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Introduction

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There is a growing interest among moral, political, and legal philosophers in what is called 'the incommensurability of values'. Typically, however, the interest is not in values per se but in bearers of value that are alternatives for choice. How are we to choose between incommensurables? If two alternatives are incommensurable, does it follow that there can be no justified choice between them? What it is for bearers of value to be incommensurable, whether they are, and what significance incommensurability has for practical reason are the main topics of this volume.

Philosophical investigation of 'incommensurability' is as yet in an early stage. Perhaps as a symptom of this, there is even disagreement over what 'incommensurability' means. We can reject one notion straight off as inapplicable for our purposes. This is the idea, spawned by the writings of Thomas Kuhn, that evaluation across different conceptual schemata, ways of life, or cultures is impossible. Incommensurabilists about bearers of value are worried about the possibility of evaluation for us—that is, within a conceptual scheme, way of life, or culture. The Kuhnian notion aside, there are two main ideas that pass under the 'incommensurability' label. One is that incommensurable items cannot be precisely measured by a single 'scale' of units of value. This idea has historical roots. The Pythagoreans first determined as incommensurable the diameter and side of a regular pentagon: the proportional lengths could not be expressed in terms of integers, and thus it was thought that there was no single scale in terms of which their lengths could be measured.[1] Other writers have moved away from the Pythagorean idea and have focused instead on *incomparability*, the idea that items cannot be compared. Joseph Raz, for example, has used 'incommensurability' as synonymous with 'incomparability'.[2]

It is sometimes thought that the first idea entails the second—that if there is no common unit of value in terms of which two items can be measured, they are incomparable.[3] But it is a platitude of economic and measurement theory that the lack of a single scale of units of value does not entail incomparability.

Comparison does not require any single scale of units of value according to which items can be precisely measured; one alternative can be morally better than another without being better by 2.34 units. Comparable items can be ordinally ranked—ranked on a list—and need not be cardinally ranked—precisely ranked by some unit of value. Given that the two ideas are distinct, let us henceforth reserve the term 'incommensurable' for items that cannot be precisely measured by some common scale of units of value and the term 'incomparable' for items that cannot be compared.[4] In our proposed terminology, then, the topics of this volume are incommensurability and incomparability.

Recent discussions of incommensurability have revolved around its putative significance for the valuation of goods,[5] consequentialism and utilitarianism,[6] practical deliberation,[7] akrasia,[8] and even the very subject matter of ethics.[9] In this volume, Cass Sunstein urges that certain items, like pristine beaches, love relationships, and civil rights, cannot be precisely measured by any monetary scale, and so economic approaches to valuation such as cost-benefit analysis are inappropriate for these goods. John Finnis argues that the conditions for commensuration of goods do not hold in the moral realm, and therefore utilitarianism and expected utility theory, which presuppose commensurability among moral options, must fail. Finnis, David Wiggins, and Michael Stocker argue that if there is no common unit of value in terms of which items can be precisely measured, then maximization, which requires an agent to pursue the greatest amount of value, must be rejected. Each thinks that incommensurability points the way to (different) nonmaximizing accounts of practical rationality. Indeed, Stocker thinks that hard on the heels of the recognition of incommensurability comes a 'concrete' conception of value according to which traditional abstract, action-guiding ethics is wrongheaded.

Interesting as these claims are, in this Introduction I am going to set aside the first idea—incommensurability—and focus on the second—incomparability. I do so for two reasons. Despite recent interest in incomparability, philosophical investigation of the notion is almost nonexistent. More importantly, though, incomparability is, I think, ultimately the more significant notion. It is unclear, for example, whether incommensurability has the significance that incommensurabilists attribute to it. The various views usually under attack—cost-benefit valuation, consequentialism, utilitarianism, maximization, and so on—seem to have available to them ways of circumventing the problems that incommensurability poses, for precise measurement of items by a single unit of value does not seem to be essential to any of these views. Comparability, however, is essential. How could things be valued in terms of trade-offs between costs and benefits if costs and benefits are incomparable? How could utility or

good consequences or value be maximized if their instances cannot be compared? How could practical reason guide choices at all if alternatives are incomparable? Indeed, the purported significance of incommensurability is less controversial if claimed for incomparability instead.

Although the issues I consider in this Introduction are in part a reflection of the contents of this volume, it is not my intention to provide a systematic survey of the articles which follow. The Introduction has two aims: to provide a general conceptual backdrop to the subject of incomparability and to suggest a focus for future debate. Thus, it should be understood primarily as an attempt to clear some ground rather than to argue for a substantive position. However, with some important distinctions in hand and common confusions banished, two large-scale conclusions emerge. First, there is almost certainly no easy argument for incomparability. Many of the existing arguments are *fatally* flawed, and those that are not either force us to take a stand on some general, controversial position like verificationism or are more plausibly understood as arguments not for incomparability but for a more capacious view of comparability than received wisdom would allow. Second, and following on the first, any argument for incomparability, if it is to succeed, must confront the question of how comparability is to be understood. As I shall suggest, there is more to comparability than meets the eye. The ways in which things *can* be compared is a question that should be settled before the question of whether comparison ever fails is tackled.

The Introduction is in four parts. The first provides a definition of incomparability that highlights a critical but often overlooked structural feature of comparison. Neglect of this feature, I suggest, is the error behind certain claims of incomparability. The second part examines the significance of incomparability for practical reason. There is good reason to think that the justification of choice, whatever one's substantive view of reasons, depends on the comparability of the alternatives. The third surveys the leading seven types of incomparabilist argument. I argue that none is compelling: four are nonstarters and the remaining three, as so far developed, have other difficulties. In the final part, the phenomenon of 'noncomparability' and, more generally, of formal failures of comparison is introduced. If, as I suggest, the distinction between formal and substantive failures of comparison tracks the scope of practical reason, then practical reason never presents agents with choices between items whose comparison formally fails. A common type of practical predicament often appealed to by incomparabilists is then defused.

If my claims in this Introduction are correct, common arguments for and putative examples of incomparability rest on mistakes. The view that there are

incomparable bearers of value is then cast into doubt. My own view, which I do not defend here, is that there is no bearer incomparability. I hope that at the conclusion of this Introduction the reader will be able to see why the denial of incomparability is less implausible than it might at first seem.

I. The Basic Notion

We start with a rough definition of incomparability: two items are incomparable if no positive value relation holds between them. For our purposes, what it is for a relation to be positive can be given an intuitive gloss: in saying that a positive relation holds between two items, one is saying something affirmative about what their relation is. So, for example, the claim that x is 'better than'—or 'less kind than' or 'as cruel as'—y says something affirmative about how x and y relate, while the claim that x is 'not better than'—or 'if kind, not much kinder than' or 'neither crueler than nor kinder than'—does not. Call the former claims relating items by positive value relations 'positive comparisons', or just 'comparisons', and the latter claims 'negative comparisons'. If items are incomparable, nothing affirmative can be said about what value relation holds between them. Negative comparisons may be true of them as may be positive comparisons of each of them to some other item, but there can be no positive comparison of them to one another.

It is almost universally assumed that the logical space of positive value relations for any two items is exhausted by the trichotomy of relations *better than*, *worse than*, and *equally good*. Call this assumption the *Trichotomy Thesis*. According to this thesis, if one item is neither better nor worse than another and yet the items are not equally good, nothing affirmative can be said about what relation holds between them: they are incomparable. Some philosophers have thought that incomparability is to be defined in these terms. But the Trichotomy Thesis is a substantive thesis that requires defense, and we should be careful not to build it into the intuitive notion of incomparability. Much of rational choice theory can be seen as making just this mistake, taking as definitional of the notion what is in fact substantive.

Several authors in this volume define the notion of incomparability as the failure of the trichotomy to hold, and many implicitly take the Trichotomy Thesis as true, whether definitionally or not. Donald Regan, for instance, provides a tenacious defense of the view that there is no incomparability by arguing that one of the standard trichotomy of relations always holds between two items. In my view, the Trichotomy Thesis is false; there is a fourth positive value relation—'on a par'—that, together with the traditional three, exhausts the logi-

cal space of comparability. Parity is, I believe, central to the argument against incomparability. Kindred notions of 'imprecise equality' and 'rough equality' have been suggested by Derek Parfit, James Griffin, and Thomas Hurka.[10] In this volume, James Griffin briefly discusses his notion of 'rough equality', and Regan takes issue with it. We will return to the question of whether there is a fourth relation in the final part of this Introduction. Let us here simply note that our discussion should be understood as leaving open the possibility that there is such a relation.

We know that incomparability involves some failure of comparability, but what sort of failure? A given positive value relation may fail to hold between items determinately (it may be false of them) or indeterminately (it may be neither true nor false of them). It is usually assumed that the failure of comparability is determinate. In this volume, John Broome provides a striking argument for the opposite conclusion: incomparability may be the result of the vagueness of comparative predicates.[11] Since the disagreement is substantive, our definition should be neutral between the two types of failure: two items are incomparable if, for each particular positive value relation, it is not true—that is, false or neither true nor false—that it holds between them.

There is a further, crucial refinement we must make to the definition. Every comparison must proceed in terms of a value. A 'value' is any consideration with respect to which a meaningful evaluative comparison can be made. Call such a consideration the *covering value* of that comparison. Covering values can be oriented toward the good, like generosity and kindness; toward the bad, like dishonor and cruelty; general, like prudence and moral goodness; specific, like tawdriness and pleasingness-to-my-grandmother; intrinsic, like pleasurableness and happiness; instrumental, like efficiency; consequentialist, like pleasurableness of outcome; deontological, like fulfillment of one's obligations; moral, like courage; prudential, like foresight; aesthetic, like beauty; and so on.[12] Most covering values have multiple contributory values—that is, values that contribute to the content of the covering value. The contributory values of philosophical talent include originality, clarity of thought, insightfulness, and so on. How well an item does with respect to a value is its *merit*.

Value relations are either generic or specific. Generic relations, like 'better than', 'as valuable as', and 'worse than', presuppose a covering value. They are strictly three-place; x is better than y with respect to V, where V ranges over values. When V is specified, the generic relation is thereby relativized. Specific value relations, like 'kinder than', 'as cruel as', and 'tawdrier than', have their covering values built in. It is plausible to suppose (as implied by the Trichotomy Thesis) that every specific value relation has a relativized generic equivalent;

'kinder than', for example, is equivalent to 'better than with respect to kindness'. Thus, we can dispense with talk of specific value relations in favor of their relativized generic counterparts. 'Comparison' and 'value relation' shall refer to their generic, positive varieties.

