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WHY WE DON'T MAKE A DIFFERENCE

DENYING A DENY-THE-DESCRIPTION SOLUTION TO THE COLLECTIVE HARM PROBLEM OF ANTHROPOGENIC CLIMATE CHANGE

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Is it wrong to order food by car-delivery rather than by bicycle-delivery? Some argue that you should order by bicycle since this will produce fewer greenhouse gases and will not contribute to causing Anthropogenic Climate Change—a change which can have potentially harmful environmental effects. Disagreement on this issue seems to arise over the problem of how to assign moral blame in cases of collective harm—cases where one single action will not directly result in any harm and may not even seem to make a difference. Anthropogenic Climate Change seems to be a case of collective harm; the contribution of greenhouse gases by an individual seems to have no effect on how much harm is actually produced and seems to make no difference to Anthropogenic Climate Change. While some claim that an individual's action is not, therefore, morally wrong even if it produces greenhouse gases, others advocate for a "Deny-the-Description" approach, insisting that the act of an individual does make a difference with respect to the overall harm produced, and can therefore be deemed morally wrong. In this paper, the author attempts to refute a particularly promising version of the "Deny-the-Description" approach, propounded by Hiller (2011). Hiller argues that greenhouse gas-producing acts are all morally condemnable because they generate significant expected harm. This paper argues against Hiller, insisting that it is actually not wrong to perform these kinds of actions (e.g., to order by car rather than by bicycle), since no expected harm arises.

Key Words: Expected Harm, Collective Harm, Climate Change

INTRODUCTION

A Collective Harm Problem arises in cases where a large number of people all contribute to causing great harm but no single individual actually produces the harm itself. Anthropogenic Climate Change (ACC) is one case where a Collective Harm Problem arises, since the actions of many people produce Greenhouse Gas Emissions (GHGs) and these all contribute to causing great environmental damage through changes in the average global temperature that will have disastrous effects on human populations globally. In this paper, I will argue that the solution to the Collective Harm Problem of ACC that is proposed by Hiller (2011) and supported by Kagan (2011) cannot successfully show that it is wrong for individual actors to perform reasonable actions which produce GHGs. First, I will explain the Difference Principle and its role in Collective Harm Problems. I will then reconstruct Hiller's solution to the Collective Harm Problem with reference to expected harm. I will discuss two potential conceptions of expected harm. The first conception I will refute using an argument by Parfit (1986). The second conception relies on Kagan's triggering cases, and I will attempt to refute Kagan's approach by using two concepts developed by Cuomo (2011). Finally, I will conclude by offering a criticism against the idea of using expected harm in general; I will argue that the method of expected harm is not an accurate predictor of average harm and that an alternate, superior method of expected harm would instead predict that a GHG-producing act would not produce harm on average.

1 THE DIFFERENCE PRINCIPLE

First, I will introduce what Jackson (1987) calls the Difference Principle, a widely-accepted principle that determines which actions can be morally judged. Jackson makes two observations: First, if actions did not make a difference, it seems that there would be no point to the action and second, that a necessary condition of an action possessing moral value is that there is a point to the action. If these observations are accurate, the Difference Principle logically follows: Actions that do not make a difference cannot be morally judged.[1]

The Difference Principle often accurately reflects and predicts moral intuitions in what Shelly Kagan refers to as the "good old days," when the sources of moral consequences of actions are easily identifiable. A straightforward example of the "good old days" is when one person mugs another person. It is clear who the affected party is (i.e., who is affected by the harm) and to what degree the "affecter" of harm is responsible. However, despite the Difference Principle's success in cases from the "good old days," this principle becomes problematic when applied to Collective Harm Cases.[2]

[1] Jackson 94.
[2] Kagan 111.

2 THE COLLECTIVE HARM PROBLEM OF ANTHROPOGENIC CLIMATE CHANGE

Collective Harm Cases are comprised of three features:

(i) There is a large group of people performing a certain kind of act.

(ii) If enough people do the act of this kind, it will produce a significant harm.

(iii) Each individual's contribution makes no difference—whether or not they act, it does not affect the overall harm caused by these acts in aggregate.

