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The Identified Victim Effect –
Utilitarian Analysis and Policy Recommendations

Efekt ofiary zidentyfikowanej –
analiza utylitarna i rekomendacje zmian prawnych

Summary

The identified victim effect refers to a psychological bias of a much greater willingness to help identified victims, as opposed to statistical ones. The aim of this article is to assess what we morally ought to do in the light of the effect, from the point of view of utilitarian ethics. What decision-making rule ought to be established? Ought we to always help the identified victims or the statistical ones? I argue for a rule that constitutes a middle ground between the two extremes. Next, using the example of the Polish non-governmental sector and with the rule in mind, I outline legal changes that would result in a much higher overall net utility. The first change concerns the rules of the so-called percentage tax designation mechanism. The second concerns the conditions NGOs have to meet in order to receive public funding of their activities.

Keywords: identified victim, statistical victim, utilitarianism, non-governmental sector, percentage tax designation

Streszczenie

Efekt ofiary zidentyfikowanej to błąd poznawczy polegający na znacznie większej gotowości do niesienia pomocy zidentyfikowanym ofiarom niż ofiarom statystycznym. Celem artykułu jest ocenienie, co moralnie powinniśmy czynić w świetle tego efektu, z punktu widzenia etyki utylitarystycznej. Jaka zasada podejmowania decyzji powinna zostać przyjęta? Czy powinniśmy zawsze pomagać ofiarom zidentyfikowanym, czy ofiarom statystycznym? Argumentuję za za-

sadą stanowiącą punkt pośredni między tymi dwiema skrajnościa-
mi. Następnie, opierając się na przykładzie polskiego sektora poza-
rządowego i mając na uwadze wspomnianą zasadę, opisuję zmiany
prawne, które skutkowałyby wyższym poziomem zagregowanej uży-
teczności netto. Pierwsza zmiana dotyczy zasad alokacji środków
w ramach tzw. mechanizmu 1 procenta. Druga dotyczy warunków,
jakie muszą spełniać organizacje pozarządowe, by otrzymać publicz-
ne finansowanie swojej działalności.

Słowa kluczowe: ofiara zidentyfikowana, ofiara statystyczna, utyli-
taryzm, sektor pozarządowy, mechanizm 1 procenta

0. Introduction

The identified victim effect refers to a greater willingness to
help identified people as opposed to merely statistical ones. To
quote from Thomas Schelling's article, one of the first to dis-
cuss the effect:

> Let a six-year-old girl with brown hair need thousands of dol-
> lars for an operation that will prolong her life until Christ-
> mas, and the post office will be swamped with nickels and
> dimes to save her. But let it be reported that without a sales
> tax the hospital facilities of Massachusetts will deteriorate
> and cause a barely perceptible increase in preventable deaths
> – not many will drop a tear or reach for their checkbooks.
> (Schelling 1984, 115)

A six-year-old girl with brown hair is an identified victim. Peo-
ple who will die and who could have lived had a sales tax been
introduced are merely statistical.

   One of the aims of the article is to answer a simple question:
Given the psychological bias, what, morally speaking, ought we
to do? Ought we to act in line with the effect, or ought we to try
to overcome it? The article aims to answer the question from
the point of view of classical utilitarianism. Different ethical

doctrines lead to different conclusions. For example, in his article published in this volume Załuski (2018, 66) argues that "one cannot say (…) that there is something irrational or immoral in giving preference to identified victims." His conclusion naturally follows from a rejection of utilitarianism in favor of what he refers to as negative morality with elements of positive-partial morality. I, however, adopt a different perspective.

In the first part of this article I define the key psychological effects which shape our helping decisions every day. The second part is devoted to answering the question of what we ought to do in the light of the research and the adopted ethical doctrine of classical utilitarianism. The answer is going to depend to a large extent on what we know about the victim in need of help. I provide arguments to support the position that, in general, one ought to give preference to statistical victims, as helping them is, on average, more efficient. Based on that conclusion, in section 3, I suggest some changes to the law, using the example of the Polish non-governmental sector. I argue for a modification of the percentage tax designation mechanism in Poland, and for changes to rules for the public funding of non-governmental organizations. Discussion and summary follow.

1. Defining the key psychological effects

Later in this article, I will claim that when deciding what we ought to do, we need to take psychological reality into account. There are a few psychological effects that play a large role in shaping our helping decisions. In this article, I focus mostly on the identified victim effect,[1] the singularity effect and what I refer to as reciprocity-based other-regardedness. Let us first define some key terms.

