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Rescuing Ourselves from the Pond Analogy

Peter Singer famously argues that when we spend money on seemingly ordinary pleasures for ourselves, we are doing something gravely wrong. In the process, he (famously) draws an analogy between spending money in such ways and not saving a child drowning in a pond when you could easily do so. There have been many responses to Singer. Some of these make potentially important points and might give grounds for rejecting Singer's principles. But what they do not do, we argue, is respond effectively to the Pond Analogy and the argument it itself gives for Singer's conclusion. This reveals that Singer's focus on deriving his conclusion from general principles is a mistake; the hard-to-resist argument is the Pond Analogy itself. More broadly, we show that the Pond Analogy presents a crucial challenge to our ability to give a plausible, coherent conception of morality. We close by sketching our answer to it.

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1. Introduction

Peter Singer famously argues that when we spend money on small pleasures or luxuries for ourselves, such as a dinner out at a restaurant or movie tickets or new clothes that we do not need to stay warm, we are doing something gravely wrong. Most of us regard these sorts of choices as ordinary, perfectly acceptable parts of life, at least insofar as they are not done excessively or extravagantly. But Singer argues that spending money in these ways is (typically) wrong. We ought instead to donate this money to organizations that provide life-saving aid to people in need. It is seriously wrong if we do not do so.²

The claim is not just that sometimes you should forgo some pleasures or benefits for yourself and donate the money instead. It is that (nearly) any time you spend money in these sorts of ways, you are acting wrongly, and seriously so.³ Let's call this conclusion, "Always Donate" for short.

As is well-known, in arguing for this Singer draws an analogy between spending money on pleasures or luxuries for oneself and choosing not to save a child drowning in a pond when you could easily do so. He asks us to imagine the following scenario:

Pond: On your way to work you pass a small pond, and you see that there is a young child drowning in it. There is no one else around. Wading in and rescuing the child would be easy and safe, but you would ruin your new shoes and suit.⁴

Of course, you ought to save the child in this scenario. If you don't save the child because you don't want to ruin your new shoes and clothes, this would be horribly wrong. But Singer's suggestion is that when you spend money on unnecessary pleasures or luxuries you are doing something equivalent to that. Instead of, say, spending \$100 on a dinner at a restaurant, you could have an inexpensive meal at home and donate the remaining money to an aid organization. Doing so would - Singer says - save a life. Choosing to go to the restaurant, then, is just like choosing your new shoes over saving the child in the pond. It is choosing a small benefit for yourself over saving someone else's life. It is wrong for the same reason and to the same extent. This is the Pond Analogy.

There have been many attempts to reply to Singer, and some of these make important points. Our aim in this paper, however, is to show that various such seemingly promising responses do not actually reply effectively to the Pond Analogy, and to the

² (Singer 1972, 2019).

³ Except, of course, if not donating is needed to preserve your mental health sufficiently, so that you will be able to make future donations, or if it would be in some other way counterproductive to donate on this occasion.

⁴ Singer 1972, 231, and (Singer 2019, 3).

argument that the analogy itself gives for Always Donate. In particular, we argue that rather than explaining where the analogy goes wrong, these replies each require, for their own ideas to work as intended, *presupposing* that the analogy is mistaken. So, they do not actually dispel the analogy and the case it makes for Always Donate. Instead, they offer potentially important, good ideas which depend crucially, for their own functioning, on there being another independent way out of the analogy.

More generally, our paper aims to show that responding to the analogy is a *different* and more *fundamental* task than people have understood. We argue that we cannot get out of the Pond Analogy, and its implausible implications (like Always Donate), by developing a more plausible conception of morality than Singer's (and others like his), or by revealing that Singer's view neglects some important aspect of morality, or of how its demands interact with other aspects our lives. We show that it is quite the opposite: the development of a plausible conception of morality, and of the interaction between morality and our other ends and projects, *depends* on our being able to break the analogy in a prior, independent way.

How then can we get out of the analogy and its implications? In the final part of the paper, we sketch what we think is the answer. We propose that breaking the analogy requires recognizing the mistake in an auxiliary assumption in Singer's argument: his assumption that by donating money, you save a life. Many have just assumed that this assumption is true. But even when objections to it have been raised, people seem to think that our ability to get out of Always Donate should not hinge on that sort of point. We think, however, that this is, in fact, exactly where the mistake in Always Donate lies. Indeed, our view is that understanding why this sort of claim typically does not hold is essential to understanding the nature of our duties to help others, and the nature of imperfect duties more generally.

Before we begin, a clarification: as we've seen, there is a direct argument from the Pond Analogy to Always Donate. Namely, there is no morally significant difference between not helping in Pond and what we do when we spend money in the ways in question; therefore, since it is seriously wrong to not help in Pond, it is also seriously wrong to spend money in such ways. But Singer does not present his argument in that way. Instead, he is focused on giving an argument from general moral principles. The central general principle that he invokes is:

Singer's Principle: "If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it." (Singer 1972, 231.)

This, he says, implies Always Donate when combined with a couple of auxiliary premises, which he takes to be uncontroversial:

- (i) Suffering and death from lack of food, shelter and medical care are bad.
- (ii) Donating to an aid agency, instead of spending money on a pleasure or luxury for yourself, prevents some such suffering or death.

Singer does defend the Pond Analogy, but he does so primarily in order to show that the principle applies, just as it does in Pond, to the decision of whether to donate money or spend it on a pleasure for yourself. That is, he defends it to show that there is nothing about that sort of choice situation – call it “Charity” – that brings us out of the ambit of the general principle. But while this is how he presents his argument, one lesson of our paper is that Singer’s focus on the general moral principle is a mistake. The general principle that Singer invokes is easy to reject. The powerful argument is the direct one from the Pond Analogy itself. It is hard, we will see, to get out of that argument without begging the question.⁵

2. Agent-Centred Prerogatives

We are going to begin with Sam Scheffler’s idea that morality includes an agent-centred prerogative. Scheffler doesn’t develop this idea in response to Singer. But it provides a plausible way to reject Singer’s Principle, and it might seem to explain why Always Donate is false. However, we will show that this does not work – not unless we can reject the Pond Analogy on prior grounds. We will then show that the same problem arises for ideas that have been given specifically in response to the Pond Analogy.