These cases present a problem for assigning moral blame according to the Difference Principle. While the outcome of the group's actions in a Collective Harm Case may be deemed morally wrong, the individuals acting in aggregate to produce this result are not doing anything wrong according to the Difference Principle since their individual actions do not make a difference and an act must make a difference to be morally appraised. Thus, the Collective Harm Problem arises: There is a conflict between the outcome of the application of a widely accepted moral principle (i.e., the Difference Principle) and our common-sense moral intuitions that an individual acting in a Collective Harm Case is actually doing something wrong.[3]

Anthropogenic Climate Change (ACC) is often seen as an instance of a Collective Harm Case. In this case, (i) a large group of people are performing kinds of acts that produce GHGs, (ii) if enough people do these kinds of acts, ACC-related environmental disasters will result, and (iii) each individual does not seem to produce enough GHGs to make a difference—whether or not they act, it does not affect the overall harm that will be caused by the GHG-producing acts in aggregate (i.e., the impending disasters that will result from extreme ACC).[4]

Sinnott-Armstrong (2005) provides one example of an act that produces GHGs in the form of his Joyriding Case. Sinnott-Armstrong discusses whether a person driving purely for the enjoyment gained by driving is morally reprehensible. His case is specifically constructed to avoid any potential justificatory reasons for the drive, such as driving to get to work or to take children to the hospital in an emergency.[5] This case is therefore not effective at reflecting the types of GHG-producing acts that are truly at issue—namely, those which usually produce positive utility since they are performed to achieve important goals.

To capture those GHG-producing acts which are truly at issue, I will primarily use what I call the Bicycle-Delivery Case in this paper instead of the Joy-Riding Case. In the Bicycle-Delivery Case, a person must decide whether to have his pizza delivered via bicycle or car. The relevant differences are:

[3] Kagan 107.
[4] Cuomo 692-3.
[5] Sinnott-Armstrong 333.

(1) The bicycle delivery will take an extra hour to arrive, (2) the car delivery will create more GHGs than would otherwise have been produced, and (3) as a result of the extra hour taken, the moral agent's children will be forced to go to bed starving (or some other similar harm will occur).

A lot is at stake in properly identifying whether ordering via car is morally wrong in the Bicycle-Delivery Case, for this case represents a significant number of decisions people make in their daily lives, such as choosing whether to buy food locally, to drive to visit family or friends, or to go on a road trip. Not many people would see these decisions as morally reprehensible and yet, viewed through the lens of collective harm, each of these decisions produce GHGs that contribute to the massive harm of ACC, thereby also making them intuitively seem wrong. Walter Sinnott-Armstrong rejects the ethical judgment recommended by this latter intuition, claiming that, all else being equal, it is not wrong to do the activity that produces more GHGs. Sinnott-Armstrong takes himself as refuting all principles that could be used to prove that the GHGs produced in these cases make the act wrong.[6]

3 HILLER'S DENY-THE-DESCRIPTION APPROACH

One response to Sinnott-Armstrong is to claim that ordering delivery by car will, in fact, make a difference in the overall harm that occurs. This approach to Collective Harm cases is what Nefsky (2016) calls a Deny-the-Description argument; this type of argument denies that the individual actors in Collective Harm Cases do not make a difference and therefore the Difference Principle is fulfilled by their actions.[7] Hiller (2011) argues along these lines, claiming that actions like choosing the car delivery will produce a significant amount of expected harm that is morally condemnable.[8] To support this answer, Hiller appeals to calculations by Nolt (2011), who estimates that, over the course of one lifetime, the average American produces enough GHGs to significantly harm one or two people.[9] Therefore, Hiller supposes, producing GHGs equivalent to the average American's GHGs for an afternoon (i.e., doing the afternoon joyride) would be the equivalent of ruining an afternoon of a person's day, an act that appears morally condemnable.[10]

4 THE SHARE-OF-THE-TOTAL VIEW OF EXPECTED HARM

There seem to be two main ways in which to understand what these authors mean by 'expected harm.' The first way is to understand expected harm according to something similar to the Share-of-the-Total view; however, this

[6] Sinnott-Armstrong 343.
[7] Nefsky 5-6.
[8] Hiller 357-8.
[9] Nolt 9.
[10] Hiller 357.

interpretation was thoroughly criticized by Parfit (1986). The Share-of-the-Total view holds that each person's expected utility is equal to the expected total utility divided amongst all those that contribute to the utility of the state of affairs. However, this scheme is problematic in certain instances where there are alternate actions available to the moral agent that also provide benefit or harm.[11]