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[1] Sometimes referred to as the identifiable victim effect (e.g. Jenni and Loewenstein 1997) or the identifiability effect (e.g. Lewinsohn-Zamir, Ritov and Kogut 2017, 507).

I define the identified victim effect as a greater willingness to help identified people as opposed to merely statistical people.[2] The greater willingness means both expending more resources and helping identified victims rather than statistical ones when given a choice (for a review of empirical studies of the effect see: Lewinsohn-Zamir, Ritov and Kogut 2017; Small 2015). Defining identified and merely statistical people is more difficult. The difficulty lies in the fact that the definitions used by psychologists and philosophers often differ. For example, Caspar Hare defines statistical victims with the notion of a "counterfactually open process", that is, a process in which "there is no fact of the matter about what its outcome would have been if we had not initiated it" (Hare 2012, 380; see also: Żuradzki 2015). We help statistical victims when there is no fact of the matter about what would have happened to them if we had not helped them. When we help identified victims, such a fact exists. Something will definitely happen to them if we do not help. This philosophical definition is satisfyingly clear. However, as I am going to stress the importance of empirical, psychological facts in this article, I will define identified and statistical victims as most psychological studies seem to define them. Identified victims are more vivid than statistical victims (described with names, pictures, family information etc.), certain (as opposed to probabilistic), the evaluation of an identified victim is made *ex post* – after the event causing the need for help has occurred, and they are their own reference group (as the risk of harm is most highly concentrated, n out of n people are at risk) (Small 2003, 5–6).

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[2] It is also sometimes described as a feeling of a greater sense of obligation to help (Hare 2012, 379), a much stronger reaction (Lewinsohn-Zamir, Ritov and Kogut 2017, 514), a willingness to disproportionately concentrate resources on specific victims (Small 2015, 14), or, more simply, the willingness to spend far more money (Jenni and Loewenstein 1997, 236).

The singularity effect consists in a greater proportionate willingness to help single victims as opposed to groups of more than one victim (Kogut and Ritov 2005, 161). It is not surprising that a combination of singularity and identification elicits extraordinary sympathy (see also: Loewenstein and Small 2007, 118–119). Finally, by reciprocity-based other-regardedness I mean the greater willingness to help an individual when both the helper and the recipient can identify each other (as compared to a situation when only the recipient is identified, or neither) (Bohnet and Frey 1999).

Now that we have defined the terms, let us briefly discuss the ethical doctrine that is going to help us in answering the question of what we ought to do.

2. What ought we to do?

A. Utilitarianism

The doctrine of classical utilitarianism is based on the fundamental idea that an act is morally right if, and only if, it maximizes the good. The only intrinsic good is pleasure, and the only intrinsic bad is pain. An act is morally right if, and only if, the total pleasure minus total pain (utility) resulting from an action is greater than that which would come as a result of any alternative action available to the agent. Classical utilitarianism can be thus described as hedonistic act consequentialism (Sinnott-Armstrong 2015). There is, however, a difference between what makes acts morally wrong, and the procedure agents should use to make moral decisions. Calculating in each particular case which act maximizes the good would be counterproductive, which is why utilitarians (and other act-consequentialists) rarely defend such a decision procedure. Instead, they usually endorse a rule-consequentialist decision procedure – "At least normally, agents should decide what to do by applying rules whose acceptance will produce the best consequences" (Hooker 2016). In the case of classical

utilitarianism, the best consequences refer to the highest net total utility. When it comes to helping identified and statistical victims, what decision procedure will get us the result?

B. Two basic assumptions

I want to make explicit two assumptions that I will be making in the subsequent analysis. The first one concerns the factors that influence the increase in total utility resulting from helping a particular (statistical or identified) victim. For example, in his aforementioned article, Załuski (2018) provides the following analysis:

> [...] utilitarianism implies that our moral duty is not simply to help others, but to help them in a manner that maximizes social utility, and the requirement of the maximization of social utility implies that, having at one's disposal a certain amount of money (M), one should give it to the more numerous group of victims, since the increase in utility remains in direct proportion to the number of victims (on the assumption that the law of decreasing marginal utility is valid, and that the help is identical for each victim). (Załuski 2018, 54-55)

This conclusion is on point if one accepts the assumptions. In this article, however, I will proceed with a different assumption, namely that the help is not identical for each victim. How effectively we help depends on many factors, not the least of which is how much we know about the person we are helping.