The idea of an agent-centred prerogative is the idea that there is a permission to give your own interests greater weight than those of other people. The contrast is impartial consequentialism, which says that we are required to always act in the way that will produce the outcome that is best from a fully impartial perspective. Scheffler points out that a very basic fact about human agency is that people do not operate from a purely impartial perspective. Each person has their own *personal perspective* from which they determine what they care about, evaluate how things are going, make decisions, and live their lives. “People do not,” Scheffler writes, “typically view the world from the impersonal perspective, nor do their actions typically flow from the kinds of concerns that a being who actually did inhabit the impersonal standpoint might have.” Arguably, morality must work with this very basic, core fact about human agency by to some extent allowing individuals to devote energy and attention to

⁵ Singer points out that weaker versions of the principle work just as well for the argument. As we will see in section 5, this doesn’t matter much for our point.

their own interests “out of proportion to the weight” they would receive from a fully impersonal standpoint.

Importantly an agent-centred prerogative is a permission to give only a certain amount of greater weight to your own interests. It is not a blanket permission to do whatever you want. So, it will not always be permissible to pursue your own projects or interests. But because there is some degree of permission to weigh your interests more heavily, this is supposed to make sense of how there is room for people to permissibly pursue, over time, their own interests, projects and relationships.

This might seem to give us a good way to reject Always Donate. If I can give extra weight to my own interests, this – we might think – explains why it can be permissible to not always donate money when I could do so at what, from an impartial perspective, looks like just a small cost. But does this work?

To be plausible, the extra weight the Agent-Centred Prerogative allows you to give to your own interests needs to *not* be enough to make it permissible to not rescue the child in Pond. The prerogative would allow you to weigh your interests in not ruining your new clothes more heavily than a fully impersonal calculus would. But this extra weight needs to not be enough to make it permissible to not save the drowning child, since you are certainly required to save the child at the cost of your clothes. Pond is exactly the sort of case in which the extra weight you can give yourself must not be enough to make it permissible to not help someone.

But this means that if the agent-centred prerogative is to be of any help in explaining why Always Donate is false, it needs to be able to apply *differently* in Charity than in Pond. Otherwise, we would have to say that in Charity, just as in Pond, while you can give your own interests extra weight, this extra weight is not going to be enough to make it permissible to go out to the restaurant, or to buy the new clothes, when you could instead donate this money and save a life. So, for the idea of an agent-centred prerogative to be of any use in showing the mistake in Always Donate, we need to be able to reject the Pond Analogy on prior grounds.

The point is not just that an agent-centred prerogative can't help us get out of Always Donate. It is also that it cannot do what Scheffler and others want it to do in general unless we can reject the Pond Analogy on prior grounds. Unless we can explain why helping in Pond is morally different from donating in Charity, an agent-centred prerogative will not actually be capable of justifying doing the things needed to pursue over time your major life projects, or to maintain your relationships, and so on. Suppose, for example, you have an aunt who you love and want to maintain a close relationship with. Can the prerogative explain why you are permitted to spend money and time on doing so? Well, it would be wrong not to save a child drowning in a shallow pond, even if you are on your way to your only chance to visit your aunt this year. So, unless we can say that the choice in one's actual life between visiting

your aunt and donating the time or money is *morally unlike* this variation on Pond, we would have to say the same thing there: that even with the bump from the agent-centred prerogative, your interest in visiting your aunt is not going to be enough to permit you to go ahead with the trip, rather than donate the money. For the agent-centred prerogative to be capable of doing what it is supposed to do – explain how it can be permissible to do things like visit your aunt, or take a philosophy class, or work on an art project (even when they are not optimal from an impartial perspective) – we need to be able to reject the Pond Analogy on prior grounds.

3. The Aggregationist Response

Several philosophers have proposed that the key difference between Pond and Charity is that Pond is anomalous, whereas the opportunity to donate money is constantly there. As long as you have some expendable income, you will always be in a position to help people living in extreme poverty by donating. This is a very different from what we assume to be the case in Pond – that it is a one-off, unusual situation.⁶

To get a morally analogous ‘pond’ case to Charity, we need to imagine that you are constantly encountering opportunities to rescue drowning children from ponds.

Constant Ponds: In the city where you live there are ponds everywhere, and young children are constantly falling into them. It is impossible to do anything outside your home without coming across a child drowning in a pond. If you were to rescue every child that you could, you would never be able to get anywhere. Even when you are home, you know that an option available to you is to go outside and rescue children.⁷

Travis Timmerman argues that, while you must rescue the child in the original Pond, it is not true that in Constant Ponds you must always rescue a child whenever you could do so at only a small cost to yourself. He writes, “Few moral truths may seem more obvious than that one is obligated to sacrifice \$200 to save a child’s life at least once. But it’s far from obvious that one is obligated, for his or her entire life, to constantly sacrifice everything comparably insignificant to a child’s life.” (Timmerman 2015, 211) According to Timmerman, for someone who spends much of their time saving children in Constant Ponds, it is intuitively permissible for them to, say, go to the theatre sometime, even if there is nothing major (like their sanity or their ability to provide for themselves) at stake in their doing so, and even though this means passing up an opportunity to rescue children.

⁶ See (Timmerman 2015); (Thomson 2021); (Garrett Cullity 2004, 85; G. Cullity 2003); (Schmidtz 2000).

⁷ There are a number of examples like this in the literature, but for this simple version see (Woollard 2015, 126).

We think it is actually very difficult to say what is permissible in Constant Ponds. But regardless, what's important for our purposes here is the suggested way out of the Pond Analogy. The suggestion is that whether a situation is anomalous or non-anomalous can affect what you may permissibly do on a given occasion. It is one thing to say you must rescue in a one-off, unusual encounter. It is quite another to say that you must do so each time in a series of repeated opportunities to rescue.