That all comparisons necessarily proceed in terms of a value becomes evident once we attempt to understand a comparative claim that flouts the requirement. A bald claim that philosophy is better than pushpin, for example, cannot be fully understood without reference to some respect in terms of which the claim is made. Philosophy may be better in terms of gaining a kind of understanding or intrinsic worthwhileness but worse in terms of providing relaxation or developing hand-eye coordination. Although the respect in terms of which a comparison is made is not always explicit, some value must always be implicit for there to be any comparison to be understood.

To deny that comparisons must be relative to a value is to assert that there is a sensible notion of comparable simpliciter. But there is no such notion. Consider the nonevaluative relation 'greater than'. This rod may be greater than that one with respect to length or mass or conductivity, but it cannot be greater, period. Just as it makes no sense to say that one thing is simply greater than another, it makes no sense to say that one thing is simply better than another; things can be better only in a respect. This is not to deny that a certain value might somehow be privileged. It might be thought, for example, that what it is for something to be simply better is for it to maximize happiness for the greatest number. Still, the bald claim that something is better than something else must be understood as relativized to some value, privileged or not.[13] So it goes for all value relations. For convenience, I will often omit explicit mention of a covering value, but one should always be understood.

Just as a comparison must be relativized to a covering value, so must its failure. Our definition of incomparability, then, is this: *two items are incomparable with respect to a covering value if, for every positive value relation relativized to that covering value, it is not true that it holds between them.* Those who think the Trichotomy Thesis is true would say that two items are incomparable with respect to a covering value just in case it is not true that the first is better than the second, that it is worse, or that they are equally good with respect to that covering value.

Failure to appreciate the relativization of incomparability to a covering value is responsible for certain mistaken claims of incomparability. These involve items as different as 'apples and oranges' or 'chalk and cheese'. How can the samurai code of honor be compared with the Protestant work ethic? An act of patriotism and one of filial love? A novel and a war film? Once these questions are relativized to a covering value, comparison is no longer elusive: cheese is better than chalk with respect to goodness as a housewarming gift, and oranges are better than apples with respect to preventing scurvy.

But perhaps those who cite these examples do not mean to claim that *no* comparison can be made. Perhaps their claim is only that the *intrinsic* merits of these items cannot be compared. For example, the samurai code of honor might be comparable with the Protestant work ethic with respect to some instrumental value, like 'efficiency in reducing the trade deficit', but there is no covering value in terms of which their intrinsic merits can be compared. This is what Elizabeth Anderson has in mind when she says that attempts to compare the genius of a scientist and the honor of a gentleman must fail.[14] The claim that there is no covering value in these cases is, however, ambiguous between two claims: (1) that there is no covering value with respect to which the intrinsic merits of the items can be compared and (2) that there is such a covering value but the intrinsic merits are incomparable with respect to it. The first is not a claim of incomparability but rather the claim that a certain sort of covering value does not exist. It is not a claim of incomparability because incomparability must proceed relative to a covering value, and if there is no covering value with respect to which the intrinsic merits can be compared, then there can be neither comparability nor incomparability with respect to it. (We shall have more to say about this possibility in the final part.) The second, however, is a claim of incomparability. 'Goodness as a moral code' might be a covering value that pits the intrinsic value of the code of honor against that of the work ethic. And perhaps the honor code and work ethic cannot be compared with respect to goodness as a moral code. But this is not obvious. Indeed, we will see below that providing grounds for such a claim is no easy task.

II. Significance

We should ask why any of this matters. Why should we care whether there is any positive value relation that holds between two items with respect to a given covering value? Although incomparability has, I believe, interesting implications for certain metaphysical questions about value, here I want to focus on its implications for practical reason and, in particular, for the possibility of justified choice.

Every choice situation is governed by some value. Call this the *choice value.* The choice value is, roughly, 'what matters' in the choice situation. In choosing between two philosophers, for example, the choice value might be philosophical talent if the situation involves choosing someone to fill a philosophy post or sartorial elegance if it involves choosing someone to fill the title of

'Nattiest Philosopher'. The choice value helps to determine what justifies choice in that situation. 'Because one wears polyester and the other does not' may justify choice in the one case but not in the other. This is so whether the justification is objective or subjective.[15]

All choice situations are either comparative or noncomparative. In comparative choice situations, a comparison of the alternatives with respect to an appropriate covering value is necessary to the justification of choice. In noncomparative choice situations, this is not the case. That there are comparative choice situations is intuitively obvious. The clearest cases are ones in which alternatives 'compete' against one another with respect to the covering value. Suppose, for instance, that as the judge of a piano competition, you must award the first-place prize to Anastice or Beatrice. The choice value governing the situation is, say, 'musical talent'. Surely any justification for choosing one over the other must depend on how the two pianists compare with respect to musical talent. If the candidates cannot be compared with respect to musical talent, then any choice between them in that choice situation cannot be justified. Suppose you award the prize to Anastice. Beatrice, convinced that she belongs in Carnegie Hall, demands justification for what she takes to be an outrageous decision. If you attempt to justify your decision on the grounds that Anastice played your favorite Chopin or that she was very becoming in appearance or that she had a better reputation, Beatrice will be rightly incensed, for these considerations provide no grounds at all in the situation as described. What matters to the choice situation, Beatrice reminds you, is musical talent. So you point out that Anastice's phrasing was simply delightful. But that will not do, either; although 'delightfulness of phrasing' is a contributory value of musical talent, what if Beatrice's phrasing was even more delightful? So you point out that Anastice's phrasing was more delightful than Beatrice's. But that too will fail to justify your choice if Beatrice is better with respect to musical talent. For although Anastice may be better with respect to some contributory values, if Beatrice is better overall, there can be no justification for your choice.

Suppose Anastice and Beatrice are incomparable with respect to musical talent. You, as judge, must nevertheless render a decision. We should not be fooled into thinking that the fact that a decision is made—even if it is justified—shows that Anastice and Beatrice were comparable with respect to musical talent all along. For a decision—even a justified one—can be made, but only if the choice situation is reconceived as one in which what matters is not (only) musical talent but, say, delightfulness of phrasing or effort or pleasing the underwriter of the event—Anastice's uncle. This switching of choice values is a common deliberative ploy. We often switch from one choice situation to another when we lack the facts we need to make the relevant comparison. You may, for instance, have to choose between a Hitchcock thriller and a Bach concert for the weekend's entertainment. What matters is pleasurableness, but since you do not know how you will like the Bach Inventions tinkled out on wine glasses, you may shift the choice value to novelty to ease your decision making. The choice situation has changed, and your choice will be justified or not relative to that new choice situation.

Call *comparativism* the view that all choice situations are comparative. Even if a choice situation changes because there is a shift in choice value, the new choice situation will require the comparability of the alternatives with respect to the new choice value. There is, according to comparativism, no avoiding the comparability of alternatives with respect to the choice value if there is to be justified choice. Thus, if comparativism is correct, the significance of incomparability among alternatives is very great indeed. For if alternatives are incomparable, justified choice is precluded, and the role of practical reason in guiding choice is thereby restricted.

The very serious threat to practical reason posed by incomparability if comparativism is correct motivates the search for alternatives to comparativism. Perhaps widespread incomparability and the universal success of practical reason can coexist. We do not have space to give a full accounting of all the possible alternative accounts here, but it is worth mentioning those that appear in this volume.

Some authors argue that although comparisons seem to be required for justified choice in some situations, when those comparisons fail, there are nevertheless noncomparative considerations that can justify choice. So, for example, Elizabeth Anderson thinks that norms of rationality can provide grounds for choice among incomparables.[16] James Griffin maintains that prudence as well as legal or moral consensus may help to shape and extend the moral norms that provide the standards according to which choice between morally incomparable alternatives may be justified.[17] Charles Taylor urges that "articulation" of goods and a keen sense of the "shape" of our lives and the different goods fit within it provide some of the many resources available for justified choice among incomparables. Each of these authors seems to recognize that incomparability poses a threat to justified choice, though not one that their accounts cannot ultimately handle.

Others maintain that comparisons of certain alternatives cannot be required because a comparison does violence to their nature or the norms of rationality governing choice among them. Steven Lukes points out that a monk's choice of celibacy is not justified by a comparison of the alternatives but is instead a "sacrifice" demanded of him. Elizabeth Anderson thinks that some goods have

a higher "status" than others and that any comparison of goods of different status is a mistake. Since money and friendship are goods of different status, the choice between them cannot depend on a comparison of their merits. Cass Sunstein holds a similar view about incommensurability; something properly valued in one way cannot be commensurated with something properly valued in another way.

Still others suggest that comparisons of alternatives are never, or rarely, required for justified choice. Michael Stocker presents a view of practical rationality in which comparisons seem to play no part. He argues that choices may be justified if they meet some "absolute"—that is, noncomparative—evaluative standard; a choice of this over that can be justified simply on the ground that this is good—it need not be better than or even comparable with that. David Wiggins thinks that justified choice is determined by "standards of evaluation and normative ends and ideals that is the substantive work of evidential, axiological, moral, and whatever other reflection to determine" and that these standards derive from "lived experience" and an overall practical conception of how to be and how to live.[18] Elijah Millgram thinks that a practical deliberator may ground her choice on things learned incrementally through experience.[19] The suggestion seems to be that specifying the values at stake or applying insight gained through experience need not rely on any comparison of the merits of the given alternatives.

Joseph Raz offers a quasi-existentialist view of justified choice in the face of incomparability. Reasons determine the rational *eligibility* of options, and the "will," that is, "the ability to choose and perform intentional actions," steps in to determine the choice among them. An exercise of the "will" is not an exercise of reason; willing is *just choosing*. Thus, reason provides us with a menu of rationally eligible options, and we are simply to plump among them. Whatever we choose will be justified, however, for the reason that it is sanctioned by rationality. Incomparable options, Raz assumes, are rationally eligible, and therefore justified choice is always possible in the face of incomparability.[20] The comparability of *some* options is required for justified choice since it is through comparison that alternatives are whittled down to the rationally eligible set. Once eligibility is determined, however, comparisons between those alternatives is not necessary—or even possible—for justified choice.

Rather than examine these and other views on their merits, I want to pose two general challenges any alternative to comparativism must meet: a pragmatic *reductio* and a theoretical reduction. Start with the *reductio*, familiar in decision and rational choice theory. On any alternative view, choice between incomparables can be justified; perhaps either alternative is justified or only one of them is. But

if choice among incomparables can be justified, practical reason or the "will" could, in principle, justify a series of choices analogous to cyclical preferences with disastrous 'money pump' consequences.

