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COHERENCE ARGUMENTS AND CYCLICAL MORAL
RANKINGS*

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I

Coherence arguments are a common tool in applied ethics. The applied ethicist appeals to moral judgments about specific choice-situations that can count on a reasonable level of consensus and constructs a theory – i.e. a set of general principles – on the basis of these judgments. The theory will then guide moral judgments about more controversial choice-situations. Such theories tend to have a particular format. Let us consider a paradigm study in applied ethics with the aim of determining this format.

In 'A Defense of Abortion',¹ J. J. Thomson grants that the fetus is a person from at least some point during pregnancy. On this assumption the clash between the fetus' right to life and the mother's right to determine what shall happen in and to her body is what constitutes the moral problem of abortion. To determine which of these values is more stringent, Thomson resorts to a coherence argument. She considers the following choice-situation which is constituted by a clash between the same pair of values. You find yourself waking up one morning in a hospital bed laying next to an unconscious person who happens to be a famous violinist suffering from a fatal kidney disease. The Society for Music Lovers has kidnapped you overnight and plugged your circulatory system up to his. You are told that, considering your blood type, you are the only person in the world who can save the life of the violinist. To do so, you will need to remain plugged up to him for the next nine months. Then you can safely be unplugged and he will have recovered from his disease. Thomson contends that most of us would not find

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ourselves under any obligation to accede to this situation. Hence, in this choice-situation the violinist's right to life is less stringent than your right to determine what happens in and to your body.

This is in itself not sufficient to conclude that the right to determine what happens in and to one's body is more stringent than the right to life *tout court*. Certainly in some choice-situations the latter right trumps the former – e.g. a pedestrian's right to life trumps a motorist's right to determine how much alcohol to consume. So before there is any conclusion to be drawn about the permissibility of abortion, Thomson needs to specify in virtue of which contextual features the right to determine what happens in and to one's body is more stringent than the right to life in the transfusion case. For instance, it is crucial that the right-to-life claimant is dependent for her survival on the determination claimant and that the latter has never volunteered for the services she is providing. The former feature clearly holds in the abortion case. The latter feature imposes a restriction on abortion for intended pregnancies.

What can be learned from this about the format of a moral theory that is constructed on the basis of coherence arguments? I will spell out four claims which characterize the set of general principles that plays a mediating role in spreading our moral judgment from the transfusion case to the abortion case.

First, no attempt is being made to reduce the right to life or the right to determine what happens in and to one's body to some common standard. The method of coherence recognizes the existence of a plurality of *sui generis* values. Second, *sui generis* values may clash in particular choice-situations as the right to life and the right to determine what happens in and to one's body clash in the abortion and the transfusion case. Such clashes are constitutive of moral problems. Third, the coherence method starts from choice-situations in which there is a reasonable level of consensus about one value being more stringent than some other – like the transfusion case – and aims at spreading this consensus to choice situations that are more controversial – like the abortion case. Hence, moral problems are open to rational adjudication. Fourth, the relative stringency of the opposing values in a moral problem is determined by contextual features of the choice-situation. The stringency of the right to determine what happens in and to one's body relative to the right

to life holds in virtue of the relation of dependency between the right-to-life claimant and the determination claimant and the non-voluntary character of the initiation of this dependency.

Let us baptize this set of four claims 'contextual pluralism'. Contextual pluralism is a meta-theory about the format of moral theories that are constructed on the basis of coherence arguments. I intend to explore a particular challenge to contextual pluralism from a rather unexpected corner.

II

The challenge to contextual pluralism rests on an alternative interpretation of a well-known theorem in social choice theory, viz. Sen's libertarian paradox.² This paradox reveals that the Pareto condition is inconsistent with the libertarian commitment to personal liberties. To see this, consider the following weak variant of the Pareto condition (P). If some alternative (i.e. some state of affairs) x ranks higher than some alternative y in everyone's welfare ordering (i.e. if every person in society is better off if x rather than y is realized), then x must be ranked higher than y in the social ranking (i.e. a judgment as to what is best for society at large must favor x over y). Consider the following attempt to mould the libertarian commitment to personal liberties into a condition in social choice theory. The condition of *Minimal Libertarianism* (ML) states that the set of alternatives is such that there are at least two persons such that each will find a pair of alternatives which is entirely within her personal sphere and each will be made solely *decisive* over this pair, i.e. if one alternative ranks higher than the other alternative in her welfare ordering then this ranking should be respected in the social ranking, however these alternatives may rank in anyone else's welfare ordering.