Why would it matter whether the situation is anomalous or not? Jordan Thomson proposes that it is because aggregate costs matter. When one faces repeated low-cost rescue opportunities over a long period of time, while the cost of any single rescue alone (looked at individually) may be low, the aggregate cost of performing all of the rescues is very high. Doing so would consume your life. These aggregate costs can justify refusing to rescue sometimes.⁸

Does this work as a way out of Singer's conclusion? To see the problem, return to the original "one-shot" Pond case. Regardless of the extent of your charitable contributions, you are morally required to rescue the child drowning in the pond in front of you. You cannot claim that since you do a lot to save lives at other times by donating to aid organizations, it is permissible to go ahead to the theatre and not stop to rescue the child. But how can the Aggregationist say this? Why don't the aggregate costs of your donations make it permissible for you to forgo helping this time? The Aggregationist wants to say that this is because Pond is anomalous. But *why* is it anomalous? For Pond to be anomalous it must be relevantly different from choices we face all the time. But this means that Pond is anomalous only if it is not morally just like the choice in Charity, since the choice in Charity is one that we face constantly. In other words, the very thought that Pond is anomalous presupposes that the Pond Analogy is mistaken: it presupposes that the choice in Pond is not morally just like the choice Charity.

Of course, Pond is, in certain descriptive features, an unusual encounter: most of us rarely encounter the opportunity to rescue someone from drowning specifically. However, the Aggregationist approach cannot merely appeal to these descriptive differences. Each opportunity to donate to a charitable organization is different in some descriptive features from every other. For instance, an opportunity to rescue someone by donating to the Ukraine war effort at this specific, current stage of the war is something you will never encounter again, and so is in that sense anomalous. For the Aggregationist approach to work, it must be that Pond is anomalous in some

⁸ (Thomson 2021). See also (G. Cullity 2003). There might be a number of different ways of cashing out how this justification goes. Theron Pummer offers one attractive way of understanding it, using the notion of an agent-centred prerogative. Aggregate considerations, he argues, can amplify the prerogative that you have on a given occasion. See (Pummer 2023)

morally relevant respect – in a respect that distinguishes it morally from the opportunities we have all the time to help people at low cost.

So, the claimed difference between Pond and Charity depends on there being another prior answer as to why Pond and Charity are not morally the same. Thomson argues that the burden is on Singer to show that we must respond to each non-anomalous case just as though it were anomalous. But the very claim that Pond is anomalous assumes that the Pond Analogy is mistaken. The burden is really on us, therefore, to show that we can reject that analogy. Only then can we use the Aggregationist approach to explain the mistake in Always Donate. As with the agent-centred prerogative, the point is not only about responding to Singer. It is also that for this very plausible idea that aggregate costs matter to function as it is supposed to, we need to be able to reject the Pond Analogy on prior grounds.

4. Beneficence as a Duty to Adopt an End

A different approach that might seem to hold a lot of promise appeals to a broadly Kantian account of the duty of beneficence as a duty to adopt an end. Several philosophers have argued that this view can explain why in some cases – like Pond – one must help in the particular instance, while in others – like our ability to donate to charitable organizations – there is room to choose when and how to help. Let's start with (Stohr 2011)'s version of this view.

On the Kantian view, the duty of beneficence is a duty to make the happiness of others one's end, and Stohr argues that this generates two related duties: a wide duty to help others, and a narrow duty "to avoid indifference to others as setters of ends" (Stohr 2011, 61). On the wide duty: you do not need to help everyone at every opportunity to count as having the happiness of others as your end. But you cannot count as having this end if you never help anyone. So, you must do some helping, but there is room to choose when and how. However, in addition to this wide duty, having the happiness of others as your end requires never being indifferent to others as setters of ends (the narrow duty). I manifest indifference to someone, roughly, when I treat their ends as not worth taking into account in my deliberations. If you ask me for the time and I just keep walking without even acknowledging your request, I have manifested indifference to you. On Stohr's view, "although we are not always required to help, we are always required not to be indifferent." (Stohr 2011, p. 45)

Often I can avoid manifesting indifference without helping you pursue your end. I can show that I care about your plans to go on vacation by just expressing joy about it. I do not need to help you realize your plans by, say, making a financial contribution to your travel costs. Or if you are moving, I do not necessarily need to help with the move in order to not manifest indifference. Telling you that I am busy that day and

thus regrettably won't be able to help is often enough. However – Stohr says – in some situations helping someone is the only way to not be indifferent to her. In such a case, one is required to help. In Pond, politely explaining to the drowning child that, regrettably, I have dinner reservations and won't be able to pull her out of the pond does not suffice to count as having an attitude of recognizing the child as a setter of ends; I must rescue the child.

On Stohr's view, the key difference between Pond and Charity is that there is no way to not manifest indifference to the drowning child *other than* to save him from the pond. This is why it is obligatory to do so. Whereas, there are other ways besides, say, forgoing this particular trip to the movies to avoid manifesting indifference to the global poor. You can do so by donating or volunteering at other times. When helping someone is the only way to not be indifferent to them - as it is in Pond - you are required to help. When it is not the only way, you have latitude to choose when and how to help - as with Charity.

But what allows us to say that Pond is on one side of this divide and Charity is on the other? *Why* does it not express indifference to the victims of poverty, famine, war etc., for me to go out to the movies or a nice dinner when, if I just donated this money instead, I could save one of their lives? To say that it does not express indifference seems to require that we already see that it is a mistake to regard the choice between spending money in such a way and donating it as just like the choice in Pond. Insofar as it looks potentially *just like* the choice in Pond – a choice between a pleasurable evening and saving someone's life – it will seem like not donating in this particular occasion does manifest indifference.

Now Stohr does say more to explicate the difference between instances where helping is obligatory and those in which it isn't. Let's consider if this elaboration solves the issue. She writes:

The cases where refusing to help is most likely to be obligatory seem to be those in which it is reasonable for the other to expect *me* to help, and where there is considerable discrepancy between the need I could meet and the costs I would incur by helping. In such cases, I disregard an expectation of help that is reasonably directed at me by another rational agent without having anything plausible to offer as an excuse for not helping. And that is what expresses the prohibited indifference toward others as setters of ends. (Stohr, 2011, p. 64)

When we look at the choice between going out to the movies and donating the money, the condition of considerable discrepancy is clearly there (at least as long as we assume, with Singer, that by donating, you would save a life, and Stohr does not question that assumption.) So whether this account works to explain why going to the movie does not express indifference comes down to whether we can say that 'the

other' could not reasonably expect me to help them. It might seem easy to say that. How could victims of poverty in general, or the particular victim(s) that my donation would help, reasonably expect *me* to help? They do not even know I exist.