Suppose I am about to enjoy a steaming cup of freshly brewed tea. You intervene, offering your cup of coffee for my tea. Suppose too that the tea and coffee are incomparable with respect to goodness of taste. According to alternative views, choice between incomparables can be justified. Suppose my trading the tea for the coffee may be justified. Just as I am about to sip the coffee, you again intervene, this time offering me a cup of not-quite-so-hot-or-fresh tea. The warm tea is incomparable with the coffee, and again I make what could be a justified trade. I am thus left with a cup of warm tea, but I began with a cup of hot tea, which by my lights is definitely tastier. Through a series of choices sanctioned by practical reason or the "will", I have moved from something I consider better to something I consider worse. Iterated across alternatives and covering values, such a pattern of choice would leave us with lives barely worth living; in this way merit can be 'pumped' from an agent's life. Thus, a pragmatic challenge to those who would oppose comparativism is to provide a well-motivated, non-ad-hoc account of how practical reason prohibits agents from becoming 'merit pumps'.[21]

The more serious challenge to alternatives to comparativism, though, is theoretical. Take any justification of a choice that putatively does not depend on a comparison of the alternatives. Such an account will hold that the reason justifying choice is not a comparison of the alternatives. So, for example, a choice might be justified because it is sanctioned by some norm of rationality or morality, or is eligible, or meets some evaluative standard, or is favored by a deliberative understanding achieved by a keen sense of the shape of one's life or by a specification of the values at stake or by reflection on one's past experiences. There are, of course, other putative noncomparative justifications besides these: a whim for the chosen alternative, a duty to choose it, the fact that the chosen alternative satisfies a desire, that it is what an agent with good character would choose, and so on. We can ask of each of these accounts, 'Is the proffered justification properly understood as a comparison of the alternatives?' Why aren't these candidate justifications of choice properly understood as comparisons of the alternatives with respect to, for instance, 'satisfying the norm', or 'eligibility', or 'expressing my deliberative understanding', or 'gratifying my desire', or 'fulfilling my duty' or 'expressing a virtuous character', and so on? Some justifications that appear to be noncomparisons might turn out to be comparisons after all.

I doubt, however, that all, or even many, of the putatively noncomparative

justifications of choice turn out, when properly understood, to be comparisons (though I think an interesting range of them do). A duty to one's family, for instance, when properly understood, is not plausibly a comparison of the alternatives, and yet such a duty can be a justification for choice. The same goes, it seems to me, for each of the views on offer by the authors of this volume. But the comparativist need not give up here, for there is still the question of whether these noncomparisons depend on comparisons of the alternatives, though they are not themselves comparisons.

We are now heading toward very dense territory of which we will have only an aerial glimpse here. At its center is a distinction between the justifying reason for choice and *that in virtue* of which the reason justifies. Every reason has normative force; a justifying reason has the normative force required to justify a choice. For any given justifying reason, we can ask, 'In virtue of what does it have the justifying force that it has?' A reason's justifying force is more or less analogous to a premise's logical force, a cause's causal force, and a motivation's motivational force. Take the inference to '*q*' from the premises '*p*' and 'if *p* then *q*'. The premises logically support the conclusion, but that in virtue of which they support it is the rule of inference, *modus ponens*. The rule is no part of the support for the conclusion but is instead what gives the premises their logical force. Or take the cause of a window's breaking. The ball caused the window to break. The ball has the causal force to break the window in virtue of certain nomological laws that relate things together as cause and effect. These nomological laws are no part of the cause; they are rather that in virtue of which a cause has the causal powers that it has. The same goes for motivational force. As Thomas Nagel has argued, a motivation may motivate in virtue of a disposition to be so motivated, but that disposition need not itself be understood as part of the motivation. It is rather that in virtue of which the motivation motivates.[22] Similarly, I believe, a reason is one thing, its justifying force another. A reason can justify in virtue of something that is no part of the justification but is what gives the reason its justifying force.

Every justifying reason, I wish to claim, has its justifying force in virtue of a comparison of the alternatives. To see why this is so, suppose the opposite. If a choice can be justified without depending on a comparison of the alternatives, then the putative justifying reason will justify the choice no matter what the comparative merits of the alternatives. Suppose that the fact that going out to dinner will be fun can justify my choosing to go out to dinner rather than stay home to grade papers. But can that fact justify the choice if the dinner is only mildly amusing and grading the papers a riot? Or take the choice between two careers. I may be justified in choosing a legal career over a philosophical one

because that choice expresses my understanding of what matters in life. But how can that justify my choice if the choosing the philosophical career *better* expresses that understanding?[23] Or take my duty to keep my promises. How can such a duty justify attending, as promised, my friend's wedding if attending, as promised, my uncle's funeral better fulfills that duty? (This, of course, assumes that a duty can be more or less well fulfilled. I believe that the special 'non-weighing' nature of duties can be maintained in the face of the claim that duties can be fulfilled better or worse. But I defer this discussion for another time.) Even the eligibility of an option cannot justify choosing it unless it is true that the option is as good as all the others with respect to eligibility. Of course, in this case, the comparison of equality is entailed by the eligibility, but it is the positive fact of being as rationally sanctioned as all other alternatives that renders the choice of the chosen alternative justified. In general, insofar as what matters to the choice situation is something with respect to which meaningful evaluative comparisons can be made, there can be no justification of choice in that situation unless there is such an evaluative comparison.[24]

The theoretical attack on alternatives to comparativism, then, is two-pronged. Either the justification of a choice is itself, properly understood, a comparison of the alternatives with respect to an appropriate value, or the justification depends on such a comparison. If, as I have suggested, we have good reason to think this is correct, then any putative alternative to comparativism will fail. A comparison of the alternatives is necessary to the justification of choice. The incomparability of alternatives, then, poses an ineliminable threat to practical justification.

III. Incomparabilist Arguments

If two alternatives are incomparable with respect to an appropriate covering value, justified choice between them is precluded. But are alternatives ever incomparable?

In this part, I examine what I take to be the leading arguments for incomparability that exist in the literature. These can be divided into seven types. Each type appeals to one of seven putatively sufficient grounds for incomparability: (1) the 'diversity' of values; (2) the 'bidirectionality' of comparative merits, that is, the condition that one item is better in some contributory respects of the covering value but worse in others; (3) the 'noncalculative' practical deliberation required in some choice situations; (4) constitutive features of certain goods or the norms governing appropriate attitudes toward them; (5) the rational irresolvability of conflicts between items; (6) the multiplicity of legitimate rankings of

the alternatives; and (7) the rationality of judging in some choice situations that neither alternative is better than the other and yet a slightly improved version of one is not better than the other. Although arguments of the first four types have currency and influence, I shall argue that they are fatally flawed. The debate about incomparability should, I think, be focused on the last three types of argument. Arguments of the last three types, however, also prove to be not without difficulty. They either rely on controversial general philosophical positions or are better understood as arguments not for incomparability but for the existence of a fourth relation of comparability beyond the traditional trichotomy of 'better than', 'worse than', and 'equally good'. I end by attempting to motivate further the existence of a fourth relation by briefly sketching some of its essential features.

1. Arguments from the Diversity of Values

The most commonly cited ground for incomparability among alternatives is the diversity of values they respectively bear. This diversity is understood in myriad ways. Some understand it as a plurality of ontologically irreducible values.[25] Others understand diverse values to be of different ' types' or the goods that bear them of different 'genres', whether ontologically reducible or not. Nagel, for instance, thinks that values come in six types—obligations, rights, utility, perfectionist ends, private commitments, and self-interest—and that this fragmentation explains the existence of genuine dilemmas between alternatives bearing one type of value and those bearing another type.[26] Joseph Raz claims that some goods, like novels and war movies, cannot be compared because they belong to different "genres".[27] Still others explain the diversity of values in terms of their occupying different "dimensions" or "scales".[28] The underlying idea of diversity arguments is that some items are 'so different' that there is no 'common basis' on which a comparison can proceed. Assuming that incomparability must be relative to a covering value, diversity arguments should be understood as turning on the diversity of the contributory values of the covering value borne. So, for example, Mozart and Michelangelo are incomparable with respect to creativity if the contributory values of creativity borne by Mozart are so different—that is, irreducibly distinct, or of a different type or genre, or occupying a different scale or dimension—from those borne by Michelangelo that comparison is impossible.

Diversity arguments, regardless of their substantive differences, are subject to a compelling objection. The objection turns on what we might call 'nominal-notable' comparisons. Call a bearer 'notable' with respect to a value if it is an exceptionally fine exemplar of that value and 'nominal' if it is an exceptionally poor one. Mozart and Michelangelo, for instance, are notable bearers of creativity and Talentlessi, a very bad painter, a nominal one. Nominal-notable comparisons succeed by definition; notable bearers are always better than nominal ones with respect to the value in terms of which they are respectively nominal or notable. Now suppose that Talentlessi bears the same contributory values of creativity as Michelangelo—only in a nominal way. Both, for example, bear the value of technical skill, but Talentlessi bears it in a markedly nominal way. If Mozart and Michelangelo are incomparable in virtue of the diverse contributory values of creativity they bear, then so too are Mozart and Talentlessi. But we know that Mozart is better than Talentlessi with respect to creativity. If Mozart and Michelangelo are incomparable with respect to creativity, it cannot be for the reason that they bear diverse contributory values. For any two items putatively incomparable in virtue of the diversity of contributory values they respectively bear, it is plausible to suppose that there are notable and nominal bearers of the same values that are *ipso facto* comparable. Therefore, it cannot be the diversity of the values borne *per se* that accounts for bearer incomparability.

Arguments from the diversity of values fail because they are not sufficiently fine-grained to differentiate cases of putative incomparability from ones of certain comparability. To meet the nominal-notable objection, proponents of these arguments must either explain why nominal-notable comparisons are exceptions or give a more nuanced account of diversity that relies not on values borne but on something more specific, like the way in which a value is borne.[29] But the first response will probably be *ad hoc*, and the second, insofar as it no longer relies on the diversity of values *per se*, will amount to a different account of what makes bearers incomparable.