Conditions (P) and (ML) yield cyclical social rankings for some sets of welfare orderings.³ To see this, we need to consider the following three cases. Either the two persons in (ML) are decisive (a) over the same pair of alternatives, viz. over $\{x,y\}$, or (b) over pairs of alternatives that have one element in common, viz. over $\{x,y\}$ and $\{y,z\}$ respectively

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or (c) over pairs of alternatives that have no element in common – viz. over $\{w,x\}$ and $\{y,z\}$ respectively. In case (a), let person 1 rank x over y and let person 2 rank y and x . Then, by (ML), x will rank higher than y and y will rank higher than x in the social ranking. (Case (a) does not require (P).) In case (b), let person 1 rank z over x over y , let person 2 rank y over z over x and let everyone else in society rank z over x . Then, in the social welfare ranking, by (ML), x ranks higher than y ; by (ML) again, y ranks higher than z ; yet, by (P), z ranks higher than x . In case (c), let person 1 rank z over w over x over y , let person 2 rank x over y over z over w and let everyone else in society rank x over y and z over w . Then, in the social welfare ranking, by (ML), w ranks higher than x ; by (P), x ranks higher than y ; by (ML) again, y ranks higher than z ; yet, by (P) again, z ranks higher than w . Hence, in each case, the alternatives are caught in a cyclical social ranking.

Sen's well-known story of Prude and Lewd who find a copy of D. H. Lawrence's *Lady Chatterley's Lover* illustrates the second case. Prude prefers that no one read the book (o), yet if anyone is going to read it, he would rather have it be him (p), since he is deeply worried about what it might do to Lewd (l). Lewd wants very much that the book be read and, if there is only one copy, she would rather have it that Prude read (p) than that she read (l), since she believes that it will do Prude some good. Lowest in her preference ordering is that no one would read the book (o). Prude is decisive between the states of affairs in which no one reads (o) and the state of affairs in which only he reads (p) and Lewd is decisive between the states of affairs in which no one reads (o) and the state of affairs in which she reads (l). Hence, by (ML), (l) ranks higher than (o) and (o) ranks higher than (p) in the social ranking. Yet, since both prefer Prude reading over Lewd reading, (P) requires that (p) rank higher than (l) in the social ranking.

Let us now return to contextual pluralism. Consider the following admittedly stylized example of a theory which satisfies the tenets of this meta-theory. Suppose a United Nations agency is responsible for allocating funds to support certain projects in developing countries. In responding to this challenge, a theory is constructed that covers decisions of this kind on the basis of similar choices that are supported by a broad consensus. Similar choices may be past or hypothetical

choices of the same kind or of a related kind – say, decisions concerning the distribution of charity funds by private organizations or decisions concerning loan guarantees by international agencies. Let the theory contain the following set of recommendations. Whether projects (a) promote self-reliance and (b) provide relief for immediate economic hardship are crucial concerns in judging their merits. Furthermore, the value of *self-reliance* carries extra weight if the project is implemented in political climates that display a strong urge towards autonomy, e.g. in recently decolonized countries. The value of *relief* carries extra weight in countries that are under the sway of corrupt regimes. The political climate is a contextual factor which affects the weight that the respective values carry. However, it does not itself play the role of a value in the evaluation of alternative projects. Whether a project promotes self-reliance or provides relief does in and of itself make the project more meritorious. However, whether a project is to be implemented in a political regime that is striving towards autonomy or in a corrupt political regime does not in and of itself count for or against the project. For instance, suppose a decision needs to be made as to whether to support a project in country X or in country Y and the former project does better in promoting self-reliance while the latter does better in providing relief for immediate economic hardship. For any recently decolonized countries X and Y, the agency can appeal to the theory to justify its support for the project in X rather than the project in Y. For any countries X and Y that are under the sway of corrupt political regimes, it can equally appeal to the theory to justify its support for the project in Y rather than the project in X. (This is not to say that the agency will always respect this pattern. If the project in recently decolonized X is only marginally stronger on self-reliance, yet considerably weaker on relief than the project in recently decolonized Y, then it may well favor the project in Y over the project in X. The background political circumstances determine the weight of the relevant values. They do not warrant priority.)