Consider an example in which a moral agent, A, has to choose between two potential actions, 1 and 2, that are mutually exclusive with respect to another person, B. If A chooses 1, then he helps B lift a small boulder that B could have lifted by herself to save two people. The total utility from this action is 10, and the utility is split between the two actors, so their share-of-the-total utility was 5 utility each. If A instead chooses 2, A instead prevents a rock from falling on another person, which would have caused them to be severely injured. When A chooses 2, the total utility is 13, but A's share is only 3 utility. If A believed in the Share-of-the-Total view, he would therefore hold, in contrast to general utilitarian principles (and also likely most people's moral intuitions), that he should engage in 1, since this means his share is the largest, despite it resulting in a smaller amount of total utility.[12] Therefore, the Share-of-the-Total view cannot act as the successful grounding that is required by Hiller (2011) and Nolt (2011) for their expected harm in the Bicycle-Delivery or Joyriding Cases.

5 KAGAN'S TRIGGERING CASES

The second conception of expected harm involves what Kagan calls "triggering cases," and replaces the terminology of 'expected harm' with that of 'expected utility'.[13] Triggering cases are those Collective Harm Cases where, although the vast majority of acts make no difference, there are a select few actions that actually do create significant harm. Voting is a classic example of a triggering case: While, during an election, each individual vote makes no difference as to which candidate wins, there is an extremely small chance that the election sees one candidate win over the other by a single vote so that, had any one vote been different, the candidacy would have switched hands.[14] In this case, every single vote does make a difference.

Kagan makes two important observations regarding triggering cases. The first observation is that, when the triggering amount is exactly met, it is true that, had any actor acted differently, a different outcome would have occurred—this means that each actor makes a significant moral difference when this amount is exactly met.[15] The second observation is that, in all but the most artificial of these triggering cases, actors will be operating under an assump-

[11] Parfit 68.
[12] Parfit 68-9.
[13] Kagan 118-9.
[14] Nefsky (2011), 369.
[15] Kagan 125

tion of uncertainty—they will not know when the triggering amount will be exactly reached.[16]

Kagan believes that moral agents who act under uncertainty in a Collective Harm Case can be condemned because the expected utility of their action is negative.[17] Their expected utility in Collective Harm Cases is usually negative because, although the possibility that a specific act will trigger the harm is incredibly small, the harm is so great in most Collective Harm Cases that the expected utility calculation will produce a negative value making their act worthy of moral condemnation.[18] This calculation can be represented by the Collective Harm Case Expected Utility Formula (CEF):

$$U \times P1 + D \times P2$$

In this formula, 'U' represents the utility gained by the act with 'P1' being the likelihood U will be attained. On the other hand, 'D' represents the disutility caused by the collective harm with 'P2' being the likelihood D will be triggered by the act under consideration.

6 TWO RESPONSES TO KAGAN'S TRIGGERING CASES

I am going to adapt two concepts that Cuomo develops against Kagan's contention that the expected utility will be negative in ACC Collective Harm Cases according to the CEF.[19] These objections highlight the possibility of collective harm triggering cases producing outcomes of non-negative expected utility.[20]. For example, the argument may be made that in certain elections, when the utility difference between the candidates is small enough and the cost of voting (e.g., getting off work an hour early is large enough, then the expected utility for an individual will be non-negative.

The first objection comes from what Cuomo calls her "Insufficiency Problem".[21] The Insufficiency Problem is that, even if every person on Earth were to completely eliminate their personal GHGs, it would be insufficient to stop ACC. This is because personal GHGs, the only GHGs at least somewhat controlled by individual actions, only amount to 20% of global GHGs.[22] This problem pushes back on Nolt (2011)'s assumption that "an individual is complicit by participation in a fossil-fuelled economy," and instead divides responsibility for GHGs between all individual GHG-emitters and what Cuomo calls "meta-level actors".[23] Meta-level actors are those actors—primarily corporations, industries or government—that produce GHGs independently of all the

[16] Kagan 128.
[17] Kagan 127.
[18] Kagan 119-20.
[19] Cuomo 704-5.
[20] Nefsky (2011), 371
[21] Cuomo 702.
[22] Cuomo 701.
[23] Nolt 4; Cuomo 704.

individuals' GHG-production.[24] If this distinction is made, this will lead to a vastly reduced D-value in CEF (around 20% of Nolt's estimate), meaning that, on Nolt's calculation, only between a fifth and two-fifths of a person is significantly harmed by each Average American's GHG-output.[25]

