
Chapter 14.4

ALL GOODS ARE RELEVANT

JOHN BROOME¹

Frances Kamm's investigation of fairness is immensely detailed and impressive (see chapter 14.1). I agree with a great deal of her paper, but in this comment I am sorry to say I am going to take up one point that I do not agree with. This particular point is important because it has some direct practical consequences for the rationing of resources in health. It is the idea of irrelevant goods. Kamm argues that some goods in some circumstances count for nothing. But I believe that all goods always count for something.

Kamm's argument uses this example. Two people are mortally sick. We have enough serum to save only one of them. If we save B, that is all we can do. But if we save A, there will be enough serum left over to cure C's sore throat. What ought we to do?

Kamm points out that, if there were no sore throat to worry about, we would have no grounds for discriminating between A and B. We ought to treat them in some way that does not involve discrimination. Holding a fair lottery to decide between them would be the best way. Kamm next points out that the mere presence of a sore throat makes no difference to this conclusion. It is still wrong to discriminate, even though by choosing to save A we can also cure a sore throat. The sore throat is not important enough to justify us in giving A precedence over B.

From this, Kamm argues that a sore throat is so unimportant that it counts for nothing at all when saving life is in question. Her argument is that if it counted for anything at all, it would be enough to determine that we ought to save A rather than B. In the absence of the sore throat, there is a perfect balance between saving A and saving B. So if the sore throat counted for anything at all, it would tip the balance. But it does not tip the balance; it is not the case that we ought to save A rather than B. Therefore, the sore throat must count for nothing in the context.

Kamm goes on to draw the inference that any number of sore throats must be irrelevant whenever there is a question of saving life. We should never choose to cure sore throats, however many we can cure, in preference to saving a life.

I agree with Kamm that we ought not to give A precedence over B in her example; we should hold a lottery to choose between the two. I explain it by a different calculation from hers.

The choice before us is either (1) to hold a lottery between A and B, save whichever person wins the lottery, and also cure C's sore throat if A wins, or alternatively (2) to decide directly to save A and also cure C's sore throat. What benefits can we expect from each of these options?

First, the benefits of (1). If we choose by means of a lottery, we act fairly. A and B both have equal claims on us to be saved, and fairness requires us to respect their claims equally (see Broome 1990). We would respect them equally if we were equally to save both people, but we are not able to do that. The next best way of giving equal respect to the equal claims is to give both people an equal chance of being saved. This we can do, and therefore fairness is best served by doing it. We give each person an equal chance by holding a lottery. So holding a lottery achieves the value of fairness.

What further benefit does (1) bring? We do not know exactly, because if we hold a lottery, we do not know whether we shall eventually save A or B. We can only calculate the expected benefit. (1) certainly saves one life, and it has a one-half chance of curing a sore throat. So the expected benefit is one life plus one half a sore throat cured. Adding this to the fairness makes the total expected benefit of (1): fairness + one life saved + half a sore throat cured.

What is the benefit of the option (2)? This option does not give proper respect to B's claim to be saved. It therefore achieves no fairness. On the other hand, it certainly saves one life and cures one sore throat. So its total expected benefit is: one life saved + one sore throat cured.

Which options should we choose? When we compare their expected benefits, we see that (1) is better if and only if fairness, in the context, is worth more than half a sore throat cured. The value of fairness certainly depends on the context, and in the context of determining whose life to save, it is obviously very important. It is certainly worth more than half a sore throat. So (1) is the better option, and we ought to hold a lottery.

Given my way of calculating, from the fact that we ought to hold a lottery, it does not follow that curing a sore throat counts for nothing in the context. It only follows that it counts for less than twice as much as fairness in the context. So Kamm's conclusion does not follow.

I believe that a lot of small benefits can add up to be as important as one large benefit. When a patient in a UK hospital gets a headache, he/she is given an analgesic. Over a few years, the UK Health Service gives out a few million analgesics to cure headaches. The cost of all these pills adds up, and eventually it will amount to more than enough to save someone's life. Evidently, the Health Service thinks that curing all those headaches is as valuable as saving a life. I agree.

NOTES

- 1 White's Professor of Moral Philosophy, Oxford University, Oxford, UK.

REFERENCES

- Broome J (1990) Fairness. *Proceedings of the Aristotelian Society*, 91(1):87–102.
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