I will now spell out an adaptation of case (c) of the libertarian paradox as a challenge to contextual pluralism. Consider the following *n-lemma* or moral problem involving a choice between *n* actions. Suppose that the United Nations Agency is asked to present a moral ranking over a

set of projects with two projects that are located in countries that were recently decolonized (RD1 and RD2) and two projects in countries that are under the reign of corrupt regimes (CR1 and CR2). Suppose that a comparative evaluation of the alternatives reveals that, with respect to the promotion of self-reliance, (the project in) CR1 ranks higher than RD1, which in turn ranks higher than RD2, which in turn ranks higher than CR2. With respect to the alleviation of immediate economic hardship, RD2 ranks higher than CR2, which in turn ranks higher than CR1, which in turn ranks higher than RD1. The contextual feature of the political climate in which RD1 and RD2 (respectively, CR1 and CR2) will be implemented adds weight to the ranking of these projects on the value of self-reliance (respectively, on the value of relief). Hence, the moral theory that the agency ascribes to could reasonably support a moral ranking of RD1 over RD2 and of CR2 over CR1. Furthermore, on all relevant values, CR1 ranks higher than RD1 and RD2 ranks higher than CR2. Hence, it would be reasonable for our moral theory that it support a moral ranking of CR1 over RD1 and of RD2 over CR2. But now what this adds up to is that our moral theory yields a ranking of RD1 over RD2 over CR2 over CR1 over RD1, i.e. a moral judgment to the effect that it is more responsible⁴ to support (the project in) RD1 rather than RD2, RD2 rather CR2, CR2 rather than CR1 and CR1 rather than RD1.

The claim that the relative stringency of the respective values is determined by contextual features provides for an interpretation of condition (ML) within this context. The claim that if some action ranks higher than another on all relevant values then the former ranks higher than the latter in the moral ranking, provides for an interpretation of condition (P). The conjunction of both claims will yield cyclical moral rankings for some n-lemmas. Since it seems counterintuitive to say that action x is more responsible than action y, action y is more responsible than . . . is more responsible than action x, this alternative interpretation of the libertarian paradox poses a challenge to contextual pluralism.

III

How solid is this challenge to contextual pluralism? In this section, I will anticipate (and reject) some suggestions to divert this challenge.

a. I will start with two objections that can easily be dismissed. It has been suggested that Sen's condition of minimal libertarianism does not capture the true nature of political libertarianism and hence the paradox does not show that there is a tension between libertarianism and Pareto-optimality. Any work that builds on Sen's paradox will be affected by this misrepresentation of political libertarianism. This suggestion is a non-starter. I do not know whether Sen's condition of minimal libertarianism captures the true nature of political libertarianism. And neither is there any reason for me to care. The libertarian paradox is a particular interpretation within the context of social choice of a formal theorem in set-theory. The theorem states that, under certain restrictions, there does not exist a function from a set containing sets of orderings over a fixed set of alternatives X into a set containing orderings over X . I have presented an alternative interpretation of the very same formal theorem outside the context of social choice. It may well be the case that an interpretation within the context of social choice of a formal representation of condition (ML) does not capture the true nature of libertarianism. Yet this objection in no way affects the validity of an interpretation of this formal condition outside the context of social choice.

Second, it has been suggested that there is the following difference in the formal structure of the libertarian paradox and my adaptation of the paradox. The information that two alternatives are within a person's personal sphere makes her solely *decisive* over this pair of alternatives while contextual features are less influential in that they merely *add to the weight* of some value. This is not a difference that blocks the adaptation of the libertarian paradox. The libertarian paradox can also be generated on a weaker version of minimal libertarianism. Suppose one accepts that information to the effect that some pair of alternatives belongs to someone's personal sphere adds to the weight that her preference over this pair carries towards the social ranking – even though

this preference may be trumped by massive and ardent resistance from the rest of society. The weaker version of minimal libertarianism states that for each person there is some pair of alternatives located within her personal sphere such that her preference over this pair carries more weight towards the social ranking. Hence, in Sen's example, Lewd's wish to read should carry more weight than Prude's wish that Lewd not read and Prude's wish not to read should carry more weight than Lewd's wish that Prude read. Let us now stipulate the scenario that there is some resistance – yet no ardent resistance – to Lewd's wish to read from Prude and to Prude's wish to read from Lewd. Keeping the preference orderings of Prude and Lewd fixed, the Pareto-condition together with the weakened version of the condition of minimal libertarianism still yields a cyclical social ranking for this scenario. Clearly, this version of the libertarian paradox can then directly be adapted as a challenge to contextual pluralism.

