good or prevent a sacrifice of comparable moral importance—is more important than the life of one of the 10,000 Sudanese refugees who are dying each month for want of aid or the life of a child who will die of measles before this minute has passed for want of a seven dollar vaccination and this must be considered. Perhaps, when one looks at the issue squarely in this manner, one will conclude that justice does indeed require one to adopt the principle of equal consideration of interests. Yet there is another motivation for adopting this principle. The greatest happiness and meaning in life is experienced through giving to others, for to give is to receive. This is true. Dare to discover it.

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<sup>53</sup> An exception would be a belief system that held that anything anyone decided to do was always acceptable. I know of no such system.

<sup>54</sup> I should clarify here that the duties I have been advocating are voluntary duties that one would accept if one voluntarily committed oneself to considering the interests of all equally. I am not advocating that any government enforce adherence to the principle of equal consideration of interests and its subsequent duties.