But this cannot be the relevant difference. Imagine the child in Pond is unconscious, or otherwise unable to see that I am there. They, then, could not reasonably expect that I help them. But this does not release me from the obligation to help. One might reply that, while subjectively the child wouldn't have that expectation, there is an objective sense in which it is reasonable for her to expect that I help. Were she to know that I was there, the expectation would be reasonable. But why is not the same true for the potential beneficiaries of my charitable contribution? Why is it not, in this objective sense, reasonable for these people to expect that I would help them?

Stohr might point out that, unlike in Pond, I am not uniquely positioned to help them. But this again, can't be the difference we need. Consider the following case:

Crowded Beach: There are fifty people on a beach. A boat capsizes close to shore, and six children start drowning. Each of the fifty are capable of easily rescuing at least one of these children. So, if at least six of them go to help, all would be rescued. You are one of the fifty.⁹

Here, while you are not uniquely positioned to help, if not enough others are acting so as to rescue all the children, you are certainly obligated to rescue at least one. Even if you will only be able to save one child, and thus no individual child can expect you to save them in particular, you still must go in and save someone. So, neither being uniquely positioned to help nor there being a particular victim who can expect you to help them specifically can be required.

In sum, without a prior account of why Pond and Charity are relevantly different, there is no understanding of "reasonable to expect" that applies to variations on Pond in which there is a duty to help, but that does not apply to my ability to donate instead of spending on a relative luxury for myself. Thus, again, the claim that in Pond, but not in Charity, I manifest indifference by not helping *requires* a prior, independent explanation of the relevant difference between the two scenarios.

A similar point goes for other Kantian accounts. Noggle, for example, takes the duty of beneficence to be the duty to have the well-being of others as one of our "ultimate ends" (Noggle 2009, 8). Ultimate ends are our most fundamental ends: ends whose pursuit is a "fundamental part of [a person's] life and identity" (Noggle 2009, 8). These ends are salient in an agent's deliberative field; they play a significant role in her choices and decisions. On this view, a person fulfills their duty of beneficence by having beneficence as one of their ultimate ends. The duty does not require that

⁹ (Igleski 2006). See also (Singer 1972, p. 233).

beneficence is our only ultimate end, nor does it require that we always sacrifice other ends, or even trivial pursuits, for the sake of it. What matters is that the pursuit of beneficence is “a *central* project of one’s life” (Noggle 2009, 11). This explains why there is room to choose when and how much to help others, including with our donations. But why, then, is it wrong to not rescue the child in Pond? Why can’t I choose to pursue a different one of my ends at that moment, as long as I help others enough at other times? Noggle’s answer is that Pond is a ‘golden opportunity’ to pursue the obligatory end; it is a special sort of situation in which not taking the opportunity would indicate that you did not really have beneficence as your ultimate end. But, just as with Stohr, the idea that Pond, but not Charity, is a golden opportunity requires a prior understanding of why charitable giving is not just like rescuing in Pond. Insofar as the choice in Pond and the choice in Charity seem morally the same – a choice between saving someone’s life and a small benefit for yourself – there will not seem to be any grounds for counting Pond on the ‘golden’ side of this divide and Charity on the other.¹⁰

5. The Pond Analogy and the Project of Understanding Morality

Something that the views we have discussed all have in common is that they each reject Singer’s Principle in some way or other. The ideas they advance are, if they work, reasons to reject his principle. But one thing we are seeing is that rejecting Singer’s Principle does not necessarily do anything to get us out of Always Donate. It will not help *unless* we can reject the Pond Analogy, and these views do not tell us how to do that (in a non-question-begging way).

You might think that, of course, rejecting Singer’s Principle does not necessarily help; as Singer’s himself points out, weaker versions of the principle suffice for Always Donate. (e.g. ‘If it is in your power to prevent something *very bad* from happening, without sacrificing anything *nearly* as important, it is wrong not to do so.’¹¹) But our point applies to weaker versions of the principle too. Just as with the stronger version, arguing against the weaker principle won’t help get us out of the pressure toward Always Donate, *unless* we can reject the Pond Analogy in a prior, non-question-begging way. This is because even if we take issue with the general weaker principle, we still must recognize that it would be wrong not to rescue the child in Pond. So – whether or not the general principle is true – insofar as the choice in Charity looks

¹⁰ See Ignieski (2006) for another interesting Kantian proposal. The same sort of argument we make in the case of Stohr and Noggle also applies to Ignieski’s proposal.

¹¹ Combines the weaker formulations from Singer (1972) and Singer (2009).

just like the choice in Pond (roughly, a choice as to whether to save a life at very little cost to oneself), there will remain pressure to say that what is true in Pond (namely, you must help) also goes for Charity.

More broadly, the lesson of our discussion thus far is that rejecting the Pond Analogy is a different task, and one that is more *fundamental* to the project of understanding morality, than people have realized. A plausible conception of morality must make sense of how the demands of beneficence can co-exist with some degree of space to pursue our own lives, and the relationships, projects and pursuits we care about. Singer, and others, have threatened the idea that there really is that sort of space, given the suffering and need that exists in the world. But while we might take the tremendous suffering and need to give grounds for thinking that our duties of aid are much more demanding than people ordinarily suppose, this is not the same as accepting that there is little-to-no room for pursuing any other ends. It is also not the same as accepting that we act *gravely wrongly* when we do things like go to a concert, or buy a new shirt, or eat at a restaurant. Those conclusions remain highly implausible. Thus, many people have attempted to develop and motivate a different sort of conception from Singer's (and others like his) of how the demands of beneficence work. They've tried to develop ideas which reject principles like Singer's, and which are intended to explain how the demands of beneficence (even if demanding) can co-exist to some extent with other projects and aspects of our lives. The Agent-Centred Prerogative is one such idea. Another is the Kantian idea that beneficence is a duty to adopt the happiness of others as *one of* your ultimate ends alongside others. The idea that aggregate costs matter is another contribution to this general project. And there are more. But what we have been seeing is that the Pond Analogy threatens the coherent intended functioning of these sorts of ideas. These ideas cannot really be said to do what they are supposed to do without a prior, independent rejection of the Pond Analogy.

