

The Constraint Against Doing Harm and Long-Term Consequences

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The Paralysis Argument

Many Non-consequentialists endorse the following asymmetry:

- *Doing vs. Allowing*. The moral reasons against *doing harm* are stronger than the moral reasons against *allowing harm*.

To illustrate the *Paralysis Argument*, let's consider the following example.

Traffic Jam. Suppose that, later today, at exactly 5:43pm, the wind will blow a large boulder into rush hour traffic, crushing whichever car happens to be beneath it at that time.

Suppose that, if you stay at home sitting motionlessly this morning (*A*), Billy's car will be in that unfortunate position at 5:45pm. Billy will be harmed (*O_b*).

Furthermore, suppose that, if you drive to the supermarket this morning (*D*), you will set-off a cascade of events, which changes the traffic patterns, delaying Billy, and resulting in Andi's car being under the boulder at 5:45pm instead (*O_a*).

No one—including you, Billy, or Andi—can predict any of this in advance.

If you perform *D*, you count as *doing* harm (to Andi). If you perform *A*, instead, although a harm will result which otherwise would not have, you merely count as *allowing* harm (to Billy). Because you have stronger moral reasons against *doing* harm than against *allowing* it, you have a stronger reason against *D* than *A*. Generalizing this thought: we have strong reasons against doing anything at all—we morally ought to sit motionlessly in our rooms.

The Ex Ante View of the Constraint Against Doing Harm

Unruh responds to the argument by revising *Doing vs. Allowing* in the following way:

- *The Ex Ante View of the Constraint Against Doing Harm*. The moral reasons against *doing harm* are stronger than the moral reasons against *allowing harm* only when one's actions increase someone's *ex ante* risk of suffering harm.

MacAskill & Mogensen call this the *Doctrine of Doing vs Allowing (DDA)*. Unruh calls this the *constraint against doing harm*.

MacAskill & Mogensen (and Unruh, too, presumably) consider this conclusion to be absurd. The argument is meant to be a *reductio*.

I think it might be fair to say that Unruh is also rejecting MacAskill & Mogensen's "decision-theoretic approach" to the interplay between objective and subjective moral reasons—but I'm not entirely sure about that.

Unruh motivates the view with the following examples:

Doing. Ann places a rock on the rail of a motorway bridge. It's likely the rock will fall on the motorway soon.

Allowing. A rock lies on the rail of a motorway bridge. It's likely the rock will fall on the motorway soon. Ann can remove the rock but does not do so.

Replacing. A rock lies on the rail of a motorway bridge. Ann cannot remove it, but can replace it with an identical one. The new rock is just as likely to fall as the old one. However, the new rock will likely fall at a different time than the old one.

Replacing is like *Doing*: in both cases, you do something that results in a harm. But *Doing* raises people's *ex ante* risk of harm, where *Replacing* doesn't.

*Woollard 2015, p. 102

Unruh then argues that everyday actions—like driving to the supermarket—don't increase anyone's *ex ante* risk of unpredictable harm. And so, if the *ex ante* view is correct, we don't have stronger moral reasons to do as little as possible.

Questions, Objections, and Discussion

- *Question 1:* Why think the *ex ante* view is correct?
 1. The cases that motivate the distinction between *doing vs. allowing* are, typically, cases with no uncertainty. So they all (trivially) involve increasing *ex ante* risk.
 2. The point of the constraint against doing harm is that it prohibits "intrusion into the proper sphere of another".* *Doing* intrudes.
Allowing, however, doesn't intrude into the proper sphere of another.
Similarly, if someone's *ex ante* prospects remain unchanged, how has their "sphere" been intruded on?
- *Question 2:* What comparisons are relevant to the everyday cases? Are they cases of . . .
 1. *Replacing vs. Allowing?* Driving to the supermarket is like replacing the rock. Staying home is like allowing the rock to stay where it is.
 2. *Replacing vs. Allowing-Replacement?* Driving to the supermarket is like replacing the rock. Staying home is like allowing the wind to move the rock to a different location.
 3. Something else?
- *Objection 1: Cases of Pre-emption.* Consider the following example:
A shoots B. Had A not shot B, C would have shot B.
A still has a strong reason against shooting B. Is this a counterexample to the *ex ante* view?
- *Objection 2: The A.I. Ambulance.* The *ex ante* view would say that it is permissible to buy the murderous A.I. Ambulance. But it is not morally permissible to do so. So, the view must be wrong.
- *Objection 3: The Ex Post View.* Even if you don't increase anyone's *ex ante* risk of harm, by driving to the supermarket you make it the case that *you will have done harm*. You should not want to be a harm-doer. And so, *Replacing* is more objectionable than *Allowing*.

After all, your actions might cause more harm overall. On the other hand, your actions might prevent harm overall. It seems very unlikely that your actions would only "shuffle the deck". Does that matter?