b. The next suggestion has its roots in social choice theory. On the social-welfare interpretation of Arrow's impossibility theorem, there does not exist a functional mapping from sets of personal-welfare orderings over a set of alternatives S into social-welfare orderings over S which satisfies a set of minimally reasonable conditions. It is a common objection that this interpretation of Arrow's theorem is not telling against the possibility of minimally reasonable social-welfare judgments, since the domain of the social-welfare function is informationally impoverished. If the domain of the social-welfare function is enriched from sets of personal-welfare orderings over S to welfare measures that reflect interpersonal comparisons of utility differences over S , then a class of functional mappings can be defined that do satisfy the set of minimally reasonable conditions matching the Arrovian conditions. An element of this class is the utilitarian rule to the effect that, for any alternatives x and y contained in S , x ranks higher than or equally high as y in the social-welfare ordering, just in case, the sum of all interpersonally comparable welfare measures for x is greater than or equal to the sum of all interpersonally comparable welfare measures for y .⁵

A parallel suggestion could be ventured to divert the challenge to contextual pluralism. The challenge comes about due to the informa-

tional poverty in the description of the n-lemma. So far n-lemmas have been presented as sets of *orderings* over the actions on each relevant value. This description could be enriched such that a numerical index is assigned to each action on each relevant value. These indices allow for comparisons between the relevant values such that, say, the difference between the indices for RD1 and RD2 is greater on the value of self-reliance than the difference between the indices for RD2 and RD1 on the value of relief if and only if self-reliance is the more stringent value with respect to this pair of alternatives. A sum-ranking rule could then be introduced to the effect that, for any actions *x* and *y* in the n-lemma, *x* ranks higher than or equally high as *y* in the moral ranking, just in case, the sum of all indices for *x* is greater than or equal to the sum of all indices for *y*. Since the acyclicity of the 'greater than or equal to' relation warrants acyclical moral rankings on the sum-ranking rule, the problem of cyclicity can be bypassed by enriching the description of the n-lemma.

There is a subtle but crucial difference between the former and the latter argument. A procedure to determine a social-welfare ordering over a set of alternatives should include in its data any relevant information about the impact of these alternatives on the welfare of the various people concerned. Similarly, a moral theory that is designed to determine a moral ranking over some set of n-lemma should include in its data any relevant information about how the actions in the n-lemma relate to the relevant values and contextual features. However, a clear distinction needs to be drawn between the information that the procedure operates on and the workings of the procedure itself. Similarly, a clear distinction needs to be drawn between the information that the moral theory operates on and the workings of the moral theory itself. It is in this respect that both arguments differ. A social planner could determine a set of interpersonally comparable measures of welfare-intervals without making any commitment as to the social-welfare orderings she will endorse. For instance, to determine (a) that the alternatives *x* and *y* only affect the Queen and her servant and (b) that by adopting *x* rather than *y* the servant's welfare loss is greater than the Queen's welfare gain does *not* commit the social planner to favor *y* over *x*. It is only when she decides to adopt some procedure – say, the utilitarian calculus – that

she commits herself to ranking y over x . However, if a moral theorist were to determine a set of indices which reflect the relative stringency of conflicting values with respect to a pair of actions in some n -lemma, then she has thereby made a commitment as to what moral ranking she is endorsing. For instance, to determine (a) that self-reliance and relief are the only relevant values in deciding whether it is morally more responsible to support the project in RD1 or the project in RD2 and (b) that the value of self-reliance is more stringent in its support for RD1 over RD2 than the value of relief in its support for RD2 over RD1, *does* commit the moral theorist to rank the project in RD1 over the project in RD2. For social welfare, the ascription of interpersonally comparable measures of welfare intervals is *conceptually prior* to the determination of a social-welfare ranking. For moral theory, the ascription of indices that reflect the relative stringency of conflicting values with respect to some pair of actions is *not* conceptually prior to the determination of a moral ranking, since determining the relative stringency of conflicting values with respect to some pair of actions is *constitutive* of the determination of a moral ranking.⁶ Hence, it is a legitimate objection to consider the lack of interpersonally comparable measures of welfare intervals in the domain of a social-welfare function as an informational shortcoming. Yet, it is not a legitimate objection to consider the lack of numerical indices that reflect the relative stringency of conflicting values as a shortcoming in the information that a moral theory can appeal to in resolving some n -lemma.