Reflection on cases like Pond shows that the demands of beneficence can disrupt the pursuits of any of our ends, from the most frivolous activity to the most central project in our lives. Faced with the opportunity to save someone's life in such a situation, only quite major sacrifices or risks (e.g. one's limbs, one's own safety, perhaps one's long-term well-being) seem capable of justifying not helping. I have to rescue the child even if I am on my way to my only chance to visit my beloved Aunt this year. Or, I have to rescue the child even if my dream is to become a successful actor, and I'm on my way to an important audition. Any view needs to accept something like these conclusions if it is to be plausible. So, for an idea or apparatus to make sense of how there is a fair amount of moral space to pursue one's own life, it must be able to treat the opportunities we have *all the time* to help others in need (by donating money, by volunteering, etc.) very differently from the sort of opportunity we have in Pond. Without grounds to treat them differently, it will not be capable of

actually explaining how we are permitted to do things like visit our Aunt, or take bassoon lessons, and so on. It will not, in other words, be able to explain how we are permitted to do the steps or activities along the way that constitute our pursuing our projects or maintaining our relationships, because it will not have the grounds to treat the choice about any such step differently than it treats the choice in Pond. So, these ideas or apparatuses depend, for their ability to do what they are supposed to do, on a rejection of the Pond Analogy. And since, as we have been seeing, they do not themselves tell us where the analogy is mistaken, this means that they depend on our being able to reject it on prior, independent grounds.

Thus, conceptions and ideas of how the demands of beneficence are consistent with some space to live our lives *require* a prior resolution of the Pond Analogy. These ideas do not themselves tell us where the analogy goes wrong. On the contrary, for such ideas to be capable of counting as explanations of what they are trying to explain, and for them to be able to function as they are intended to function, they require a prior dismantling of the analogy.¹²

6. Answering the Pond Analogy

What then is the way forward? Singer's Principle and its variants have received great scrutiny in the literature that followed his seminal paper; yet his auxiliary hypotheses have largely been left unchallenged. Philosophers have sometimes pointed out that the assumption that each donation saves a life is naïve or empirically dubious,¹³ but most have nonetheless effectively granted the assumption – either because they assume that, even if its oversimplified, it sufficiently approximates the truth, or because they think being able to show that the Pond Analogy and Always Donate are false should not depend on this sort of point. They want to be able to show these strong conclusions are false *even if* the assumption is true. In this section we argue that this is a fundamental mistake. The Pond Analogy fails exactly because that assumption is false. Your difference-making potential in Charity, contrary to Singer, is nothing like your difference-making potential in Pond or Crowded Beach. Getting clear on this is the correct and crucial way to break the analogy. Indeed, we think this is crucial to understanding the very nature of the duty to aid in general, and – even more generally – to understanding the nature of all imperfect duties.

¹² The positive flip side of this, though, is that if we can reject the Pond Analogy on prior grounds, various other supposed issues with such conceptions clear up. Various supposed problems for these views go away once we break the pond analogy properly.

¹³ See (Temkin 2022) for a recent example.

6.1 Difference-Making and Collective Efforts

Let us suppose that Doctors Without Borders (DWB) makes an appeal to help the victims of an earthquake in Turkey and I am considering whether I should contribute, say, \$100, to it. What exactly will my contribution do? DWB is not waiting for my contribution to start operations. It is also not as though a DWB volunteer is waiting on the phone with a pharmaceutical company, and they keep updating the orders as contributions come in. Instead, they will probably plan operations that are compatible with their expected budget and will deal with potential budget shortfalls as they come along. Realistically, my individual \$100 contribution will not make a substantial difference to what DWB does in Turkey. How DWB proceeds on the ground will not go substantially differently give or take my contributing \$100.¹⁴

This is not to say that my contribution of \$100 is useless, that it doesn't help DWB's efforts. When it comes to making a contribution to a collective effort like this, whether, or how much, the effort will go differently depending on your individual contribution is, we think, not the only factor in determining whether your contribution is helpful, or how helpful it is (Nefsky 2017). So, this is not to say that it is not truly worthwhile and good to donate the money. But it does tell us that giving this money to DWB is unlike Pond in a crucial respect: it is unlikely to make a substantial difference itself. And, in particular, one such donation is very unlikely to make a difference on the scale of life or death to someone.

Something similar is true even if I contribute not financially but by flying to Turkey to be one of the doctors in DWB. Of course, I'll be treating particular people once I'm there, and once I arrive I'll have a duty to do the tasks I am assigned to. This work is – in our view – very important and helpful. But still, when I am deciding whether or not to go, I may have no reason to believe that things would go substantially worse were I not to do so. I may be confident that someone else would take my place or pick up the slack if I didn't do it. This, again, is not to say that my volunteering in this way is not extremely useful and helpful, or that there is not very good reason to do it. The relief efforts would be seriously compromised if no one would be willing to volunteer their time and skill, and again, once I am there I will be doing important work. The point is just that there are often no grounds for thinking that things would go substantially worse for those in need of aid were I to not take on the role.

In quite stark contrast, in Pond, I clearly will make a substantial difference. There is a particular person who my actions will save. There is someone who will live who would not otherwise have. Even if I am not sure that I will be able to save them, I at least know that I have a substantial chance of doing so. It is not only that I know that

¹⁴ See (Garrett Cullity 2004; Temkin 2022) for similar points.

I will or will likely make a difference. It is also that it is clear what sort of difference I could make with my intervention: the difference between life and death for this person. This is an important, morally significant difference between Pond and Charity: in Pond, and also in Crowded Beach as described above (in which not enough others are helping to save all the lives), my helping action has clear, strong individual difference-making potential. The same is not true of my donations to charitable organizations, or even my volunteer work. While such contributions help the causes they are aiming to contribute to, it is not the case that we can say that things would, or are likely, to go worse in clearly definable, substantial ways were we to not make any given such contribution.