In any case, there is good reason to think that Mozart and Michelangelo are comparable with respect to creativity, given that Mozart and Talentlessi are. We start with the idea that Talentlessi and Michelangelo differ in creativity only in the way they bear creativity; they bear the same contributory values of creativity, but one bears them in a notable way and the other in a nominal way. Consider, now, Talentlessi+, just a bit better than Talentlessi with respect to creativity and bearing exactly the same contributory values, but a bit more notably. This small improvement in creativity surely cannot trigger incomparability; if something is comparable with Talentlessi, it is also comparable with Talentlessi+. Thus we can construct a 'continuum' of painters including Talentlessi and Michelangelo, each bearing the same contributory values of creativity but with increasing notability. No difference in creativity between any contiguous painters can plausibly be grounds for incomparability; if Mozart is comparable

with one item on the continuum, he is comparable with all items on the continuum. Therefore, given that Mozart is comparable with Talentlessi, he is comparable with Michelangelo, who differs from Talentlessi only by some notches on the continuum. How can Mozart be incomparable with Michelangelo if Mozart is comparable with something that differs from Michelangelo only by successive increments of notability in the way in which the covering value is borne? The argument has a striking conclusion. Whenever a continuum of the above sort can be constructed and a comparison made between any items on the continuum and some other item, every item on that continuum is comparable with that other item.[30]

A digression here is useful before turning to the other incomparabilist grounds. We have seen that value pluralism does not entail incomparability. It turns out that there is also good reason to think that value monism does not entail comparability. According to monism, all values ultimately reduce to a supervalue. Comparability follows, it is thought, because if there is in the end only one value, evaluative differences between items must always reduce to differences in amount of the supervalue, and quantities of the same thing can always be compared. Thus, if monism is correct, complete comparability follows. Many philosophers who assume the soundness of this argument have, as a consequence, thought that incomparability defeats classical forms of utilitarianism. Insofar as utilitarianism is committed to the idea that all goods are a matter of amounts of utility, it is committed to complete comparability.

The inference from monism to comparability, however, is mistaken on two counts. First, monism need not be this crude. As J. S. Mill pointed out long ago, values have qualitative as well as quantitative dimensions. Although pleasure is one value, there is the luxurious, wallowing pleasure of lying in the sun and the intense, sharp pleasure of hearing much-anticipated good news.[31] Thus, there may ultimately be one supervalue, but like all other values, it may have qualitative dimensions that could, in principle, give rise to incomparability among its bearers. Accordingly, there could be sophisticated, monistic forms of utilitarianism that allow for incomparability.[32]

Second, even the crude form of monism does not entail complete bearer comparability, for it is a mistake to assume that all quantities of a single value are comparable. The mistake probably derives from an ambiguity in the phrase 'more valuable'. Something can be 'more V', where V ranges over values, in an *evaluative* or a *nonevaluative* sense.

The nonevaluative sense is quantitative and is the same sense in which one item can be 'more N', where N ranges over nonevaluative considerations like length or weight. This stick is longer than that one if it has a greater quantity

of length. Items that bear quantities of a value like friendliness are thereby nonevaluatively comparable with respect to that value; the one with a greater quantity of friendliness is more friendly. But a greater quantity of a value is not necessarily equivalent to betterness with respect to that value; a greater quantity of friendship may be worse with respect to friendship—one can be too friendly. Thus, while a greater amount of a value makes something 'more valuable' in a nonevaluative sense, it need not make it 'more valuable' in an evaluative sense.

Some values are essentially quantitative, that is, the nonevaluative sense of 'more V' is equivalent to the evaluative sense. A greater quantity of 'the number of lives saved' is always better with respect to the number of lives saved. And a particular increase in the amount of a value may turn out to be better with respect to that value, but there is no general equivalence between evaluative and nonevaluative notions of 'more V' for all V. Let us refer to the nonevaluative, quantitative notion of 'more V' as '$q$more V'. Since $q$more is not always better, it is possible that different quantities of a single value are incomparable. Thus value pluralism/monism cuts across bearer incomparability/comparability.

2. Arguments from 'Bidirectionality'

A common thought among incomparabilists is that if one item is better in some respects of the covering value but worse in others, the items must be incomparable with respect to the covering value. Commuting to work by car is more relaxing than going by train in that it is more reliable, but going by train is more relaxing in that one need not worry about negotiating freeway traffic.

'Bidirectionality', however, cannot be grounds for bearer incomparability. Suppose that, because the tracks are rickety and the switches rusty, the arrival and departure times of the trains are thoroughly unreliable. While it is true that commuting by train is more relaxing in one respect—one need not worry about negotiating freeway traffic—and less relaxing in another—the train is very unreliable—it is clearly the less relaxing option. In general, bidirectionality cannot be a ground for incomparability since there are nominal-notable comparisons in which the nominal bearer is better than the notable one in some respect but worse in another.

3. Arguments from Calculation

Confusion over the locution ' more valuable' may be responsible for another set of incomparabilist arguments. According to these, the fact that practical deliberation is not always a matter of 'calculation'—that is, adding and subtracting

quantities of a unit of value—gives us grounds for thinking that items are incomparable. Arguments from calculation have the following form: (1) comparison is simply a matter of adding and subtracting quantities of a unit of value; (2) if comparison is quantitative in this way, then proper deliberation about which to choose must take the form of 'calculation', 'balancing', 'weighing', or 'trading off'; (3) in some situations, proper deliberation cannot take this form; (4) therefore, some items are incomparable. These arguments confuse comparability with commensurability.

In their contributions to this volume, Elizabeth Anderson and Steven Lukes offer arguments of this type. Anderson argues that those who believe that rational choice depends on comparisons of the alternatives must believe that "the sole practical role of the concept of value is to assign *weights* to goods [and] . . . that all values are scalar" (emphasis original). To ask whether a value is "scalar" is to ask "whether it is a magnitude, whether various mathematical relations and operations apply to it." Moreover "[d]eterminations of weight are continuous, require a common unit of measurement for the goods being compared, and place those goods on the same plane." But, she argues persuasively, intrinsic values are not scalar and yield the assignment of a "status", not a "weight", to goods. So, for example, she thinks that a friendship and the life of one's mother are intrinsic goods with different status, and therefore cannot be compared; the choice between them must proceed instead on principles of obligation.

Steven Lukes also seems to assume a similar view of comparability. He confronts the issue of comparability and calculability squarely in an endnote: "It may be claimed that comparison need not involve calculation. But I find this claim hard to accept for normal cases. To the extent that it is claimed that if *X* is better than *Y*, there is some answer, however imprecise, to the question 'how much better?' I assume that comparison implies calculation."[33] Like Anderson, Lukes seems to think that comparison can proceed only in terms of a common quantitative unit of value. According to Lukes, 'sacred' goods cannot be assessed by calculation. Since comparison entails calculability, if goods cannot be assessed by calculation, they must be incomparable. Lukes concludes that the sacred is incomparable with the secular.

We have already seen that comparison is not a matter of *q*more of some value; *a fortiori,* it is not a matter of quantities of some *unit* of the value. Once we recognize that the evaluative sense of 'more *V*' is not in general equivalent to the quantitative sense, we have no reason to think that comparison is a matter of arithmetic operations on amounts of value. Put another way, an answer to Luke's quantitative question, 'How much better?', is not required by comparison. Perhaps the questions 'In what way better?' or 'To what extent better?' are, but

the answers to these questions need not be quantitative. Although there is no general equivalence between betterness with respect to a value and a greater quantity of it, there are some values for which the greater the quantity of units, the better with respect to the value. For instance, the greater quantity of the number of lives saved, the better something is with respect to number of lives saved, and an option saving four lives is twice as good as an option saving two, with respect to number of lives saved. But in these cases, when comparison *is* a matter of adding and subtracting quantities of a value, deliberation *is* properly calculative in form. If confronted with a choice in which what matters is number of lives saved, surely the right way to deliberate, assuming deliberation is appropriate, is to calculate which alternative saves the greater number of lives.

This type of incomparabilist argument misconceives comparability as presupposing that value is scalar and, thus, that deliberation is calculative. Comparability does not require that comparison be a matter of quantities of a value, let alone quantities of some unit of a value. To think that comparability requires a single quantitative unit of value according to which items can be measured is to mistake commensurability with comparability.

4. Arguments from Constitution or Norms

A related line of argument locates grounds for incomparability in either constitutive features of certain goods or the norms determining the attitudes appropriate toward them. Joseph Raz, for example, argues that it is a conceptual truth that friends judge that friendships are incomparable with cash. Judging that they are incomparable is part of what it is to be a friend. There is no irrationality, however, in judging that friendships and money are comparable; making such a judgment shows only that one is incapable of being a friend. Thus, the incomparability of friendships and money is a constitutive feature of friendship.

This is a curious argument in several ways.[34] It derives a supposed truth about the incomparability of items from a claim that one must judge that they are—on pain not of being irrational but of being incapable of realizing a good. Moreover, the conclusion that items are incomparable is relativized to an agent's capacity to realize certain goods. So friendships and money may be incomparable for you but comparable for me.

It is hard to believe, however, that as a conceptual matter, one's capacity for being a friend depends on judging that friendships are incomparable with money. Suppose I am faced with a choice between a friendship and a dollar. If I judge that the friendship is worth more than a dollar, have I thereby lost all of my friends? Even assuming that this judgment renders me unfit for friendship, a

judgment of incomparability in the context of choosing does not imply the same judgment detached from a practical context. It might, for instance, be a constitutive obligation owed to one's friends that when confronted with a choice between a friendship and a sum of cash, one judge that they are incomparable. This judgment, made with an eye toward deciding what to do, is, however, consistent with the recognition that there is a different theoretical judgment about whether they are incomparable—regardless of one's capacity to realize certain goods or special obligations to others. How one answers the question, 'Are they comparable?' when confronted with the choice may be very different from how one answers the question in philosophical discussion. I take it that it is the theoretical judgment—a judgment true 'for' everyone—that the incomparabilist needs to establish.

Of course, it might be insisted by way of reply that the judgment constitutive of friendship is the theoretical one. Taking the philosophical position that friendships and money are incomparable is constitutive of being a friend. This is highly implausible, but let us grant the claim for the sake of argument. There is still the question of whether the theoretical claim of incomparability is true. To see that there is this further question, consider an analogy from Moore. It is conceptually impossible for one to believe that one falsely believes, but there nevertheless is a real question as to whether one does falsely believe; it may be true that one does. Similarly, it may be conceptually impossible for one to be a friend and to judge—theoretically or practically—that friendships and money are comparable, but there is nevertheless a real question as to whether they are, and it may be true they are.