Certainly, one might investigate whether a set of numerical indices could be constructed that accurately *represents* the determination of the relative stringency of conflicting values for some n -lemma by a moral theory. However, what my adaptation of Sen's libertarian paradox shows is that, for all moral theories that have the format of contextual pluralism, there exist some n -lemmas such that no such representation can be constructed. The reason that no such representation can be constructed is precisely that the theory yields a cyclical ranking for these n -lemmas while the sum-ranking rule maps any assignment of a set of numerical indices into an acyclical moral ranking.

c. One might suggest that the paradox comes about due to some

overly restrictive presentation of the format of moral theories that are constructed on grounds of coherence arguments. Moral theorizing is open-ended in that, as new contingencies arise in which our established theories prove unsatisfactory, we adjust our theories. David Wiggins writes in his discussion of the role of practical reason in the *Nicomachean Ethics*:

A man may think it is clear to him, in a certain situation, what is the relevant concern, yet find himself discontent with [the] very practical syllogism promoting that concern with a major premiss representing the concern. He may resile from the concern when he sees what it leads to, or what it costs, and start all over again. The set of relevant concerns is not therefore closed. (...) The unfinished or indeterminate character of our ideals and value structure is constitutive both of human freedom and, for finite creatures who face an indefinite or infinite range of contingencies with only finite powers of prediction and imagination (NE 1137b), of practical rationality itself⁷

If one encounters a contingency in which the moral theory at hand supports an assignment of relative weights to the conflicting values which leads to a cyclical ranking, then this is sufficient reason to fine-tune the theory so as to break the cycle at some point. Hence, the suggestion runs, the paradox can be dissolved by appealing to the open-ended nature of moral theorizing.

I have presented the adaptation of Sen's libertarian paradox for the case in which both persons are decisive over pairs of alternatives that have no element in common. The paradox can also be adapted for the case in which both persons are decisive over the same pair of alternatives or over pairs of alternatives that have exactly one alternative in common. I believe that the above suggestion is well-taken for the case in which both persons are decisive over the same pair of alternatives, but does not prove effective for any adaptation in which they are decisive over pairs of alternatives that have at most one element in common.

Consider an adaptation of the paradox for the case in which both persons are decisive over the same pair of alternatives. We need to construct a case in which (a) some moral dilemma needs to be arbitrated; (b) the moral theory that is appealed to mentions two values which are such that the actions in the dilemma rank opposite on each value; (c) the actions are such that contextual features assign stringency to each value. For instance, suppose that the United Nations agency is asked to decide

to favor one out of two projects that are each to be implemented in recently decolonized *and* politically corrupt countries, with one project ranking higher on the value of self-reliance and the other project ranking higher on the value of relief for immediate economic hardship. As it stands, the theory supports a cyclical ranking over the pair of actions. But this cycle can be broken by fine-tuning the theory. Either we may appeal to less prominent values which would make the balance shift to one or the other action or we may look for more subtle contextual features that would increase the stringency of one or the other value. For instance, we may point to the fact that one of the projects not only promotes the value of self-reliance but it also scores on, say, the additional value that it will secure population control. Or, we may point to the additional contextual feature that projects which promote self-reliance have been very successful in the region that encompasses both projects. Such appeals to values or contextual features which are not covered by the core theory can break ties in favor of one or the other project. Hence, the open-ended structure of moral theorizing can dissolve an adaptation of Sen's libertarian paradox to moral dilemmas.

But can the same move be made for n-lemmas in which contextual features determine the stringency of rankings over pairs of actions that have no element or exactly one element in common? I do not think so. Fine-tuning a theory by appealing to more *subtle* values and contextual features can make the scale tip and break a cycle over a pair of actions. But breaking a cycle over three or more actions requires a reversal of a ranking over some pair of alternatives that is firmly supported by the core theory. Fine-tuning the theory will not do to reverse any firmly supported ranking over some pair of actions that is contained in a cyclical ranking over three or more actions.