The second assumption is that it is generally possible to choose to help statistical victims rather than identified ones. If we assumed that acting in spite of the identified victim effect is impossible, there would be little to discuss. No sound moral theory can demand that people do that which is impossible.[3]

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[3] See Owen Flanagan's Principle of Minimal Psychological Realism (Flanagan 1993, 32).

Also, it is not clear whether the identified victim effect (and the other aforementioned psychological biases) can be overcome when it comes to how much we help. Can we make ourselves be as generous towards every statistical victim as we are towards a single, identified one? This is an empirical question that, to my mind, has yet to be answered. All that can be said on this matter for now is that if we always help identified victims (proportionally) more than statistical ones, this needs to be included in the utilitarian calculus. I will return to this question shortly.

C. Perfect information scenario

If we apply classical utilitarianism's criterion of moral wrongness to the identified victim effect, it is not hard to see that it is morally wrong. A willingness to help identified victims rather than statistical ones regardless of the consequences for the net total utility will usually lead to consequences that are not utility-maximizing.

However, we are still left with the question of what we ought to do, in practice. What decision procedure should we employ, when facing a choice between helping identified and statistical victims? Ought we to be helping identified victims we see around us every day, or merely statistical victims far away? This is going to depend on what we know about the statistical and identified victims we are in position to help. To quote Caspar Hare:

> Maybe you know a great deal about the one person and very little about the other person. Or maybe you know a great deal about the way in which you will benefit the one person and very little about the way in which you will benefit the other person. Or maybe, though you do not know very much about either, you are in a position to know a great deal about the one but not the other person (Hare 2012, 380).

If we could know the consequences of our actions perfectly, the answer would be simple. We ought to help in a way that maximizes the net total utility. In some cases that would mean helping identified victims, in others – statistical ones.

This situation, however, is purely hypothetical. Very rarely, if ever, are we in position to know the exact consequences of our actions. There are some situations in which it is simply impossible to judge the efficiency of our actions – as it is impossible post-factum to know their exact effect. In other situations, it is simply impossible to calculate them, or the costs of gathering information would be too great.

What ought we to do in a situation when we do not possess perfect information about the efficiency of helping identified and statistical victims?

D. Imperfect information scenario

We have established that we do not and cannot know for sure what the results of our actions will be, and therefore how efficient in increasing the net total utility we are.

The situation would be very easy if we assumed that we cannot know anything about the results of our actions. In such a case, it would not matter whether we help statistical victims, help identified victims, or sit at home and watch TV. Any consequentialist ethical system (including classical utilitarianism) would be quite useless. This, however, is not the case. Although we cannot know for sure the exact efficiency of any of our particular actions, we usually have a general idea. A general idea is, in many cases, quite enough.

The average efficiency of our actions becomes particularly important. Is helping statistical victims on average more efficient than helping identified ones?

There are arguments to be made for both cases. When it comes to identified victims, we usually know much more about the needs of the individual – therefore, we can meet their needs with greater efficiency. Also, if we assume that the aforemen-

tioned psychological effects are too deeply ingrained and cannot be easily changed, we will always expend greater resources on helping an identified victim, as compared to a statistical one. We can safely assume that the increase in net total utility is a function of the amount of expended resources, amongst other things.

Despite this, I believe that devoting resources to helping statistical victims is, on average, many times more efficient in increasing the net total utility than helping identified ones. This is for a number of reasons:

Firstly, helping statistical victims is usually carried out by professional charitable organizations[4] or governments. They often carry out large scale projects that have an impact on the lives of many individuals, for many years. As such we can assume that every dollar donated to those charities increases the world's total utility with a great efficiency.[5]

Secondly, we usually help many more statistical victims than identified ones. Therefore, we need to take into account the law of diminishing marginal utility. The marginal utility of a good decreases with each additional unit of the same good. Let us assume that the law of diminishing marginal utility applies at all levels of help. In other words: the increase in utility resulting from giving \$2 to one identified person is smaller than the increase resulting from giving two statistical people \$1 each. All else being equal, donating a certain amount to help more than one person is better than donating the same amount to only one.

Thirdly, most of the identified people in need encountered by the majority of people living in first world countries are in a much better situation compared to statistical victims

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[4] For a list of some of the most effective charitable organizations see: www.givewell.org

[5] A counter argument can also be raised. Since by definition we know identified individuals far better than statistical ones, we can help them more effectively.

awaiting help in developing countries, or statistical victims of large-scale natural disasters. For example, the bottom 5% of the American income distribution is still richer than 68% of the world (Milanovic 2010, 116). From the perspective of an inhabitant of the first world, helping statistical victims is, on average, more efficient.

