

Reasons to prevent disasters

Comment on Fiona Woollard's paper 'Rule-consequentialism, Disasters, Demandingness, and Arbitrary Distinctions' for BradFest: Rules to Live By, 24th April 2021

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It is a huge pleasure to be involved in this event. As all of us here know, Brad is as generous and supportive as he is wise, and it is a pleasure to be able to thank him publicly: thank you, Brad, for the support and encouragement you have given to me and others. What's more, it is a pleasure to comment on Fiona's excellent paper. Reading it made me rethink several issues I thought I understood, including how to make sense of the notion of morally relevant features of situations from the point of view of Rule Consequentialism. The paper is enormously rich and thought-provoking.

The part of Fiona's paper I'd like to comment on is the central discussion of disasters, however. Fiona argues that Leonard Kahn's treatment of disasters is too neat and tidy. He claims that it is possible to specify what counts as a disaster quite precisely—we can derive a criterion of what it takes for a situation to be a disaster by reflecting on the role of the disaster-prevention rule in the Rule Consequentialist account of rightness. Fiona argues that we should expect the concept of a disaster to remain messy and vague for Rule Consequentialists, and that this is not a weakness. She then urges Rule Consequentialists to develop their views further, by distinguishing different kinds of disaster.

I agree with the general thrust of that advice. But as I read Fiona's paper I kept thinking about possible qualifications or limitations of the disaster-prevention rule. As Fiona notes, Brad describes this rule as 'overriding', but he also wants it to be not too demanding. If being overriding means that it is always wrong to fail to comply with that rule, then we need to build qualifications and exceptions into the disaster-prevention rule itself, to avoid excessive demandingness. Brad suggests a qualification relating to the aggregate cost to the agent of helping others. If we tailor the disaster-prevention rule to take account of exceptional cases in which we are permitted not to prevent disaster, we can retain the idea that this rule is overriding in the sense that it is always wrong to fail to comply with it. Fiona seems to think of exceptional cases in roughly the same way, although she suggests a more complicated set of qualifications.

But is that the right way to go? Suppose we are in one of those exceptional cases, in which it is permissible not to prevent disaster because we've reached the threshold for aggregate contributions (or because some other qualification or limitation of the rule applies). Mightn't we want to say, nevertheless, that there is in this case a normative reason to break other rules to prevent the bad outcome? If something in the ballpark of a disaster is on the cards, and we have the power to prevent it, it certainly seems as though we would have at least a strong reason to do so. If we went ahead and prevented it, this reason would help to make our action

intelligible, even though it wasn't obligatory. But if the rule has been tailored to make an exception of cases like this, we can't seem to explain this reason in terms of the disaster-prevention rule. Neither is it clear how else we can explain it, from a Rule Consequentialist point of view. We could try to explain it in terms of some other rule, such as the rule requiring beneficence. But on Brad's view (2000: 98n7) this rule generates weaker reasons, and the reason to prevent disaster seems to be strong, even when preventing disaster is not obligatory.

Suppose instead we allow for these exceptional cases in a different way. They could be cases in which a fairly simple version of the disaster-prevention rule applies, but in which this rule is overridden by one or more other rules. If that were the picture, we could say that there is a reason to prevent disaster in these exceptional cases, but that it is outweighed or matched by other reasons, so that it is not obligatory to prevent the disaster. We could try to cater for the exceptional cases not by building qualifications into the disaster-prevention rule, but by letting it fight it out with other rules in the ideal code. Virtuous Rule Consequentialist agents would then feel torn in such cases, which seems right.

That gives up on one sense in which the disaster-prevention rule could be 'overriding': it would not always be wrong to fail to comply with it. But it could still be overriding in the sense that it can defeat any other rule in the ideal set—and in the sense that it in fact defeats other rules in those cases in which it is obligatory to prevent disaster. Of course, we'd then want to know what makes the difference between cases in which it defeats other rules and cases in which it doesn't. That takes us straight back to the issues Fiona was discussing, albeit framing them in a slightly different way. The messiness would be more in the way that the disaster-prevention rule interacts with other rules in the ideal code, and less in the content of the disaster-prevention rule itself.