One might object at this junction that the open-endedness of moral theorizing not only makes room for *fine-tuning* the theory but also allows for *changing* the theory in the face of contingencies which it cannot handle. For instance, in the face of the cyclical ranking over the original n-lemma that the United Nations agency was facing, the theory could be adjusted by adding some new value or some new contextual factor that is assigned sufficient weight to reverse a ranking over some pair that was established by the original theory. For instance, we might

try to reverse the ranking of CR2 over CR1 through a theory change. The new theory may pay *considerable* attention to some additional value – say, a concern for population control – on which the CR1 project scores higher than the CR2 project or to some additional contextual feature which would increase the stringency of the ranking of CR1 over CR2 on the value of self-reliance – say, the previous success of self-reliance projects in this region. These additional features may then be sufficient to trump the stringency that the ranking of CR2 over CR1 on the value of relief acquired due to the contextual feature that both countries were under the reign of corrupt regimes.

How are we to conceive of such a theory change in the face of cyclical moral rankings? Either it is a local change in that it is meant to apply only to break the particular cyclical ranking or it is a global change in that it is meant to apply to subsequent cases as well. I find either option unattractive. Consider local theory-change. In case our best moral theory leads to a cyclical moral ranking we resort to the nearest variant which can break through the cycle. This response (a) has an *ad hoc* character and (b) does not resolve the paradox in that it still remains true that our *best* moral theories on the format of contextual pluralism lead to cyclical moral rankings. Consider global theory-change. For each theory change, an n-lemma can be constructed for which the new theory would lead to a cyclical ranking. Hence coherence arguments would lead to a chain of moral theories on the format of contextual pluralism. Now consider some n-lemma which is such that the respective theories on the chain lead to acyclical yet distinct moral rankings. It seems highly unattractive that the moral ranking that resolves this n-lemma is a function of the time at which it is presented – i.e. before or after the theorist has encountered some other n-lemma for which the working theory led to a cyclical ranking.

IV

The standard conception of rational choice is *maximization*. Maximization is the choice of a *best* element in the set of elements. A 'best element' is a technical term which stands for an element that is at least

as good as any other element in the set. Hence, there can be multiple best elements. If the set of actions in an *n*-lemma is caught in a cyclical moral ranking then there is no best element. Hence, on the standard conception of rational choice, moral theories that have the format of contextual pluralism will stipulate for some *n*-lemmas that no action in the *n*-lemma is choice-worthy. Where does this leave contextual pluralism? I anticipate one ill-fated plea and one costly plea in its defense.

Let us first turn to the ill-fated plea. An argument could be made that there is nothing disturbing about this adaptation of Sen's libertarian paradox, since we are familiar with the fact that, for some moral dilemmas, none of their constitutive actions are choice-worthy. For instance, Williams suggests that Agamemnon's agony after sacrificing his daughter to please the gods and start his belligerent expedition could be traced back to 'a clear conviction that he has not done the better thing because there was no better thing to do'.⁸ But even if we admit that there exist such genuine moral dilemmas, this still would not vindicate contextual pluralism. Certainly the symptoms are the same – viz. maximization fails because the set of best elements is empty – yet the diagnosis of these symptoms for genuine moral dilemmas and for *n*-lemmas with cyclical moral rankings is so different that to point to the existence of genuine moral dilemmas does not relieve our anxieties about contextual pluralism. What we face in the case of genuine moral dilemmas is that either action would alienate some value that is so deeply-held and fundamental that we are unable to commensurate between the actions. Meaningful comparative judgments give out and hence there is no action which is at least as good as any other action in the *n*-lemma. In the case of *n*-lemmas with cyclical moral rankings the absence of choice-worthy actions is not due to the depth of the conflicting values. Cyclical rankings can be generated for more or less trivial value conflicts. The problem is not a problem of commensurability: comparative judgments are in place for each pair of actions in the *n*-lemma. Rather, it is that these comparative judgments do not add up to a ranking which yields a non-empty set of best elements.