This distinction between practical or theoretical evaluative judgments on the one hand and what is really true on the other loses its bite if one thinks, as do pragmatists like Elizabeth Anderson, that value is a construction of practical reason. According to Anderson, norms governing the appropriate attitudes toward goods like friendship give us no good reason to compare friendships and money, and the lack of any good practical reason is all there is to the fact that they are incomparable.[35] The pragmatist argument is not without difficulty, however. It cannot be denied that there are norms governing appropriate attitudes toward friendships. There does seem to be a norm, for example, against being prepared to sell one's friends for the right price. But closer examination of the norms governing attitudes toward goods like friendships shows that, far from giving us reason to think that items are incomparable, such norms give us reason to think just the opposite. For the norms entail (or at the very least are compatible with) an asymmetry in merit while incomparability entails that there is no such asymmetry.

Note that friendship is largely an intrinsic good and money is largely instru-

mental. The most persuasive examples the pragmatist cites have this feature. Norms governing attitudes appropriate toward certain intrinsic goods seem to block comparison with certain instrumental goods because these norms have as part of their content the thought that the comparison somehow sullies the intrinsic good, but not vice versa. Thus, these norms depend on the judgment that the intrinsic good is, in some sense, more valuable or of a higher status than the instrumental good—that the one is, we might say, 'emphatically' better than the other.[36] That is why it seems odd to insist that someone with an appropriate attitude toward friendship must refuse to judge that a friendship is better than a dollar. How can making that judgment display an inappropriate attitude toward friendship? The norms governing appropriate attitudes toward friendship entail not that there is no good reason to compare friendships and money but rather that there is good reason to think that friendships are worth more. Incomparability, however, entails the opposite: if two items are incomparable, neither is better than the other. Therefore, norms of friendship cannot determine the incomparability of friendships and money since they are inconsistent with it.[37]

None of the above arguments is convincing. Any attempt to develop these lines of argument, however interesting they are in their own right, will not yield a successful argument for incomparability. Each makes a fundamental error: diversity and bidirectionality arguments run afoul of nominal-notable comparisons; calculation arguments wrongly presuppose that comparison must be cardinal; constitution and norm arguments misunderstand emphatic betterness as incomparability. I now want to turn to arguments that I think hold greater promise.

5. Arguments from the Rational Irresolvability of Conflict

An incomparabilist argument often appealed to but left unexplained holds that rationally irresolvable conflict between alternatives is sufficient for their incomparability. A 'rational resolution' of conflict might be understood as the determination of what comparative relation holds between them.[38] The argument then becomes: If we cannot in principle know how two items compare, then they are incomparable. Such an argument, however, presupposes verificationism, which is, to say the least, highly dubious as a general account of truth. Even if verificationism is correct, there is the problem of how we can know we are not in principle capable of knowing how two items compare. If the argument is to get us to the conclusion that there are incomparable items, it will have to tell us when we cannot in principle know how items compare. This is a notoriously difficult problem.

In any case, the argument may not yield incomparability. For if it presup-

poses that a conflict cannot be rationally resolved unless one alternative is better than the other or the two are equally good, then it presupposes the substantive Trichotomy Thesis, which requires defense. Perhaps the alternatives are related by a fourth relation beyond the traditional trichotomy. If, on the other hand, it understands rational resolvability to encompass every possible value relation, then irresolvability does force us to conclude that the items are incomparable. But in this case, the plausibility of judging that conflicts are rationally irresolvable is greatly diminished. For we now have the possibility that the items are comparable by a fourth relation. Thus, it is far from clear that the argument gives us grounds for concluding that there is incomparability.

6. *Arguments from Multiple Rankings*

Perhaps items are incomparable if there are multiple legitimate rankings of them and none is privileged. Take, for example, a comparison between Eunice and Janice with respect to philosophical talent. There are multiple contributory values of philosophical talent: originality, insightfulness, clarity of thought, and so on. But perhaps there is no single correct way to 'weigh' these aspects of philosophical talent; each contributory value contributes to the covering value in multiple, alternative ways. Put differently, there are different ways we can 'sharpen' our understanding of the covering value. On one sharpening, for example, originality may be extremely important, insightfulness rather important, clarity of thought relatively unimportant. On another sharpening, something different may be true. Different sharpenings may yield different comparisons. On one sharpening, Eunice may be better than Janice. On another sharpening, she might be worse. On yet another, the two might be equally good. Each of these comparisons of Eunice and Janice is legitimate since each sharpening is. Since there is no one correct comparison of Eunice and Janice, they must, the argument goes, be incomparable. Arguments from multiple rankings are, I think, most powerfully understood as arguments from the vagueness of covering value concepts. Philosophical talent is a vague concept, and so there are multiple ways in which it can be sharpened. John Broome's essay in this volume provides an important discussion of this type of argument.[39]

But this is peculiar as an argument for *incomparability*. It holds that incomparability obtains when there are conflicting comparisons, not when there are no comparisons to be found. Why should we think that Eunice and Janice are incomparable with respect to philosophical talent just because there are multiple legitimate ways to compare them?

To see why the thought is unwarranted, consider Eunice and Eunice*. These philosophers differ only in that Eunice* is slightly more technically proficient and slightly less clear in expression than Eunice. On some sharpenings—those in which technical proficiency makes a significant contribution to philosophical talent—Eunice* will be better than Eunice. On other sharpenings, Eunice* will be worse than Eunice. On all others, they will be equally good. Thus, there are multiple legitimate rankings of these philosophers. But clearly Eunice and Eunice* are not incomparable with respect to philosophical talent. How could two things so nearly equal in merit be incomparable? Therefore, if Eunice and Eunice* are not incomparable on the grounds that they can be multiply ranked, then neither are Eunice and Janice on those grounds.

Arguments from multiple rankings do not establish that items are incomparable. They do, however, give us reason to think that none of the trichotomy of better than, worse than, and equally good holds between such items. Since there is no privileged sharpening, there are no grounds for thinking that any particular one of the trichotomy holds. But this is puzzling. How can a reason to think that the trichotomy fails to hold not be a reason to think that the items are incomparable? The puzzle disappears once we recognize the possibility of a fourth value relation.[40] If Eunice and Janice are related by a fourth relation, they are not incomparable and yet not related by one of the traditional trichotomy. Of course, the puzzle might be solved in another way. It might be thought, for instance, that some comparisons are vague. In any case, arguments from multiple rankings do not establish incomparability; instead, they give us good reason to believe that there is more to comparability than one might think.

7. *Arguments from Small Improvements*

The final type of incomparabilist argument is, I think, the most powerful. It has as its ground the putative rationality of judging that neither of two items is better than the other and yet an improvement in one of them does not make it better than the other. Incomparabilists who have employed arguments of this type include Joseph Raz, Walter Sinnott-Armstrong, and Ronald de Sousa.[41]

Consider the following example modified from Raz.[42] Suppose we rationally judge that a particular career as a clarinetist is neither better nor worse than a particular career as a lawyer, say, with respect to goodness of careers. (Fill in whatever detail makes the judgment most plausible.) We can improve the clarinetist career a little with respect to goodness of careers, perhaps by increasing the salary by ten dollars. Are we thereby rationally compelled to judge that the improved music career is better than the legal one? It seems rational to resist this conclusion. If it is rational, then the original careers cannot be equally good,

since if they were, a small improvement in one must make it better than the other. Therefore they must be incomparable. In general, if (1) *A* is neither better nor worse than *B*, (2) *A*+ is better than *A*, and (3) *A*+ is not better than *B*, then (4) *A* and *B* are incomparable. A small improvement in one of two items, neither of which is better than the other, does not always warrant the conclusion that the improved item is better. Where it does not, the argument goes, the two original items are incomparable.

Donald Regan has presented an epistemic objection to this argument that looks fatal. Regan is what we might call a 'strict trichotomist', that is, someone who believes that between any two items one of 'better than', 'worse than', and 'equally good' holds.[43] In short, he argues that there is no warrant for premise 1 when there is warrant for premises 2 and 3. Note that the sorts of cases in which the pattern of judgment 1 through 3 seems rational involve very different items and a complex covering value. Judgments about comparative merit in these cases are hard to get right. Thus, the objection goes, we are not justified in judging, for example, that the clarinetist career is neither better nor worse than the legal one with respect to goodness of careers; such a case is inherently too difficult for us justifiably to rule out the 'better than' and 'worse than' relations (although of course *some* clarinetist careers will clearly be better while others will clearly be worse). In these cases it is rational to judge only that we are *uncertain* as to which, if any, value relation holds between them. And if our judgment that neither career is better is unwarranted, the conclusion that they are incomparable does not follow.

It does, however, seem in the abstract perfectly rational to make judgments 1 through 3. It seems possible, for instance, that if God put all comparable pairs of careers (say, with respect to goodness as a career) in a black box, there would be at least one pair for which judgments 1 through 3 would be true. One might, for instance, think that values are lumpy or imprecise so that a small improvement in an item that is neither better nor worse than another does not thereby make it better. If lumpy or imprecise value is a conceptual possibility, the strict trichotomist must allow that there *could* be some warrant for judgments 1 through 3.

The phenomenology in particular cases also lends support to the idea that judgments 1 through 3 may be rational. Suppose you are a member of a philosophy appointments committee whose task is to compare Eunice, a metaphysician, and Janice, a moral philosopher, with respect to philosophical talent. You and your colleagues have agreed that the candidate with the greater philosophical talent will be offered the vacant chair in your department. Imagine that, in conjunction with your fellow committee members, you have researched both candidates thoroughly, discussed and examined at great length their written

work, canvassed considered opinions from across the country, evaluated letters of recommendation, and so forth. It is possible surely that after careful, cool-headed deliberation you, and people whose judgment you respect, rationally conclude that Janice is not more philosophically talented than Eunice and that Eunice is not more philosophically talented than Janice. The judgment made is not one of uncertainty; it is not that you do not know which is better. Rather, the care and length of deliberation and the authority of expert opinion provide the positive evidence needed rationally to conclude that neither is better. At the very least, the judgment that neither is better has some warrant. And yet it is plausible in such a case to think that a small improvement in one of the candidates will not decide the case.