For all these reasons, I believe that helping statistical victims is on average many times more efficient than helping identified ones. Can we establish a rule that, given a choice, one should always be helping statistical victims? Unfortunately, the situation is more complicated than this.

We can usually make a rough comparison of the increase in utility that will result from us helping identified or statistical victims in individual cases, even if the estimate is not precise and we cannot be certain of it. There are cases when we ought to trust it and, as a result, help the identified victim. It may be because, for example: it is clear that the identified victims need help much more; there are many more identified victims than statistical victims we are in position to help; we are the only person in position to help an identified victim, while there are many people in a position to help a statistical one (and therefore there is a high probability that someone else will); we alone possess precise knowledge on how to help an identified victim, etc.

To use a rather crude example, let us suppose that we are the only person in a position to save people in a burning building[6] – we ought to do it. We need not consider whether running to the bank to transfer money to a charitable organization constitutes a better use of our time. Similarly, to use Peter Singer's famous example, if we can see a child drowning in a pool, we need not ask ourselves whether at that very moment we can perhaps help more statistical children instead. Those two

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[6] And we know exactly how to do it, because, for example, we are trained firefighters.

are examples of situations when helping the identified victim clearly leads to a better result and is advisable on the grounds of classical utilitarianism.

The general rule on what ought we to do can thus take the following shape: All else being equal, given a choice[7] between helping statistical and identified victims, we ought to give preference to statistical victims, unless it is clear that helping identified ones leads to a greater increase in net total utility. If this rule seems general and simplistic, that is because it is. However, given the reality of our too imperfect knowledge about the world, I believe any more precise rule would have to include a number of exceptions and additional clauses. This would undermine its very purpose, which is to make our daily moral decisions easier. What we ought to do is run to the bank to transfer money to a charitable organization and save statistical victims. However, we ought to stop to save people in a burning building when we encounter them on our way.

3. Legal implications

What changes in public policy ought to follow this assessment? Clearly, charitable organizations ought to devote a larger share of their resources to helping statistical victims rather than identified ones. In this section, I turn to the question of what legal means can (and ought to) be used to attain this state of affairs. The question is by no means an easy one. There are at least two kinds of difficulty. Firstly, if the policy changes are to achieve their results, we need to take human psychology into account. This includes all sorts of psychological biases, the identifiable victim effect being one of them. Secondly, the legal changes have to be politically viable, and, as we will see, there

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[7] The situation is further complicated by the fact that when it comes to helping statistical victims we have the possibility of helping them nearly all the time, through donating to a charitable organizations.

are few more politically sensitive topics than regulations limit-ing people's ability to help (identified) people in need.

In what follows, I will use the example of the Polish non-gov-ernmental sector. However, I believe that similar legal changes could be introduced in many other countries around the world.

In Poland, not unlike most developed countries around the world, the activities of many non-governmental organizations are closely supervised by the state. There are 8517 officially recognized public benefit organizations in Poland. The organi-zations enjoy a number of benefits, including tax exemptions and the possibility of participating in the so-called percentage tax designation mechanism (which I will turn to shortly). At the same time, they are subject to strict requirements concern-ing transparency and internal control arrangements. They publish a yearly report on their finances and activities and are supervised by the Minister for Social Security.

The state could, quite simply, require all the aforemen-tioned public benefit organizations to devote a percentage of their resources to projects targeting statistical victims. This would imply, for example, focusing on general prevention rath-er than on the treatment of individual patients, or focusing on wide-scale social projects rather than helping specific individ-uals in poverty etc. This, however, would constitute a rather radical change, a major limitation of citizens' freedom to car-ry out organized charitable activities in the manner of their choosing. Therefore, such a policy change, even if advisable from the point of view of utilitarian ethics, does not look politi-cally viable. There are, however, two ways to achieve a roughly similar result (in terms of a major increase in the amount of resources devoted to helping statistical victims), that are, to my mind, more realistic.

A. Percentage Tax Designation

The first way has to do with a legal mechanism known as percentage tax designation. It is an instrument that allows

taxpayers to channel a certain percentage of their income tax to entities with public benefit purposes (mostly non-profit organizations). Legal mechanisms of this kind have been introduced in several countries around the world, including Japan, Italy, Spain, Portugal, Romania, Hungary, Lithuania and Slovakia.