The costly plea is to reject *maximization* as the correct conception of rational choice. A set of elements that is caught in a cyclical moral

ranking does not have a *best element* and on *maximization*, rational choice is the choice of a *best element*. Hence, to say that there exists a choice-worthy action on a cyclical moral ranking is to challenge the conception of rational choice as *maximization*. An interesting challenge to this effect was presented by Thomas Schwartz.⁹ He postulates a set of constraints on rational choice and proves that not maximization but *optimization* (and only optimization) can satisfy these constraints. Rational choice as optimization is the choice of an *optimal element* from the set of feasible elements. An optimal element is an element that is contained in some subset Y of the set of feasible elements X such that (a) no element in X\Y is better than any element in Y and (b) Y does not contain any proper subset Y' that satisfies (a), substituting Y' for Y. While the set of actions of providing support to either the projects in RD1, RD2, CR2 and CR1 does not have a best element on the United Nations' moral theory, each action is nonetheless an optimal element. Furthermore, for each proper subset of feasible alternatives the singleton set containing a best element is identical to the singleton set containing an optimal element. Hence, rational choice as optimization is defined for the set of feasible actions of providing support to either RD1, RD2, CR2 or CR1 and for each proper subset of feasible actions.

In conclusion, the lesson of my adaptation of the libertarian paradox is that moral theories that have the format of contextual pluralism are expected to encounter some moral n-lemmas for which the theory will be incapable to determine what constitutes a choice-worthy action (or choice-worthy actions) on maximization as a conception of rational choice. There is no solace to be found in the existence of genuine moral dilemmas, since what is at stake is not some radical conflict between fundamental values in which commensurability gives out. This leaves us with the claim that contextual pluralism and a commitment to rational choice as maximization are inconsistent. The question remains as to what is more economical: to reject the standard methodology of coherence reasoning as it is commonly practiced in applied ethics or to reject the standard conception of rational choice? For my part, I wish to postpone judgment.

NOTES

* I thank an anonymous referee of this journal for his or her helpful comments.

¹ *Philosophy and Public Affairs*, 1 (1971): pp. 47–66.

² A. Sen, *Collective Choice and Social Welfare* (San Francisco, Holden-Day, 1970), pp. 78–88; “The Impossibility of a Paretian Liberal,” *Choice, Welfare and Measurement* (Cambridge [MA], MIT Press, 1982), pp. 285–290; “Liberty, Unanimity and Rights,” *Ibid.*, pp. 291–326.

³ For the sake of simplicity, I have spelled out Sen’s demonstration without explicit reference to the condition of unrestricted domain.

⁴ ‘Morally more responsible’ is defined as follows: for two actions *x* and *y* contained in some *n*-lemma, *x* is morally more responsible than *y*, if and only if, if *x* and *y* were the only feasible actions, than I ought to do *x* rather than *y*.

⁵ C. d’Aspremont and L. Gevers “Equity and the informational basis of Collective Choice,” *Review of Economic Studies*, 46 (1977): p. 203 and A. Sen “On Weights and Measures: Informational Constraints in Social Welfare Analysis.” In: *Choice, Welfare and Measurement*, pp. 235–236.

⁶ This point has been made within various contexts. Rawls argues that a moral theory should be constructive and not merely descriptive – i.e. it must *ground* comparisons between values and not merely offer a representation of them in some geometrical figure or mathematical function (*A Theory of Justice* (Belknap, Harvard University Press, 1971), p. 39.) Nozick argues in his discussion of free will that, in any form of decision-making, ‘reasons do not come with previously given weights; the decision process is not one of discovering such precise weights, but of assigning them’ (*Philosophical Explanations* (Cambridge [MA], Harvard University Press, 1983), p. 294.) And closer to my own project, Hurley writes that ‘it is the job of the coherence *function*, not its *arguments*, to provide an account of the relationships among conflicting values and the circumstances under which certain values outweigh others’ (*Natural Reasons: Personality and Polity* (New York, Oxford University Press, 1989), p. 418.)

⁷ D. Wiggins “Deliberation and Practical Reason,” *Proceedings of the Aristotelian Society*, 76 (1975–1976): pp. 44–45.

⁸ B. Williams, “Ethical Consistency.” In: W. Gowans (ed.) *Moral Dilemmas* (Oxford, Oxford University Press, 1987), p. 123.

⁹ T. Schwartz, “Rationality and the Myth of the Maximum,” *Nous*, 6 (1972): pp. 97–117.

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