Here is a variation on Pond that is more analogous to Charity in the respect we are identifying:

Collective Effort at Crowded Beach: Due to an unexpected tide change, several children are at risk of drowning in the ocean by a crowded beach. A group rescue effort is already underway, with many capable, equipped people already involved. For whatever reason (e.g. a couple of the children are further out in the water and time is running out), it is doubtful that the collective effort will be enough to save all of the children. But what is, justifiably, apparent to you is that, given your own limited capabilities, and given the collective effort already underway, your involvement will not make any substantial difference to what happens. You do not think getting involved would negatively impact the group's efforts, but what you can tell is that the outcome, and the effort involved in getting there, will not be substantially different give or take your joining in the rescue. And, in particular, adding yourself into the mix is not going to make the difference between life and death for any of the children.

This example is close to analogous to Charity along the dimension we are specifying: your individual difference-making potential. Is it wrong to not go into the water and try to help in this scenario? While many of us might be strongly inclined to try to do something helpful in these circumstances, and while that is a very good thing, it is plausible that someone who looks on to the rescue effort from the shore with great concern, but does not join in the effort has not acted wrongly. If it is clear to them that their involvement would not make any substantial difference to the success of the effort, it seems permissible for them to trust the rescue effort to these others who are engaged in it, and to carry on with their plans (e.g. to meet a friend, or teach a class).

The key difference between Pond and Charity is the same as the difference between Pond and this example: in Pond you will or could make a clear, large difference (a difference between life and death for the child) while in Collective Effort at

Crowded Beach and in Charity you will not. This explains the difference in our duties. It explains why it is not wrong to pass up a particular opportunity to give to a charitable organization.

Importantly, this is not only true, but it is already operative in ordinary thought. When people pass up a given charitable-giving opportunity, they do not typically think of themselves as choosing to let someone die whom they could save but with permission to do so. When, say, a canvasser comes to my neighbour's door collecting money for a relief organization, and she turns them down, she is probably not thinking "sure, someone is going to die who I could have just saved, but that's fine because they are far away", or "but that's fine, because I save other people at other times, and I can't be expected to save everyone". She is, most likely, not thinking of the stakes of her choice as life or death for someone at all, or anything else similarly large. My neighbour seems to operate under some awareness (even if only implicit, unarticulated) of exactly this fact: that, while the charitable organization may be doing very important work, and while contributing to it may be a very good thing to do, no one's life (or something similarly important) hangs on one such particular decision of hers.¹⁵

Of course, people do often say that the reason to donate is that doing so will *save lives* or will *make a difference*. But people often say such things without meaning, or having any clear impression, that a single donation will save lives that would not otherwise be saved, or that it will make some other sort of substantial difference in itself. They typically mean something much looser than that. For instance, they simply mean that the charitable organization is engaging in life-saving efforts and that one should donate to pitch into these efforts. This is most clear when one contributes to a very specific fundraising effort – say, raising money for an urgent operation for an uninsured asylum seeker. As I add my contribution, I might have no doubt that the fundraiser will hit its target; in fact, I might see that there are still days to go in the drive, and post the last \$100 needed knowing full well that if I didn't post it someone else would. My motivation here is clearly to help in the collective effort, but it is clearly *not* to make a large difference. I know that things will not go very differently for the asylum seeker give or take my making this contribution.¹⁶ Various charitable-giving opportunities are different from this in that there may be no final target, and no expectation that the organization will receive enough to do all that it could do.

¹⁵ Certain things – like reading Singer, or perhaps watching certain ad campaigns – can muddle us on this. We then may start grasping for other explanations as to why it's fine to pass up a given chance to donate. But most of us return, in our day-to-day (non-academic) dealings, to thinking about such decisions quite similarly to how we did before.

¹⁶ It is possible that my contribution will make a small difference – say, ease the asylum seeker's stress a bit sooner. But this is not my motivation for donating. And even if it is, this is not the sort of difference-making potential that Singer is talking about or that would obligate me to donate.

But still, the motivation to donate is, typically, quite similar: to help in the collective effort – to contribute to advancing its cause – without any impression that something large (like someone’s life) *depends* on your particular contribution. Our point is that we are right to think that way.

Even if you agree that there is typically the difference we describe between Pond and Charity, you might be concerned that this is just a contingent feature of charities. Couldn’t charities be organized such that my donation clearly does make the difference between life and death for someone? If so, wouldn’t our view be unable to explain why there is no obligation to give at each opportunity in which one could do so at little or moderate cost to oneself?

Imagine how this might go. Imagine there is a Charity that sets things up so that people in need really are hostage to your particular donation.¹⁷ Imagine “No Scruples Against Poverty” (NSAP), which sends a picture of a different baby to each potential donor with the following threat: “if we do not receive your contribution by Friday this baby won’t be able to receive essential medical help and will perish”. They assure you that they are not just trying to make vivid the importance of the work your money would be helping with; this is really how NSAP operates. Once they send you a request with a picture of a baby, they’ll only use *your* money to help the baby in the picture, and if your money does not arrive, the child will be left to die. Ignieski points out that such a tactic would be deeply immoral, and we agree with this. NSAP is manipulating donors in a way that wrongs the babies by holding their lives hostage to particular donors’ willingness to donate. But whatever you think about NSAP’s tactics, your moral situation has changed.¹⁸ You can no longer relate to NSAP the same way you relate to other charities, and it seems now that they did succeed in putting you under a serious *pro tanto* obligation to send the money. This is indeed a consequence of our view, but it seems to us a plausible consequence.¹⁹

6.2 Unlikely Rescues

One might think, however, that it is not true that things would need to be very different than they currently are for your donation to have at least the *potential* to make a substantial difference (on the scale of life or death for someone). After all, isn’t there some small chance that by donating to an effective charitable organization, your donation could make the difference between life and death for someone? Of course, Pond is not a scenario in which there is *just* a small chance of saving someone. However,

¹⁷ Adapted from an example considered by Ignieski (2006).

¹⁸ Ignieski agrees with this point as well.