This argument, however, might not be sufficient to convince Deny-the-Description proponents to abandon their project, as there are at least two ways in which they could respond. First, they could maintain that the expected utility of these acts would still be a negative expected utility. Second, they could argue that individuals are to some degree responsible for the acts of meta-level actors, such as when an individual's increased electricity demand is the trigger for increased GHGs by a utility company.[26]

Another objection to the Deny-the-Description approach utilizes the observation that Cuomo makes in her Disempowerment Problem which is that, for a person to reduce their GHGs, the average person's daily life plans will be severely disrupted.[27] This is because individuals have little control over their GHGs, and to the extent that they do have control, it will require severe disruptions ranging from altered or reduced travel patterns to expensive eco-friendly investments, which can affect one's long-term financial security.[28] This objection can be interpreted as affecting the expected utility calculation by emphasizing the U-value in the CEF. Turning to the Bicycle-Delivery case, the details can be fleshed out in such a way that the U-value is high enough to produce a positive expected utility for choosing car-delivery. For example, if a single parent has a late-night shift at work and, because the fridge broke down, ordering pizza via car is the only method by which they can feed their children dinner before they need to get to sleep. The lost U-value in this case by choosing bicycle-delivery would seem to be quite large, potentially greater than $D \times P2$.

Cuomo's arguments suggest that we should place the burden of proof on the Deny-the-Description proponent to prove that GHG-producing acts always have a negative expected utility. However, even if the Deny-the-Description proponent is able to successfully respond to these arguments, I will finish by offering another criticism—one against the CEF itself. I will argue that the CEF calculation provides an inaccurate prediction of the actual average utility and that it is likely that GHG-producing acts actually produce a non-negative utility on average.

[24] Cuomo 702.
[25] Nolt 9.
[26] Nolt 9.
[27] Cuomo 703.
[28] Cuomo 702-703.

7 DEVELOPING AN ACCURATE MODEL OF PREDICTION FOR EXPECTED UTILITY

Hiller (2011) understands the expected utility to refer to "the average American's actions given the vast amount of empirical uncertainty…".[29] Hiller's conception of the expected harm of an act is therefore just a prediction of the average utility of an act. The CEF as a method of determining the expected utility then becomes a method for determining what the average utility arising from an act will be in a world of a "vast amount of empirical uncertainty." However, the CEF, while generally successful in predicting the actual likely average value of an act, will be inaccurate at predicting the average utility of a given act in ACC cases.

To elucidate this argument, I will provide the textbook case of expected value to show in which circumstances it is likely to succeed and why these circumstances are not present in ACC cases. The classic example is of a person trying to figure out what the average value of a dice roll will likely be. There are two relevant observations about expected value that can be seen in this case. First, the predictive accuracy afforded by the expected value calculations drops drastically when there are a smaller number of rolls: While at 1,000 rolls, there is an almost certain likelihood that the average value will closely reflect the expected value, given 100 rolls, there is less than a 50% chance that the average value will be within the same range as the expected value. Second, the predictive inaccuracy of the expected value calculation is aggravated when there is one outcome that is both extremely unlikely and extremely significant. For example, say there are two outcomes of a die roll: a one and a billion, with the likelihood of rolling the billion being one-in-a-million. In this scenario, the expected value is 1,001. Given any sample of a couple thousand rolls, the average value will be 1, not even closely resembling the expected value of 1,001. It is only in those samples in which the one-in-a-million outcome succeeds that the average value will be anything but 1. Therefore, a superior method of prediction would be that the average value would be 1, not 1,001 (since it would succeed in a vast majority of cases).

Given these two observations, it is clear that the expected utility calculation, as determined by the CEF, is a poor predictor of average utility in ACC cases due to the small number of trials (amount of GHGs produced) and the extreme unlikelihood of the extremely negative outcome occurring. Therefore, the better method of predicting the average utility of a GHG-producing act would be to look at the average of the most common outcome (i.e., choose the '1' in the previous example), which is positive or non-negative in ACC cases.