In Poland, as in other countries in Central and Eastern Europe, the concept emerged in policy debates in the early nineties. The mechanism was introduced as a part of a broader legislative project (the Act on Public Benefit Activity and Volunteerism of April 24, 2003) aimed at improving the conditions of the non-governmental sector in Poland. Polish taxpayers were able to use it for the first time in 2004, for the fiscal year of 2003.

They were given the right to allocate 1% of their annual income tax to one of the public benefit organizations. The mechanism was meant to foster civic engagement in the work of local non-governmental organizations and to provide the NGOs with the necessary resources.

However, most of the funds have been used rather differently. The Polish system of tax designation differs in one key way from those in other countries. Poles can indicate a so-called detailed aim for their designation. Also, if they choose to allow it, the beneficiary can also receive the taxpayer's personal details – name, surname and address, as well as information about the amount of funds transferred. An important point here is that specifying the detailed aim does not have any legal force in itself. The beneficiary is not required to spend the fund on the specified detailed aim or to inform the taxpayer about how the tax designation funds are spent. However, a practice of the "privatization" of the funds has developed. The public benefit organizations have been signing civil law contracts with individual people, in which an organization commits to transferring funds to a particular sub-account, at the disposal of a person in need, based on the information about the de-

tailed aim. Very often the people in need solicit donations from friends and family themselves, urging them to allocate 1% of their personal income tax to a specific subaccount.

The scale of this practice is in itself a kind of testimony to the strength of the identified victim effect. Each year, the Ministry of Finance creates a list of all public benefit organizations and the amount of funds that they received through the mechanism of tax designation. A cursory glance at the list allows us to see how most of the resources flow to organizations helping identified, rather than statistical people. In total, in 2016, 8238 organizations received 660,188,590.89 PLN through the mechanism (about $190,256,078). However, the top 50 organizations collected 393,375,644.30 PLN – nearly 60 per cent of the sum. Moreover, the public benefit organization that received the most (Foundation for children "Help on Time" – Fundacja Dzieciom "Zdążyć z pomocą") received 148,935,303.55 PLN – more than 22.5 per cent of the total sum. "Help on Time" is the largest organization offering sub-accounts to families of sick children. It serves as an intermediary, transferring the funds from tax designation to the children in need. According to its website, at the moment of writing it helps 33,000 children, presumably through this very procedure. However, it is not alone. Of the 50 biggest recipients of tax designation funds, 27 of them play a roughly similar role (few of them direct the funds to specific schools / kindergartens rather than individuals). Together, the 27 organizations alone collect 317,760,386.32 PLN – 48 per cent of the total sum (Ministry of Finance 2016, 4).

This way, the taxpayer's 1 per cent no longer benefits some unknown statistical people, or even a local community in general. It helps a specific, identified, often personally known person. As was mentioned, the detailed aim does not have any legal force. Polish citizens had to look for a way to use this legislation to help identified people rather than statistical ones – and they found it.

In the light of the studies mentioned in section 1, this should not be surprising. We know that people are far more willing to help identified rather than statistical people. Allowing taxpayers to specify whom exactly they wish to help gave them an opportunity to do precisely that. Also, the motivation to help identified people rather than statistical ones must be further increased by the fact that the "victim" is likely to learn who is (and is not) using their tax designation to help them, as well as the size of the help. This activates what I refer to as reciprocity-based other-regardedness, which would not occur if the taxpayers were not given the possibility of providing their personal data (Bohnet and Frey 1999, 52).

From the point of view of the utilitarian analysis it is clear that the situation ought to be changed. Not only is it morally right to dedicate the majority of resources to helping statistical victims, it was also the chief aim of the legislation. What can be done?

Some experts have argued that the practice of creating sub-accounts to raise funds for individual people should be abolished entirely (Stanisławski 2013). This would surely lead to a larger amount of funds being devoted to helping statistical victims and, as such, could be recommended. However, to my mind, there are two potential problems with this solution. Firstly, most people believe very strongly that one should be completely free to choose the way they help (for more on people's beliefs concerning the normative status of helping, see: Załuski 2018, in this volume). As such, by effectively forcing people to help statistical victims rather than identified ones we are running the risk of discouraging citizens from participating in the tax designation mechanism at all. This could lead either to a substantial decrease in the amount of funds raised through the 1% mechanism or, at the very least, to a halt of an upward trend – the amount of funds donated has been increasing every year since the mechanism was introduced in 2004. This fear, however, should not be exaggerated, for a sim-

ple reason – the percentage tax designation is not a donation. The taxpayers are not spending their money. Rather, they are participating in the allocation of part of their personal income tax. Therefore, allocating the money to a public benefit organization "hurts" much less. Also, the money that does not find its way to such an organization goes to the state budget, where it may be used to fund wide-scale projects potentially helping all inhabitants of the country – statistical victims.