The strict trichotomist must, by way of response, simply dig in his heels and insist that the phenomenology is misleading; it may seem rational to judge that Eunice is neither better nor worse than Janice, but in fact she is either better or worse. Perhaps a fact about her has been overlooked or underappreciated, or, less plausibly, where the evaluative facts look indeterminate, there is really a truth of the matter. The strict trichotomist commits us to an error theory about our judgments. But the phenomenology is in tension with the theory; the greater occurrence of such judgments and the more widespread the thought that they are rational, the less reason there is to think that the judgments are in error.[44] And it cannot be denied that the phenomenology is very common. Moreover, the stronger the putative modality by which one of the trichotomy of relations holds, the less plausible it is that we make such an error. It is hard to believe, for instance, that we overlook a *conceptual* necessity. If, on the other hand, the trichotomy holds by a weaker modality, the failure of the trichotomy to hold is conceptually possible. Why, then, should the strict trichotomist be so certain that there are no such cases?

Although the epistemic objection is not decisive, we have other grounds for thinking that small improvement arguments fail. Recall our argument concerning Eunice and Eunice*. Eunice* differs from Eunice only by being a bit more technically proficient and a bit less clear as a writer. Now take Eunice+, just a ~~touch less philosophically talented than Eunice* but~~ a touch more philosophically talented than Eunice. Neither Eunice nor Eunice* is better than one another. But Eunice+ is a bit better than Eunice. Does it follow that Eunice+ is better than Eunice*? It seems perfectly rational to deny that it follows, yet it is highly implausible to think that Eunice* and Eunice are incomparable, for they are very nearly equally good. How could they be incomparable? Therefore, if the small improvement arguments fail to show that Eunice and Eunice* are incomparable, they fail to show that Eunice and Janice are.

In these cases, I believe, the alternatives are on a par. If items are neither

better nor worse than one another, and yet a small improvement in one does not make it better than the other, the items are on a par. We can take as true the premises of small improvement arguments but deny that incomparability follows. In short, the Trichotomy Thesis, crucial to the incomparabilist's conclusion, is false. Small improvement arguments give us reason to think not that there is incomparability, but rather that there is a fourth relation of comparability.[45]

What is this fourth relation? Let me give a brief intuitive sketch of what I believe are its essential features. The core idea of parity can be approached by focusing on the idea of an *evaluative difference* with respect to a covering value. Where there *is* some evaluative difference between items, that difference is (1) *zero* or *nonzero*, and (2) *biased* or *unbiased*. A difference is zero if it does not have extent. A difference is biased if it favors one item and, correspondingly, disfavors the other. A zero difference, then, must be unbiased. The traditional trichotomy of value relations can be explained in these terms. If a difference is nonzero and biased, one of the items is better than the other. If it is biased in favor of *x* and against *y*, *x* is better than *y*. And if the difference is very great, then *x* is very much better than *y*. If, instead, a difference is zero and therefore unbiased, the items are equally good.

If we take the idea of evaluative differences as explanatory of value relations, the question naturally arises, Why should we think nonzero, biased differences (better than and worse than) and zero (unbiased) differences (equally good) are the only kind of differences there are? In particular, why should we rule out the possibility of nonzero, *unbiased* differences?

The notion of a nonzero, unbiased difference is familiar. We might want to know the unbiased difference in the time it takes to get to London by two different routes. Is the difference between going via Oxford and going via Cambridge greater than an hour? Or we might want to know the nonzero, unbiased difference in length between two novels or in price between two kitchen appliances or in mass between two heavenly bodies. In mathematics, the unbiased— 'absolute'—difference between 3 and 5, and 5 and 3, is 2. Of course, these examples of unbiased differences correlate with an underlying biased difference. I want to suggest that in the evaluative realm there can be unbiased differences without there being underlying biased differences. If we analogize evaluative differences between items to distances between points, an unbiased evaluative difference between two items is like the absolute distance between two points. The absolute distance between London and Glasgow is 345 air miles—not 345 *northerly* air miles. Like biased differences, unbiased differences can be lesser or greater. The unbiased difference with respect to philosophical talent of Eunice and Janice may be greater than the unbiased difference between Eunice and

Eunice*. Items that differ evaluatively but in an unbiased way cannot be incomparable, for if two items are incomparable, there is no evaluative difference—zero or nonzero—between them. There may be differences with respect to contributory values but no difference with respect to the covering value. *A fortiori*, incomparable items cannot differ by more or less with respect to the covering value.

The distinction between biased and unbiased differences is nicely captured by modifying a model of incomparability proposed by Adam Morton.[46] Imagine four points configured so that if we connected them we would have the shape of a diamond. Call the point at the top *A*, the point at the bottom *C*, and the points horizontally across from one another B_1 and B_2. *A*, connected to and above *C*, is better than *C*, and *C* is worse than *A*. Similarly, *A* is better than B_1 and B_2, and *C* is worse than them. How far apart two connected items are from one another on the vertical axis *may*, though it need not, reflect the extent to which one item is better than another. B_1 and B_2, however, are unconnected, and the distance between them is therefore irrelevant. Although they can each be compared with *A* and *C*, they cannot be compared with one another.

Now, departing from Morton's model, we draw a horizontal line connecting B_1 and B_2. The distance between B_1 and B_2 is reflective of the difference between them, just as the distance between *A* and B_1 is reflective of the extent to which *A* is better. B_1 and B_2 are connected, and thus comparable with one another, but their difference is measured on the horizontal, not vertical, axis. Differences measured on the vertical axis are biased, differences measured on the horizontal axis are unbiased. B_1 and B_2 are not incomparable, they are not equally good, since the difference between equally good items is not nonzero to begin with, and one is not better than the other, since their difference is not measured along the vertical axis. Any two points connected on a horizontal axis are related by a fourth value relation.

If the evaluative difference between two items is nonzero and unbiased, then the items are *on a par*. I cannot give a full defense of parity here, but its possibility, as described, is, I hope, intuitive and suggestive.

IV. Noncomparability and Covering Values

In the first part I claimed that incomparability must proceed with respect to a covering value; unless there is some value stated or implied, no comparison can be understood. But the covering value requirement also requires that the relevant value 'cover' the items at stake. 'Gustatory pleasure' does not cover chalk and cheddar, but it does cover cheesecake and cheddar. In this part, I argue that the

failure of a putative covering value to cover gives rise not to incomparability but to a different phenomenon: *noncomparability*. Noncomparability is distinct from incomparability in that it is a formal failure of comparison, while incomparability is a substantive failure.

We start with the idea that every predicate has a domain of application. Since comparability is always relative to a covering value, we can take the third place of the argument as fixed and focus on two-place predicates like 'comparable with respect to beauty/prudence/moral goodness, etc.' For each two-place comparability predicate, there is a domain of pairs of items to which the predicate can apply.

The distinction between comparability and incomparability on the one hand and noncomparability on the other can be regarded as an instance of the distinction between the applicability and nonapplicability of a predicate. Two items are comparable or incomparable if the pair belongs to the domain of application of the comparability predicate; they are noncomparable if it does not. A pair of items, it is plausible to suppose, falls within the domain of a comparability predicate if both members of the pair belong to the domain of the associated covering value predicate. Take, for instance, the comparability predicate, 'comparable with respect to aural beauty'. The pair <fried eggs, the number nine> does not belong within the domain of the comparability predicate because fried eggs and the number nine do not belong within the domain of 'aurally beautiful'. Similarly, the pair falls outside the domain of application of the incomparability predicate. We shall say that the value of aural beauty does not 'cover' fried eggs.

Although I shall take the distinction between applicability and nonapplicability of a predicate for granted, two points of clarification are in order. First, nonapplicability may derive from either essential or contingent features of the item. We know, for example, that the number nine, in virtue of being an abstract object, cannot be aurally beautiful. But there are also contingent features of objects in virtue of which application is ruled out; Michelangelo, who never happened to give a musical performance in his life, is not within the domain of 'success in musical performance'. (Of course, some contingent features do not rule out application but only make the application false; an ugly building, contingently ugly, falls within the domain of 'beautiful', though it is false that it is.) Second, it is plausible to suppose that if items belong to the domain of application, then, as a rule, the predicate will be true or false of the items, while if they do not belong—since it is natural to think truth and falsity presuppose application—there will be indeterminacy in truth value. I say that there will be truth or falsity where there is application 'as a rule' since vagueness in the predi-

cate (or in the value to which it refers) may give rise to indeterminacy in truth value even though the predicate applies. ('Phil Collins is bald' may be neither true nor false, but Phil Collins falls within the domain of 'bald'.) And there may be other sources of indeterminacy in truth value where there is application.

We can thus distinguish *formal* from *substantive* failures of comparability. The failure is formal if some condition necessary for both the possibility of comparability and the possibility of incomparability fails to hold. The formal condition on which we have focused is that there be a covering value with respect to which the comparison could proceed. We have already seen one way in which this formal requirement might not be met: if no value is stated or implied. We now see another way in which there can fail to be a covering value: if the value stated or implied does not cover the items. In both cases, we cannot understand what is being said. Without some value with respect to which the comparison proceeds, no comparison can be understood. And unless the comparability or incomparability predicate applies to the items at stake, we cannot understand that anything is being said about them. A substantive failure of comparability, in contrast, presupposes that the conditions for the possibility of comparability and of incomparability hold but maintains, as a matter of substance, that the items cannot be compared with respect to the covering value.

The requirement that the putative covering value cover the items is, I suspect, what incomparabilists have in mind when they insist that comparison can succeed only if there is some 'common basis' for comparison. The covering value predicate must apply to the items at stake; if the items are 'so different' that the relevant value does not cover them, they cannot be compared. But this failure of a value to cover is formal, and so it cannot entail incomparability. Noncomparability is neutral between comparability and incomparability.

This distinction between formal and substantive failures of comparability is basic to the scope of practical reason. Practical reason never confronts agents with comparisons that could formally fail. It is evident that practical reason does not require us to compare noncomparables; as rational agents, we will never be confronted, for example, with a choice between french toast and the city of Chicago for breakfast or between a lamp and a window for prime minister. Indeed, no choice could ever have as its justification or its justifying force a comparison of the alternatives with respect to a value that does not cover them. Noncomparability, for this reason, cannot threaten practical reason, but incomparability, as we have seen, can.

That practical reason never requires agents to compare noncomparables provides a response to two possible objections to our account of noncomparability. First, there are those who deny the distinction between applicability and nonap-

plicability; every predicate applies to every item (but may apply falsely), and, thus, there will be no room for noncomparability as we have described it. Second, assuming there is nonapplicability, it might be denied that both items need be in the domain of the covering value predicate in order for there to be either comparability or incomparability; french toast might be better than Chicago with respect to gustatory value, or perhaps the two are incomparable. To both objections we can make the same response. Even if there is never a failure of applicability, we would still want to make a distinction between cases that practical reason might present to us and ones beyond its scope. So we have an equivalent distinction, not made in terms of applicability and nonapplicability. Similarly, even if, assuming now there is nonapplication, only one item need be in the domain of the covering value predicate for there to be either comparability or incomparability, the fact that none of those cases ever arises in practical deliberation is worth marking in some way. Given each denial, we nevertheless have reason to make the distinction we have between noncomparability and incomparability.

