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Philosophy and Phenomenological Research, Vol. 59, No. 3 (Sep., 1999), 777-784.

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Intransitivity and the Person-Affecting Principle: A Response

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I.

In "Intransitivity and the Person-Affecting Principle,"¹ (*IPAP*) Alastair Norcross attacks several key claims of my "Intransitivity and the Mere Addition Paradox" (*IMAP*).² This article suggests that Norcross's arguments—despite their appeal—leave *IMAP*'s claims mostly intact.

Before assessing Norcross's arguments, let me characterize two key notions distinguished in *IMAP*: an essentially comparative view of moral ideals and an intrinsic aspect view. On an *essentially comparative* view (*EC*), different factors might be relevant for comparing different alternatives regarding a given ideal. On such a view, how bad a situation is regarding a given ideal is not an *intrinsic* feature of that situation. There is no fact of the matter as to how bad a situation *really* is, considered just by itself. How bad it is depends on the alternative compared to it. Moreover, importantly, there may be no fact of the matter as to how two situations compare considered from a purely abstract perspective. How situations compare depends on the precise relation between them, and this may depend on who their members are or how they have come about. Thus, pairs of alternatives that *look* the same considered purely abstractly, may in fact represent different pairs of alternatives; correspondingly, the relevant factors for comparing those alternatives regarding a given ideal may vary, and so too may our comparative judgments about them (*IMAP*, 149–51).

On an *intrinsic aspect* view (*IA*), how good or bad a situation is regarding a given ideal will be an *intrinsic* feature of that situation—that is, it will not depend on the alternative that situation is compared with, but solely on internal factors. On this view, the same factors will be relevant for comparing any situations regarding a given ideal, and how a situation has come about, or who its members are, will be irrelevant to the abstract impersonal judgment about how it fares regarding any given ideal. Correspondingly, if different pairs of alternatives are indistinguishable considered from a purely abstract

¹ *Philosophy and Phenomenological Research*, this issue, pp. 769–76.

² *Philosophy and Public Affairs* 16 (1987): 138–87.

perspective the relevant factors for comparing those alternatives regarding a given ideal will be the same, and so too will our comparative judgments about them (IMAP, 158–61).

II.

In IMAP, I argued that *if* one accepts an essentially comparative view of moral ideals, then “all-things-considered better than” may *not* be a transitive relation. I emphasized that one can retain transitivity by rejecting EC in favor of IA, and noted IA’s great plausibility. Still, I suggested that, for many, forsaking EC would be difficult, hence the threat of intransitivity remained.

Norcross presents my argument for intransitivity on pages 770–71. He suggests my argument fails, claiming that there is a “crucial assumption” underlying my argument in virtue of which there is no “genuine violation of the transitivity of ‘better than’” (p. 773). The assumption is that “A is our starting point, and that the move from A to B affects the A-people adversely” (IMAP, 152–53, fn. 17).

Norcross’s objection runs as follows. By insisting that “A is our starting point” in comparing A and B, I am no longer making the general claim that A is better than B *all things considered*. Rather, I am making the limited claim that A is better than B, *if* we start at A and transform A into B. That is, the claim is that “On UC, A is better than B, *relative to starting at A*. Call this being *A* better than B.... As for the claim that A is not better than A+, that seems to hold whether we start at A or A+. What about the claim that B is better than A+? That seems to be true, whether we start at B or at A+. So, now it seems that A is *A* better than B, which is both *B* better and *A+* better than A+, which is neither *A* worse nor *A+* worse than A. But this doesn’t violate transitivity. For that we would need the claim that B is *A* better than A+ (p. 772).”

The heart of Norcross’s argument can be put simply. A relation R is transitive if for all A, B, and C, if ARB and BRC then ARC. But given my “crucial assumption” there is no relation R obtaining between A, B, and A+ in my example. Instead, we have AR1B—where R1 is the *A* better than relation—and BR2A+—where R2 is the *B* better than (or *A+* better than) relation. But from the fact that AR1B, and BR2C, *nothing* follows about how A compares to C, regarding R1 or R2. Transitivity simply doesn’t apply in cases where different relations are involved. Hence, given my assumption, there is no “genuine violation of intransitivity.”

Norcross’s analysis directly parallels my own explanation for *why* transitivity does not hold in my example. As I put it elsewhere, “if A is a better tennis-player than B, and B a better bridge-player than C, *nothing* follows about how A and C compare either as tennis-players or as bridge-players. The simple reason for this is that the factors that are relevant for comparing tennis-players are *different* from those that are relevant for comparing bridge-

players. By the same token, if a moral principle *f* is essentially comparative, then, by hypothesis, the relevant factors for comparing A and B regarding *f* may be different from the relevant factors for comparing B and C, or A and C, regarding *f*. Consequently, knowing how A and B, and B and C, compare regarding *f* by itself tells us nothing about how A and C compare regarding *f*.³ If one adds that in a sense the relation that holds between two alternatives regarding *f* differs depending on which factors are relevant for comparing those situations regarding *f*, then there is little difference between the analyses offered by Norcross and me.