There is another reason why an outright ban on the sub-accounts practice is not an advisable solution. I claim that it is politically impossible. Any government attempting to push through such a legal change will have to face the accusations of the benefactors of the mechanism (and the political opposition) that the government is trying to take away money from sick children (and other needy individuals). One would be hard pressed to find a more politically sensitive matter.

A policy change that could be recommended would be to legally require the public benefit organizations to spend a part of the funds gathered through the tax designation on projects targeting statistical victims. The amount of funds could start from 5% and gradually increase to, say, 25% or more. This solution has two advantages. Firstly, it does not take away people's ability to help their loved ones in need (although it does diminish it slightly). Secondly, it leaves public benefit organizations complete freedom in how they use all the other funds they collect (through charity appeals etc.). Therefore, it is less likely to raise opposition.

B. Criteria for public funding

There is, however, a second way that the state can shape charitable activities, without resorting to general law changes. In Poland, 55% of funding of NGOs comes from public sources, including central and territorial administration and EU funds (Stowarzyszenie Klon/Jawor 2016, 20). Most of the resources are distributed by means of open competitions, the criteria of

which are created by public authorities. Given the fact that such a large share of NGOs' resources comes from public sources, modifying the criteria to promote helping statistical victims would be a strategy with a large impact that would not go against people's intuitions on the normative status of helping.

I do not believe the optimal strategy would be to require that 100% of charitable activities must target statistical victims. Putting aside the aforementioned problem of people getting discouraged from helping, we have established that there are some situations in which helping identified victims is advisable on the ground of utilitarian ethics. Some of the funding should go towards helping identified victims, so as not to miss precisely those cases. At this point, calculating what the exact proportion should be seems impossible. It suffices to say that the amount of funding/activities devoted towards helping statistical victims should be much larger than that devoted to helping identified people.

There are two rather modest, but concrete and realistic policy proposals that stem from the analysis above:

1. Public, open competitions for public funds for non-governmental organizations should promote projects that benefit statistical rather than identified victims.

2. The percentage tax designation mechanism should be modified to require that the organizations devote at least 25% of the funds to projects targeting statistical victims.

4. Discussion and Summary

A few final comments seem in order. In section 2 I have established that it is advisable to act in spite of the identified victim effect, and to help statistical victims, in most cases. However, I have been considering the situation only from a perspective of a single individual. The identified victim effect is a psychological bias that is at the very center of many people's moral

intuitions. As such, overcoming it could lead to major changes in the daily private and public decisions of a given society. It is beyond the scope of this article to examine whether those changes would necessarily be for the better. For example, it could be argued that a preference for identified victims in one's proximity is a key ingredient of social capital, trust, relations with friends and family etc.

However, it is not really necessary to address the question of what would happen if everybody started favoring statistical victims – for the very simple reason that they are not going to.[8] In our ethical thinking we need to be concerned with the actual, current situation. In the current situation it is advisable that we do not follow the identified victim effect in our decisions. We need not necessarily bother ourselves with the long-term consequences of purely hypothetical scenarios.

Also, the identified victim effect can and is used by charitable organizations to solicit more donations for their causes. A picture of a starving boy is more effective in raising funds than statistics about the necessity of famine relief. In this way the identified victim effect is used to gather a larger amount of funds for helping identified and statistical victims. Perhaps through very skillful manipulation it could be possible to raise more money this way than would be possible if the identified victim effect did not exist. This could lead to the surprising conclusion that the effect can lead to better results than are possible without it. This is why I do not advise introducing legal limits on referring to identified victims when soliciting donations, even if the actual activities focus on large scale projects targeting statistical victims.

The main point of this article was to answer the question of what we ought to do with regards to the identified victim effect. Ought we to act in line with it, or ought we to act in the

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[8] This reasoning follows Stuart Rachels' reflections on the immorality of having children (Rachels 2014).

opposite way? From the point of view of utilitarianism, it is clear that in most realistic cases we ought to focus on helping statistical victims. Based on this conclusion, I have suggested some modest changes to the law, so as to increase the amount of help that goes to statistical victims. This surely is not the last word on this matter.

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