Practical reason never asks us to compare where there is noncomparability. But what of the other way in which the covering value requirement can fail? Does practical reason ever require us to compare items where there is no value stated or implied in terms of which the comparison can proceed? There are two cases here. The straightforward case is the largely theoretical one in which there is no restriction on the content of the covering value; any value, so long as it covers the items, will satisfy the requirement that there be some value. But there is another more complicated case. A choice situation will put restrictions on the content of the covering value. If we are comparing philosophers for a job, for instance, intelligence, insightfulness, clarity of thought, and so on will be relevant, while sartorial elegance will be irrelevant. In some choice situations, what is relevant to choice are intrinsic values; in other situations, it is instrumental values; in still others, it is the values of utility and of duty. In a given choice situation, we are not looking to make any comparison whatever, but a comparison of the alternatives with respect to a value that reflects what matters in the choice situation.

Sometimes, however, it seems that there is no such covering value. Suppose we know that both the enjoyment to be gained and the duty owed to others are relevant to a choice. There seems to be no value in terms of which the merits of alternatives with respect to both of those values can be compared—no value with respect to which we can say that, given enjoyment and duty, one of the alternatives is better 'overall'. Thus, it seems that practical reason sometimes asks us to compare alternatives where there is no covering value, and comparison

must fail on formal grounds. The claim that practical reason tracks the distinction between formal and substantive failures of comparability would then be mistaken.

We have already seen why the lack of a covering value with respect to which the relevant merits of alternatives can be compared cannot give rise to incomparability. If there is no covering value with respect to which the relevant merits of the alternatives can be compared, there can be neither comparability nor incomparability with respect to it. But there is another way in which we can defuse the incomparabilist intuition: by showing that practical reason never confronts us with such cases.

Consider, as a typical example, the following simplified case. Suppose you must decide between two ways of spending your Christmas bonus: either donate the money to feed starving children in a faraway land or invest the funds as a nest egg for your retirement. The donation option has great moral merit, and the nest egg option has great prudential merit. Perhaps, as well, the donation option has nominal prudential merit and the investment option nominal moral merit. Practical reason seems to require an answer to the question, 'Given that the values relevant to choice are morality and prudence, which alternative is better overall?' We can say which is better with respect to morality and which is better with respect to prudence,[47] but there does not seem to be any way to say which is better with respect to both morality and prudence. Put another way, there seems to be no covering value that has both moral and prudential value as parts. And yet it seems that practical reason might require us to compare with respect to this nonexistent value.

The response to the challenge has two steps. First, there is often reason to think that, despite appearances, there is such a covering value. And second, in cases where there is no such covering value, it is plausible to think that the choice situation has been misconceived; practical reason requires not *that* comparison but a different one—one that is not, as a formal matter, guaranteed to fail.

What reason might there be for thinking that there is an appropriate covering value in the present case? One suggestion might be that there are always very general considerations like 'what there is most reason to do, all things considered' or 'betterness, all things considered', in terms of which a comparison of any two alternatives can proceed. Such considerations, however, have no content apart from that given to them by the choice situations in which they figure. They are *schematic*. A schematic consideration, like 'whether there is most reason to do, all things considered' amounts to intrinsic moral values in some cases, instrumental aesthetic values in others, and consequentialist economic values in still others. Schematic considerations cover the same ground as what Bernard Wil-

liams has called 'the deliberative ought'.[48] They are placeholders for any value whatever. Since they are mere placeholders, they are not themselves values, for it is only in virtue of the values they stand for that there is any meaningful evaluative comparison with respect to them. We are left with the same question with which we began: Is there a covering value with respect to which the moral and prudential merits of alternatives can be compared?

There is good reason to suppose there is such a covering value. Consider the following case. You can either save yourself a small inconvenience, or you can save a remote stranger severe physical and emotional trauma. Suppose that the one act bears only nominal prudential (and perhaps nominal moral) value, while the other bears notable moral value (and perhaps nominal prudential value). We can say more than that the one act is better morally and the other is better prudentially. We can also say that, with respect to both prudential and moral value, the latter act is better: given *both* values, saving the stranger is better *overall*. In general, a notable moral act is better with respect to both morality and prudence than a nominal prudential one. There must therefore be a covering value in terms of which comparisons of moral and prudential merits proceed, one that has both moral and prudential values as components. We know it exists because we know something about its structure: certain moral merits are more important than certain prudential ones. We cannot make a judgment about the relative importance of these considerations without there being some value, however indefinite, in terms of which the judgment proceeds. In general, nominal-notable comparisons help us to find covering values where they seem elusive.

What makes recognition that there is a covering value difficult in these cases is that, unlike other values, these values are typically *nameless*. (Put differently, the only names for such values are the names of schematic considerations; as placeholders for any value, their names provide alternative names for every value.) It is through the 'nominal-notable test' that we can see there are such values. Some varieties of intuitionism and specificationism might be understood as devoted to determining the contours of nameless values. And talk of 'what is really important', 'self-ideals', 'integral human fulfillment', and the like by Charles Taylor, Elizabeth Anderson, John Finnis, James Griffin, David Wiggins, and others, might be illuminatingly understood as attempts to work out the content of some of these nameless values. If my suggestion that the structure of a value is constituted by comparisons of bearers of that value, then this project will require further examination of comparisons among bearers of those values.[49]

This is not to say that in all instances in which it appears there is no appropriate covering value, a nameless value can be revealed. But it is plausible that the cases in which the nominal-notable test fails are ones in which the agent has

misconceived what practical reason requires. Suppose I am contemplating two possible birthday gifts for a friend: a handsome copy of *Pride and Prejudice* and an elegant chiffon scarf. I assume that the choice turns on the answer to the question, 'Which is intrinsically better?' The book has, among other intrinsic merits, literary merits and the scarf, among others, sartorial merits. But there is no nominal-notable comparison of a literary masterpiece and a sartorial banality. It makes no sense to say, given that literary and sartorial values are the only relevant ones, *War and Peace* is better than a pair of seersucker bell-bottoms overall. Therefore, there is no covering value with respect to which all the respective intrinsic merits of the book and scarf can be compared.[50]

In light of this, it is natural to conclude that I have misconceived the choice situation as requiring such a comparison. I might, for instance, have fixed on an inappropriate choice value. On reflection, I might realize that the choice between the gifts is not governed by intrinsic value but by my friend's tastes, or intrinsic beauty, or any number of choice values with respect to which comparison is formally possible. Just as we need never compare candy bars with pencils with respect to moral goodness, we need never compare with respect to a value that does not exist. How can practical reason, as a part of rationality in general, require an exercise of deliberation that cannot, on formal grounds, succeed?

The practical predicament we started with is this: We determine which values are relevant to choice, but there does not seem to be any covering value with respect to which the merits of the alternatives with respect to those values can be compared. We can now diagnose the predicament as follows. Either there is a covering value, or there is not. If there is a covering value, its existence can presumably be discovered by the nominal-notable test. If it exists, it will likely be nameless. Whether the items are incomparable with respect to it is, then, a further question. If there is no covering value, the covering value requirement has not been satisfied, and we have therefore misunderstood the choice situation as one requiring that comparison. The items are not incomparable since there is no covering value with respect to which they could be incomparable. In either case, it is a mistake to think that the difficulty in finding an appropriate covering value is grounds for concluding that items are incomparable.

Of course, we have not shown that where there is a covering value, there is comparability with respect to it. Perhaps the donating and investing options are incomparable with respect to an appropriate nameless value. It is hard to see, however, what grounds there might be for such a conclusion.

We have, in this Introduction, surveyed three categories of incomparabilist arguments. There are those that make a fatal substantive error: by neglecting the existence of nominal-notable comparisons, by overooking the possibility of

ordinal comparison, or by mistaking an emphatic claim of betterness for incomparability. There are those that make a fatal formal error: by neglecting to relativize incomparability to a value, by relativizing it to a value that does not cover, or by claiming that incomparability holds when there is no covering value that captures the values putatively relevant to a choice situation. And finally, there are those that make no fatal error but have difficulties of their own. Either they rely on controversial substantive positions like verificationism, or they are better understood as arguments not for incomparability but for a fourth value relation beyond 'better than', 'worse than', and 'equally good'.

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Incommensurability: What's the Problem?

JAMES GRIFFIN

I ask, What's the problem?, not to suggest, as colloquially that question can, that there is really no problem about incommensurable values at all or that it is not as hard as it is being made out to be. There is surely a problem, and its difficulty is, if anything, underestimated. We do not even know quite what the problem is. There are too many different interpretations of 'incommensurable' in play, unacknowledged and perhaps unnoticed; we treat 'values' as being more homogeneous than in fact they are; and, in any case, the issue finally turns on the nature and extent of practical rationality, about which we are abysmally ignorant.[1]

1. 'Incommensurability'

What nearly all of us, on reflection, mean by the 'incommensurability' of values is their 'incomparability'—that there are values that cannot be got on *any* scale, that they cannot even be compared as to 'greater', 'less', or 'equal'. Sometimes, though, we use the word in considerably looser ways. We use it to mean that two values cannot be got on some particular scale, say, a cardinal scale allowing addition. We meet a certain heavyweight value that, we think, cannot be equaled by any amount of some lightweight value—the first, we might say, is 'incommensurably higher' than the second. But this is not incomparability; on the contrary, it is a particularly emphatic form of comparison. And when many of us insist, for instance, that complex decisions about the environment cannot be reduced to cost-benefit analysis because some of the clashing values are incommensurable, we do not just mean that those values cannot be got on to additive cardinal scales, but that they cannot be got even on to the ordinal scales that economists are by and large content to work with. What is more, we are right to take 'incommensurability' as 'incomparability'. The serious threat to practical rationality comes not from, say, a mere breakdown in addition or from the ap-

incommensurable goods and an adequate account of appropriate kinds of valu-ation. I have not undertaken that task here; a close inspection of particular contexts would be indispensable to this endeavor. But I conclude with two sug-gestions. An insistence on diverse kinds of valuation is one of the most impor-tant conclusions emerging from the study of Anglo-American legal practice, and an appreciation of those diverse kinds will yield major gains to those seeking to understand and evaluate both public and private law.