¹⁹ The fact that NSAP has an immoral charity design, might make you pause before accepting that you must contribute. But it does not change the fact that the structure of your obligations have changed.

one might argue that one need not accept the original analogy to have a powerful argument for a very strict duty to donate in Charity. Instead of Pond, one can use an analogy to the following example:

Unlikely Pond: as you're going to work you see a child drowning in a pond. You realize that they've been in the water long enough that there is only a faint hope that they are still alive. By wading into the pond and pulling them out, you are highly unlikely to save them, and doing so would ruin your new expensive shoes.

Intuitively, even in this scenario, you would have an obligation to sacrifice your nice shoes to try to save them. This reply in fact grants our main point so far: Pond and Charity are not analogous because one's difference-making potential is very different in those two scenarios. However, it puts forward a similar argument for Always Donate: since Charity *is* analogous to Unlikely Pond, and you do have a duty to try to save the child in Unlikely Pond, you similarly have a strict obligation to donate whenever you could do so at small cost to yourself. Of course, this is a less powerful argument for Always Donate: it is much less implausible to deny that there is a perfect duty of rescue in Unlikely Pond than it is to deny it in Pond. But, still, we agree that we would have such a duty in this new scenario. However, in the remainder of the section, we will argue that this revised analogy also fails; Unlikely Pond is also not analogous to Charity.

There is indeed a small chance that your donation could make the difference between life and death for someone. Maybe your donation will, for example, make the difference between a shipment of supplies going out a bit earlier or later, and maybe this will make the difference between life and death for someone. This is extremely unlikely, but it's possible. But this sort of remote possibility does not make Charity similar to Unlikely Pond. In the typical case of donating to a large aid organization, there aren't grounds for thinking that this sort of remote chance is any greater than the remote chances of the reverse happening: of your donation actually making it the case that one fewer people are saved. It could be that in virtue of your \$50, a fundraising agent for the charitable organization does not feel the need to do more fundraising that day (e.g. because they've already reached the quota they were aiming for), and thus they miss recruiting what would have been a substantially larger donation. This could have the downstream effect that fewer people are helped. Or, it could be that if you hadn't given the \$50, some higher executives in the organization would have, upon examining the numbers at their next meeting, deemed donation revenue to be a bit too low, and decided that there is the need for a new fundraising campaign; it is possible that had that happened, many more lives would have been saved. These possibilities are very remote. But there is typically no reason to think that possibilities

like these are any more remote than the remote possibility that your \$50 donation would change the order or scale of the organization's operations in such a way that they save more lives than they otherwise would have. What is likely is that nothing large (nothing like whether someone lives or dies) is going to turn on your individual donation. And we typically have no grounds for thinking the remote chances that something large does turn on it are more positive than negative. Because of this, these sorts of remote chances can typically be reasonably ignored. The choice in Charity should not be thought of as a choice as to whether to take a small chance of saving a life (as in Unlikely Pond). It should, rather, be understood as a choice as to whether to help in a collective effort aimed at saving lives or preventing suffering, where – while your contribution would be helpful – nothing big is going to turn on it.²⁰

However, let us suppose, for the sake of argument, that there is specific reason to believe that there is a small chance that someone's life will be saved in virtue of your donation, and that there are no comparably-sized small chances running the other way. Even on this assumption, the choice in Charity is significantly different from the choice in Unlikely Pond. This is because there is a different disanalogy between Pond cases and Charity that is relevant as well: in Pond and in Unlikely Pond there is a particular person whom my reason to help picks out. The content of my reason, or obligation, to act is that doing so will save *this particular child*. When it comes to donations, on the other hand, there are no particular people who figure – as particular individuals – into the reason to give. Of course, in donating, I am trying to help, or contribute to helping, someone or some people, and if people are helped, these people will be particular people. But still, these individuals do not figure as particular individuals into the content of the reason to help. The reason in this case is something like “so that I will help, or contribute to helping, someone or some people”. The reason to try to help the child in Pond, on the other hand, is something like “so that I will help *this child*”.

This difference is significant. It is an important feature of non-consequentialist views that different persons, unlike different life-stages of persons, cannot be simply traded in our moral consideration. On these views, reasons or duties that concern particular people are different in content from reasons or duties that concern other particular people or that do not concern anyone in particular at all. If I am aware that my friend Larry is in serious need of help and that I can help him, I have a duty to help *Larry* in particular. This duty to help Larry is different in content from my duty to help my friend Mary. And these two duties cannot be treated as simply indifferent instantiations of a duty to help a friend. I cannot think that I equally comply with my

²⁰ We develop this argument in more detail in Nefsky and Tenenbaum, “Expected Utility Arguments and Tiny Chances” (in progress).

duty to help Larry if I help Mary instead, or that I comply better with the duty to Larry if I help two other friends instead. This is not to say anything about the stringency of these duties, or how different *pro tanto* duties compete with one another. The point is that an obligation to help *someone* is different in content and nature from an obligation that concerns a *particular person*.²¹

So situations in which there is a particular person who I must decide whether or not to try to help are relevantly different from situations in which I must decide whether or not to try to help *someone*. This difference may not ground a permission not to rescue someone when we *know* that a very small sacrifice will suffice to save their lives. Imagine a scenario in which the difference-making potential of giving up one's expensive shoes is as Singer mistakenly supposes it to be in Charity. Perhaps a virus has escaped from a lab, and it is certain to infect exactly one person, but there is no fact of the matter yet as to who this person is. I get a text explaining to me that, whoever this person ends up being, their only chance of survival is my immediately flinging my shoes into the lake. Once my handcrafted shoes touch the unique glacial lake in front of me, a rare chemical substance will be released that will quickly find the virus and kill it.

In this scenario, I am under an obligation to fling my shoes into the lake. Here I clearly will save a life. Even if I have no idea whose life it will be, and so there is no particular person who figures into my reason to give up my fancy shoes, the fact that I will save *someone's* life is enough to obligate me to take this opportunity to help.