So, Norcross and I agree that transitivity doesn't hold in my example, and we basically agree about that fact's explanation. But I deny that given my "crucial assumption," there is no "genuine violation of intransitivity."

Suppose there is a relation R3 that holds if either R1 or R2 holds. Then it might be that AR3B (because AR1B) and BR3A+ (because BR2A+), yet it needn't be that AR3A+. After all, from the fact that AR1B, and BR2A+, nothing follows as to how A compares to A+ regarding R1 or R2, hence nothing follows as to how they compare regarding R3. On this scenario, my example *would* involve a "genuine violation" of transitivity, but the violation would be regarding R3, *not* R1 or R2.

What is the relation, R3, holding between A and B, given that A is A better than B, and holding between B and A+, given that B is B better than A+, but not holding between A and A+? It is the "better than" relation! More specifically, on UC, *the view that utility is essentially comparative*, it is the "all-things-considered better than" relation regarding utility.

Norcross specifically argues that the judgment that A is better than B *can't* be "all things considered." His argument is instructive. He notes that on UC A is better than B, if we start at A and move to B, but "What happens if we start at B? The move from B to A would involve the deaths of half the population, and a small improvement in the lives of the other half. Could a large loss in utility for one half be made up for by a small gain for the other half? This hardly seems likely. So, if we start at B, B is better than A" (p. 771). But this involves a contradiction. It can't be the case that *all things considered* A is better than B and B better than A. So our judgments about A and B must *not* be all things considered. They must simply be "A better than" and "B better than" judgments.

Norcross's argument has great plausibility. *But it assumes an intrinsic aspect view of moral ideals*. As noted in part I, on IA, how two situations compare will depend solely on their abstract internal features. So, how a situation has come about, or who its members are, will be irrelevant to the abstract impersonal judgment about how it fares regarding any given ideal.

³ "Rethinking the Good, Moral Ideals and the Nature of Practical Reasoning," pp. 305–6, in *Reading Parfit*, ed. Jonathan Dancy, Blackwell Publishers, 1997, pp. 290–345.

Correspondingly, if different pairs of alternatives are indistinguishable considered from a purely abstract perspective, the relevant factors for comparing those alternatives regarding a given ideal will be the same, and so too will our comparative judgments about them. But, as noted in part I, the case is otherwise on an essentially comparative view of moral ideals, like UC.

On UC, the relation between situations that look like A and B, abstractly considered, will be different depending on whether one starts in an A-like situation and moves to a B-like situation, or vice versa. Correspondingly, the relevant factors for comparing those situations regarding utility will be different, and thus so will our all-things-considered judgments regarding utility. All-things-considered judgments take account of *all* of the relevant factors for comparing two alternatives. On UC, it is relevant to our judgment whether a change involves *worsening* the lot of everyone existing—a clearly bad thing—and the *mere addition* of others—which, on UC, does not improve a situation; or whether a change involves improving half the population—a good thing—but at the cost of significantly worsening the other half (by getting rid of them!)—a very bad thing.

In sum, on UC, our judgment about A and B depends on who their members are or how they've come about. So, on UC, it is *not* merely the case that A is better than B relative to starting at A. Rather, on UC, if A is the starting point, then A is better than B regarding utility *all things considered*, that is, taking account of *all* of the factors that are relevant for making that comparison. For, on UC, it is *relevant*—because of what it implies about how people's utilities are affected—whether one moves from A to B, or vice versa.

In IMAP, I argued that an intrinsic aspect view has great plausibility, and showed that IA entails transitivity. So I appreciate the attraction of Norcross's view. But Norcross's argument leaves mine untouched. To be sure, if one assumes IA, as Norcross implicitly has, there will be no intransitivity. But it remains true that if one accepts an essentially comparative view, like UC, there will be intransitivity. On UC, A will be better than B regarding utility all things considered, given the assumption that one starts at A and moves to B. Likewise, on UC, B will be better than A+ regarding utility all things considered. But, on UC, A is *not* better than A+ regarding utility all things considered. So my argument stands. On UC, there is a genuine violation of transitivity, assuming that one starts at A, and that moving from A to B affects the A-people adversely.⁴

III.