Kagan could defend the CEF's version of expected utility use by claiming that a sufficient amount of GHGs are produced to warrant the CEF being an appropriate model for predicting the average utility of a GHG-producing act. This argument might succeed if an actor produces a significantly high amount

[29] Hiller 358.

of GHGs every day in relation to the likelihood of the triggering amount being exactly met. However, there are few instances in a day when an actor can actually be said to be morally responsible for their GHG-emissions. While one class of GHG-emissions from the individual is actually caused by meta-level actors, another class of emissions is produced by acts that are a part of the exigencies of everyday life (e.g., buying food, commuting to work, etc.), such that the individual cannot be held morally culpable for the act. Further, some acts that look like they produce GHG-emissions are actually triggering cases of their own, such as when a person buys imported food. Therefore, the number of times in a lifetime that a moral actor "rolls the dice" on whether they produce the GHGs that might exactly meet the triggering amount will be low enough in relation to the unlikeliness of the event to render the CEF the poorer of the two predictive methodologies.

The scope of the conclusion of this argument remains somewhat narrow. The recommendations provided by this argument are not necessarily that no efforts should be made on the part of the individual moral actor to affect ACC. As Sinnott-Armstrong notes, just because GHG-producing acts are not immoral, it does not mean that engaging in them cannot be morally virtuous, especially if it is accepted that there are non-utilitarian grounds upon which acts can be morally appraised.[30] The Insufficiency Problem also serves to the highlight the pressure that must be placed on meta-level actors such as governments and corporations to reduce the overall production of GHGs in a more meaningful way, that will actually contribute to the reduction of the harm caused by the ACC. Therefore, although the Deny-the-Description approach fails in assigning moral condemnation to GHG-producing acts in ACC cases, there still may be moral reasons to take actions to avoid the harm of ACC.

CONCLUSION

In this essay I sought to prove that those Deny-the-Description approaches that are based on expected utility calculations are unsuccessful. I began by developing a Deny-the-Description account as introduced by Nolt (2011) and further developed by Hiller (2011). In order to fully flesh out their account, I then showed how it relied upon a properly understood theory of expected harm. After showing why the expected harm could not be defined by the notion that was rooted in the Share-of-the-Total view (the view rejected by Parfit (1986)), I developed a view of expected harm rooted in Kagan (2011)'s triggering cases instead. In response to this strategy, I first posed two objections based on the work of Cuomo (2011), which arise from her Disempowerment and Insufficiency Problems. I then supplied a further argument against the CEF—namely, that the CEF is a poor predictor of the average utility of a GHG-producing act. For this reason, I offered an expected utility calculation that should be adopted in ACC cases, one which results in a GHG-producing act

[30] Sinnott-Armstrong 355.

having a non-negative utility. In this way, I was able to show why, contra Hiller and Kagan, it is actually not wrong for individual actors to perform reasonable actions which produce Greenhouse Gas Emissions (GHGs). Therefore, there are no grounds of expected harm for the Deny-the-Description approach to rely upon to justify the position that the expected harm of GHG-producing acts produces a negative utility that makes an act morally condemnable and it therefore fails in supporting the intuition that acts that produce GHGs are morally condemnable.

REFERENCES

Cuomo, C., "Climate Change, Vulnerability, and Responsibility." *Hypatia*, vol. 26, no. 4, (2011), pp. 690–714.

Hiller, A., "Climate Change and Individual Responsibility." *The Monist*, vol. 94, no. 3, (2011), pp. 349–368.

Jackson, F., "Group Mortality." In J. J. C. Smart, P. Pettit, R. Sylvan, and J. Norman (Editors), *Metaphysics and Morality: Essays in Honour of J. J. C. Smart*, Blackwell, 1987, pp. 91–110.

Kagan, S., "Do I Make a Difference?" *Philosophy & Public Affairs*, vol. 39, no. 2, (2011), pp. 105–141.

Nefsky, J., "Consequentialism and the Problem of Collective Harm: A Reply to Kagan." *Philosophy & Public Affairs*, vol. 39, no. 4, (2011), pp. 364–395.

——, "How You Can Help, Without Making a Difference." *Philosophical Studies*, (2016), pp. 1–25.

Nolt, J., "How Harmful Are the Average American's Greenhouse Gas Emissions?" *Policy and Environment*, vol. 14, no. 1, (2011), pp. 3–10.

Parfit, D., *Reasons and Persons*. Oxford University Press, 1986.

Sinnott-Armstrong, W., "It's Not My Fault: Global Warming and Individual Moral Obligations." In W. Sinnott-Armstrong and R. Howarth (Editors), *Perspectives on Climate Change*, Elsevier, 2005, pp. 221–253.