But the revised analogy only claims that there is a *small chance* that your donation could make the difference between life and death for someone. Plausibly, I do not have an obligation to do things that have only a small chance at saving some life whenever I could do so at small cost to myself. For example, suppose I could, at a relatively low cost, buy a small defibrillator to carry around with me; I am not obligated to do that even though it affords me a small chance to save someone's life. A situation, though, in which there is a *particular person* whom you must decide whether to take a small chance to save is morally distinct from this. The reason at play there is different in content and nature, and could obligate you even if a similarly small chance of saving someone or other would not.

In fact, this difference can be deployed by the accounts given in sections 2 – 4 in order to explain why there is a relevant difference between the small chance of saving a life Unlikely Pond and the (supposed) small chance of saving a life in Charity. Let's look at the Aggregationist approach as an example. When I spend some money buying, say, some new fashionable clothes, I could have instead – we are supposing – spent the money so as to take a small chance at saving someone's life (by donating it).

²¹ Tenenbaum argues for this in detail in (Tenenbaum 2024).

But that option is constantly there, since I always have the option to donate. I constantly have the option to act on the reason *there is a small chance of saving someone's life*. If I acted on this reason on every occasion when the costs of doing so, taken in isolation, would be low, the overall costs would aggregate so as not to allow me to pursue any of my other ends or projects. So, these aggregate costs can explain why there isn't an obligation to always act on this reason; there isn't an obligation to always act on the reason 'there is a remote chance of saving someone's life'. In Unlikely Pond, however, the content of your reason to help is different: it is a reason to try to save *this particular child*. The reason to try to save this particular child is not the same reason in content as the reason try to save someone. And I don't expect to go through life with an overwhelming number of occasions of having a tiny chance of saving this particular child. This is why the situation in Unlikely Pond is anomalous, and we cannot appeal to aggregative costs in considering the extent of the obligation to respond to this reason.

7. The Duty of Beneficence and Imperfect Duties

None of this is to say that there isn't an obligation to give to charitable organizations - the duty might even be quite demanding. Our aim was to identify a morally significant disanalogy between Pond and Charity that will allow us to explain why Always Donate is mistaken: why it is not wrong to pass up an individual opportunity to give to a charitable organization for the sake of a small pleasure or luxury for oneself. Our view is that the key morally significant difference is that your choice in Charity - unlike in Pond or Crowded Beach - is *not* one of potentially making the difference between life and death for someone (or anything similarly large). It is, instead, a choice as to whether to help a collective effort aimed at saving lives or preventing suffering, where - while your contribution would be helpful - nothing big is going to turn on whether or not you do so. When a contribution can help, but nothing major (nothing on the scale of someone living or dying) is going to turn on it, it is not wrong to refrain on any given occasion. But given that many people making such contributions plays an important role in funding the life-saving projects of aid organizations, we do think there is an imperfect duty to make such contributions: a duty that one satisfies by contributing enough over time.

It is not just our duties to give to organized charities that have the structure just described. Suppose I stop on the way to work in order to help someone whose car battery needs a boost, or to help someone who seems to be having a bit of a hard time carrying a heavy load into their building. Or suppose I hand a tissue to someone who has been crying on the subway. The reason to do these things is *not* that something major - e.g. some substantial suffering, or someone's life - might depend on my doing

so. It is not, in other words, that something important *turns* on whether or not I do it. Often this is because there is simply nothing large at stake. Other times it is, or is also, because I can be confident that if I did not come to the person's aid, someone else would do so. Either way, because of this, any one such act is typically not morally required. It would not be wrong (at least not in itself) for me to not dig into my bag for the tissue to hand to the stranger, or to not help the person struggling a little with their heavy parcel. (If you had reason to believe that something major could turn on your doing so – for instance, if the person looks like they might seriously injure themselves without help – this would be different.) Still, while any one such act is not morally required, we think it would be wrong to never do such things. We can think of ourselves as having a duty to take part in a collective effort to help each other. There being a general supply of good will – people inclined to help and be kind to each other, even when nothing much is at stake – is part of what makes life good. Without a general supply of good will our lives would be greatly impoverished. Because of this, we can think of human beings as having a collective duty to ensure that there is a sufficient supply of good will. While I am not obligated to do any particular helpful act when nothing major turns on it, doing some things like this sometimes is not merely optional and supererogatory. It is wrong to never do such things. We have an imperfect duty to help in these sorts of ways. This is – we think – how to understand beneficence as an imperfect duty. And as we have indicated, not all of beneficence is like this: when we are in a situation in which something major does, or does likely, turn on whether or not you help (as in Pond) the duty is then a perfect one.

Indeed, in our view, something similar is true for all imperfect duties. Not all imperfect duties connect to collective efforts or collective duties, and some of our imperfect duties are directed duties – duties to particular individuals. But the source of the duty's imperfection is, we think, the same in all cases. Take our duties to our children. There is a perfect duty to provide for their basic survival needs. But there is also an imperfect duty to foster their happiness and contribute to their development into thriving adults. The imperfection of this duty is, we think, grounded in the same sort of facts as it is with beneficence. Typically, any one thing I might do to contribute to their happiness or development is not in itself crucial: it would, typically, be a mistake to think that anything major *turned* on any one such act, no matter how nice, helpful or good it might be. But doing enough such things, regularly over time, certainly does make a big difference to their overall happiness and development, and this is what we are obligated to do.²²

²² For a different example: take the duty of gratitude. The duty of gratitude shares some very general feature with the general duty of beneficence, at least in case of a significant benefactor: no particular action expresses gratitude on its own, and the contribution of each particular action (except for "golden opportunities") is at best incremental. Of course expressing gratitude for a very specific thing (you pick up my wallet that fell on the ground)

Acknowledgements

This work was supported by SSHRC Insight Grants. We are very grateful for comments and discussion to Gunnar Bjornsson, Jordan Thomson, Tom Hurka, Rutger van Oeveren, Theron Pummer, and audiences at McMaster University; Colgate University; the University of Toronto Centre for Ethics; Upsala University; the Collective Ethics Seminar; Tulane University; The Ethics of Coordination Workshop at the Institute of Future Studies; Stockholm University; Utrecht University; Kerah Gordon-Solomon's seminar at Queen's, and the Bled Ethics Conference.

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need not have this structure. Probably just saying "thank you" will fully discharge my duty. But in such cases, it is not clear that gratitude has the relevant structure of imperfection.

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