Turning from the view that Utility is Essentially Comparative (UC) to the Person-Affecting Principle (PAP), Norcross grants that there are situations

⁴ Unfortunately, much more should be said regarding this argument than space permits.

where PAP seemingly entails intransitivity. But he argues that PAP is implausible in precisely these situations. Specifically, Norcross argues that while PAP *is* plausible for comparing situations where the same people are involved, it is *not* plausible for comparing situations where completely different people are involved, or where some people are the same and some are different. And he claims that PAP entails intransitivity only in the latter cases.

I have two responses to Norcross’s argument.

First, I agree, and have myself argued, that PAP is implausible for comparing situations where completely different people are involved. I also think that Norcross’s discussion of DIAGRAMS 2 and 3 (pp. 774–76) shows that PAP is not plausible for comparing *all* situations where some people are different. But it is dubious whether one should conclude from his Fred example that PAP is *never* plausible for comparing situations where some people are different, and that is what Norcross needs for his argument. Perhaps the lesson of Norcross’s argument is that we shouldn’t let our judgments about situations involving many people be radically influenced by the mere presence or absence of one individual or small group. Ironically, I illustrated this same lesson *via* an analogous argument in my book *Inequality*.⁵

Arguably, then, the upshot of Norcross’s argument is that PAP is problematic for cases where only one person, or a small group, is the focus of PAP’s assessment. This conclusion is important, but not surprising. After all, for reasons Parfit and I have noted, PAP is not plausible for cases where just a few are involved. Norcross’s argument extends this point to cases where many are involved, but only a few would be the focus of PAP.

So, acknowledging that PAP is problematic when only a few are the focus of PAP’s assessment, let us consider a variation of Norcross’s example, where we needn’t worry about one person distorting our overall judgment. Consider A and B of diagram one, which is like Norcross’s diagram 3, except that Fred is replaced by GREATER and ALSO GREAT.

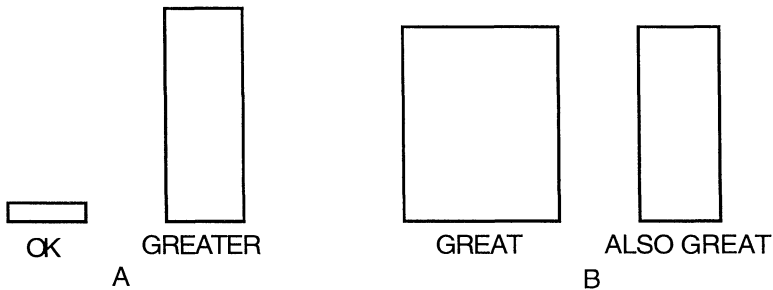


DIAGRAM ONE

⁵ Oxford University Press, 1993, pp. 103–11.

Assume that OK, GREATER, and ALSO GREAT number 10 billion each, with GREAT numbering 20 billion. How do A and B compare? It may seem clear that B is better than A all things considered, since it is more equal, and the worst-off group fares so much better. But is it equally clear that B is better than A regarding utility, or that PAP is not relevant for comparing them?

On an intrinsic aspect view, which Norcross undoubtedly accepts, the answers to these questions *are* clear. But at issue here is precisely whether we should accept an intrinsic aspect view, so one must be careful not to beg the question against proponents of PAP. And I suggest that, for many, whether B is better than A depends on the precise relation between them, in particular, on who their members are or how they've come about. To see this, consider two different ways A might be related to B.

First, suppose one had a situation like GREATER. Compare that situation to the one depicted by ALSO GREAT. ALSO GREAT has the same size population as GREATER, but everyone is worse off. If the *same* people would be in GREATER and ALSO GREAT, ALSO GREAT would be clearly worse than GREATER. Next, suppose that one adds twice as many people to ALSO GREAT's situation. Specifically, suppose one adds GREAT to ALSO GREAT, producing B. Many believe that once a population is large enough, our concern should be to increase the utility of people, not to increase the number of people with utility. That is, they believe that the *mere addition* of extra people to an already large population of well-off people does not improve the situation regarding utility (UC). So, many would judge an outcome consisting of GREATER as better than an outcome like B. Thus, given the choice between families having three children each, producing GREATER, or adding six extra children to the original three, producing B, many would claim that having the fewer children would be better. Moreover, in claiming this they might appeal to PAP, pointing out that if the families produce GREATER rather than B, this will be better for some—the three children that would be born in both situations—and worse for no one. Finally, suppose that by accident, extra children are born into the situation containing GREATER, transforming GREATER into A. The extra children—the OK group—all have lives worth living and, let us suppose, do *not*, in *any* way, adversely affect GREATER. Appealing to PAP, many would say that while A would not be *better* than GREATER, since after reaching a certain level, mere addition does not *improve* a situation, neither would it be worse, since there is *no one* for whom it *is* worse. Looked at this way then, A would be better than B, since A is not worse than GREATER which is better than B. Note, this argument assumes transitivity, which we may ultimately reject if the argument succeeds! But while rejecting transitivity is an option for me, it is not an option for Norcross.

Next, suppose A and B are related another way. Suppose one begins with B, and B is transformed into A via ALSO GREAT dying off, and GREAT breaking into two groups, one of which becomes slightly better off, GREATER, and one of which becomes much worse off, OK. In this case, it seems clear that A would be *much* worse than B, since such a transformation would drastically affect three quarters of the population, with only a quarter being slightly benefited.

For many, then, one cannot simply compare A and B from a purely abstract perspective. It matters whether A and B are related in the first way described, or the second. This is because, for some, it matters how people's lives would actually be affected by the different outcomes.

These remarks do not vindicate an essentially comparative view over an intrinsic aspect view. As I stressed throughout IMAP, both positions have plausibility. My aim is to show that Norcross's rejection of PAP for situations where some people are different is too fast. Even if one fully agrees with Norcross regarding his Fred example, it doesn't follow that PAP is implausible for *all* cases where some people are different. On reflection, I suggest that Norcross has not offered an argument that would shake the confidence of PAP's proponents for at least some cases like A and B. But if PAP is plausible for *any* such cases, then the threat to transitivity remains.

My second response to Norcross's argument is that even if he is right regarding PAP, he may win the battle, yet lose the war. This response was detailed in IMAP, let me directly quote it here.

One might attempt to avoid intransitivity by restricting the scope of PAP, for example, only allow it to influence our judgments in cases where exactly the same people are involved.... importantly, restricting the scope of PAP opens the possibility that ...[all-things-considered better than] will be intransitive even if none of its aspects are. For example, suppose A, B, and C are three alternatives such that given its restricted scope PAP is only relevant in comparing A and C. [This would be so if A and C involved the same people, but B involved some others.] It could then be the case that all things considered—that is, in terms of *all* of the relevant ... factors for making *each* comparison—A is better than B, and B is better than C, yet C is better than A. After all, even if C is worse than A in terms of the factors relevant for comparing A with B, and B with C, the extent to which this is so might be outweighed by the extent to which C is better than A regarding PAP (IMAP, pp. 169–70).

As noted in IMAP, “the above point is generalizable and significant.” If the scope of a moral principle or ideal is restricted, such that it applies when comparing some situations but not others, then different factors may be relevant ... in comparing alternative situations. If this is so, then ... [all-things-considered better than] may be ... intransitive *even if none of its aspects are themselves ... intransitive*” (p. 170). Unfortunately, this is a central lesson of IMAP that Norcross's discussion ignores.

To be fair, Norcross himself believes PAP holds, when it does, as a special instance of the principle of utility. So, for Norcross, there *aren't* dif-

ferent principles that apply when comparing different outcomes. Rather, there is a single principle, total utility, that holds for all outcomes, and that principle yields transitive judgments. Thus, Norcross himself needn't worry about the above line of reasoning.

However, most aren't total utilitarians. And among those who are not, many attach special weight to PAP over and above the extent to which they value utility. Thus, consider three cases I, II, and III, such that in each, one outcome, A, has more total utility than another, B, and by the same amount. Suppose in case I, everyone in A is worse off than everyone in B, but A has more people; in case II, A's worse-off are much worse off than B's, but A's better-off are to an even larger extent better off than B's; and in case III, A and B would involve the same people, but A is better for some and worse for no one. Although the difference in total utility is the same in each case, many who are unclear whether A is better than B in cases I and II, are convinced that A is better than B in case III. Minimally, many are convinced there is a powerful reason to prefer A to B in case III, that doesn't apply in the other cases; namely, that A is *better* for some and worse for *no one*. I suggest, then, that many are attracted to PAP, at least for some people cases, and that they value it over and above the extent to which they value total utility. For such people, limiting PAP's scope threatens the transitivity of all-things-considered better than. After all, if PAP is relevant to assessing some outcomes but not others, then different factors will be relevant for comparing different outcomes. In such cases, there is no reason to expect transitivity.

IV.

IMAP's main conclusion was that there were a number of important and plausible positions in conflict. Transitivity was one of the positions in play, but so was the intrinsic aspect view, the essentially comparative view, and views concerning alternatives like Parfit's Repugnant Conclusion, and "How Only France Survives." I concluded that "for many, to give up *any* of the ... views would require a major shift in their practical and moral reasoning" (IMAP, p. 186). I stand by that claim.

Norcross's arguments are plausible, but not conclusive. More importantly, they do not adequately recognize transitivity's costs. I argued that those costs are high, even if we must bear them. In sum, even if we must ultimately preserve transitivity and reject views like PAP, for many this will require a major shift in their thinking. That was the central lesson of "Intransitivity and the Mere Addition Paradox," and that lesson is untouched by Norcross's arguments.