Notes

1. Introduction

I am grateful to many people for discussion on the topics of this Introduction. They include Rogers Albritton, Richard Craswell, Barbara Herman, Frances Kamm, David Kaplan, Herbert Morris, Martha Nussbaum, Seana Shiffrin, and Cass Sunstein. I owe a special debt to Kit Fine and Derek Parfit, whose penetrating criticisms and helpful sug-gesti ns have made the Introduction better than it was with respect to every relevant covering value. Many of the points made here are discussed in greater detail in forth-coming work.

1. This is not an example of incommensurability by modern lights; unlike the Greeks who had not recognized irrational numbers as such, we can represent the ratios in terms of the reals. There is some disagreement among scholars as to when and with what mathematical object incommensurability was first discovered. There is no doubt, however, that the discovery was of profound importance to the Pythagore-ans because, as one commentator put it, "[the discovery] destroyed with one stroke the belief that everything could be expressed in integers, on which the whole Pythagorean philosophy up to then had been based." Kurt von Fritz, "The Discov-ery of Incommensurability by Hippasus of Metapontum," in David Furley and R. E. Allen, eds., *Studies in Presocratic Philosophy* (London: Routledge & Kegan Paul, 1970), 1:407. Legend has it that Hippasus of Metapontum, thought by many to have discovered the existence of incommensurables, was drowned at sea by the gods for making public his discovery. See also Thomas Heath, *A History of Greek Mathematics* (Oxford: Clarendon Press, 1921), 1:65, 154–157.
2. Joseph Raz, *The Morality of Freedom*, (Oxford: Clarendon Press, 1986). ch. 13. Compare his "Incommensurability and Agency" (this volume) especially n. 1 and accompanying text.
3. See, e.g., H. L. A. Hart, *The Concept of Law* (Oxford: Clarendon Press, 1961), p. 167: "When a choice has been made between such competing alternatives it may be defended as proper on the ground that it was for the 'public good' or the 'common good'. It is not clear what these phrases mean, since there seems to be no scale by which contributions of the various alternatives to the common good can be measured and the greater identified." For a good summary of the line of reason-ing leading to this conclusion (which he does not endorse), see Bernard Williams, "Conflicts of Values," in his *Moral Luck* (Cambridge: Cambridge University Press, 1981), pp. 76–77.

4. I say 'precisely' measured because there are those who think that cardinality can be imprecise. See Parfit, Griffin, and Laird as cited in n. 10. Commensurability assumes that cardinality is precise. My characterization of cardinality and ordinality is intended to be intuitive. For a technical account of the notions in accessible terms, see John Broome, *Weighing Goods* (Oxford: Blackwell, 1991), pp. 70–75.

5. Cass Sunstein, "Incommensurability and Valuation in Law," *Michigan Law Review* 79 (1994): 779–861. See also Elizabeth Anderson, *Value in Ethics and Economics* (Cambridge: Harvard University Press, 1993); and Anderson and Richard H. Pildes, "Slinging Arrows at Democracy: Social Choice Theory, Value Pluralism, and Democratic Politics," *Columbia Law Review* 90 (1990): 2121–2214. Anderson and Pildes are concerned with incomparability, not incommensurability, but for reasons that will become clear in my discussion of Anderson in part III, this difference may not be significant.

6. John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980), ch. 5, sec. 6.

7. Ibid.; David Wiggins, "Deliberation and Practical Reason," *Proceedings of the Aristotelian Society* 76 (1975–1976): 29–51, reprinted in Amelie Rorty, ed., *Essays on Aristotle's Ethics* (Berkeley: University of California Press, 1980), pp. 221–240, and in his *Needs, Values, Truth* (Oxford: Blackwell, 1987), pp. 215–238; and Martha Nussbaum, *The Fragility of Goodness* (Cambridge: Cambridge University Press, 1986), pp. 106–121.

8. David Wiggins, "Weakness of Will, Commensurability, and the Objects of Deliberation and Desire," *Proceedings of the Aristotelian Society* 79 (1978–1979): 251–277, reprinted in Rorty, ed., *Essays on Aristotle's Ethics*, pp. 241–266, and in his *Needs, Values, Truth*, pp. 239–267. See also Nussbaum, *The Fragility of Goodness*, pp. 113–117. Compare Michael Stocker, *Plural and Conflicting Values* (Oxford: Oxford University Press, 1990), ch. 7.

9. See, e.g., Stocker, *Plural and Conflicting Values*.

10. Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1986), p. 431, and *Practical Realism*, forthcoming; James Griffin, *Well-Being: Its Meaning and Measurement* (Oxford: Oxford University Press, 1986), pp. 81, 96–98, 104; and Thomas Hurka, *Perfectionism* (Oxford: Oxford University Press, 1993), p. 87. See also John Laird, *An Enquiry into Moral Notions* (London: George Allen & Unwin, 1935), ch. 16.

11. The indeterminacy could arise from the 'vagueness' of the values themselves. See Griffin, *Well-Being*, p. 81.

12. This notion of value is broader than usual; 'fulfillment of one's obligation', for example, is not a value in the narrow sense, and 'cruelty' is sometimes thought a *disvalue*, but insofar as we can evaluatively compare things with respect to fulfillment of one's obligations or cruelty, these are values on my definition. I employ this broad notion of value because the arguments I make about comparability apply to all evaluative comparisons, and not just to those with respect to 'values' as that term is usually, more narrowly, understood.

13. Whether the covering value requirement implies that there is no such thing as *good-*

ness—as opposed to betterness—simpliciter is a question I leave unexplored. For interesting discussion on this point, see Judith Jarvis Thomson, "Evaluatives and Directives" in Gilbert Harman and Judith Jarvis Thomson, *Moral Relativism and Moral Objectivity* (Oxford: Blackwell, 1996), pp. 128–129. Thomson thinks that the fact that things can only be good-in-a-way, as opposed to good simpliciter, "results in" the fact that all things can only be better-in-a-way. The five ways in which something can be better than something else (being useful, skillful, enjoyable, beneficial, or morally good) she mentions might provide useful classes into which covering values can be grouped.

14. I am grateful to Anderson for clarifying this point. See her "Practical Reason and Incommensurable Goods" (this volume, n. 14). As editor of this volume, I am shamelessly exploiting my opportunity to have the last word on this matter—at least between these covers. Her claim is more fully discussed in the final part.

15. A few explanatory notes here. First, my concern is with what justifies choice, not with how justification is to be reached, though the two might be linked in obvious ways. Second, the justification of a choice is *conclusive*, that is, not one that can be overruled or outweighed. Third, it is *specific*, that is, relevant to the particularities of a given choice situation and not directed at what is true in all situations (though, as we will see, general claims about justification might emerge from consideration of particular cases). Finally, my discussion should not be taken to restrict attention to actions, objects, events, or states of affair. Anything which can be chosen—certain feelings, attitudes, intentions, for example—can be 'alternatives' for choice.

16. For a rather different view of norms of rationality that may justify choice among incomparables, see Adam Morton's five 'dilemma management strategies', in ch. 2 of his *Disasters and Dilemmas* (Oxford: Blackwell, 1991).

17. See also James Griffin, *Value Judgment: Improving Ethical Beliefs* (Oxford: Clarendon Press, 1996).

18. Specificationist approaches, like Wiggins', are often presented as accounts of the process of rational deliberation rather than accounts of practical justification. For a recent development of the view, see Henry Richardson, *Practical Reasoning About Final Ends* (Cambridge: Cambridge University Press, 1994). See also Wiggins, "Deliberation and Practical Reason", and Aurel Kolnai, *Ethics, Value and Reality* (Indianapolis: Hackett, 1978).

19. See also Elijah Millgram, *Practical Induction* (Cambridge: Harvard University Press, 1997).

20. Note that Raz's quasi-existentialist view does not distinguish between proper deliberation in the case where alternatives are incomparable from that in the case where they are equally good. For a related view, see Isaac Levi, *Hard Choices: Decision Making Under Unresolved Conflict* (Cambridge: Cambridge University Press, 1986); who thinks that choice can be justified if the chosen alternative is "admissible." John Finnis holds a view similar to Raz's about justification in the face of incommensurables: reasons determine eligibility and leave room for "feelings" in individual choice and "fair procedures" in collective choice to guide choice among incommen-

surable, eligible options. See John Finnis, "Commensuration and Public Reason" (this volume).

21. Some of the views considered above may have the resources to deal with this problem. For example, Millgram's view ties justification to past choices and thus may be able to avoid the merit-pump problem. Other views need to show how the problem is to be avoided. One possible response can be extracted from discussion of a closely related problem by Edward McClennen, *Rationality and Dynamic Choice* (Cambridge: Cambridge University Press, 1990), especially ch. 2, 10, and by Warren Quinn, "The Puzzle of the Self-Torturer," *Philosophical Studies* 59 (1990): 79–90, reprinted in Quinn, *Morality and Action* (Cambridge: Cambridge University Press, 1993), pp. 198–209.

22. Thomas Nagel, *The Possibility of Altruism* (Princeton: Princeton University Press, 1970), ch. 5.

23. Compare Henry Richardson's defense of specificationism against the claim that specificationist reasons are ultimately comparisons with respect to some supreme criterion—whether it be practical coherence, the unity of agency, or whatnot. Richardson rightly points out that this claim misunderstands specificationism. The argument I offer does not, however, make this mistake. It claims only that in order for any specificationist reason to justify, there must be a comparison of the alternatives with respect to satisfying or expressing that ground. See Richardson, *Practical Reasoning*, pp. 179–183.

24. My claim that the justifying force of any justifying reason is a comparison of the alternatives with respect to an appropriate covering value is substantive and should not be mistaken for a conceptual claim about the structure of practical justification. It follows trivially from the fact that something is practically justified that it is at least as good with respect to justifiability as the available alternatives. My claim, however, is not that this comparison provides the justifying force to every justifying reason but rather that a comparison with respect to the value that is specific to that choice situation does. Put another way, my concern is with the normativity of justification *specific* to a choice situation, although a general claim about the normativity of justifying reasons emerges from consideration of the specific cases. See also n. 15.

25. Samuel Guttenplan, "Moral Realism and Moral Dilemmas," *Proceedings of the Aristotelian Society* 80 (1979–1980): 61–80.

26. Thomas Nagel, "The Fragmentation of Value," in his *Mortal Questions* (Cambridge: Cambridge University Press, 1979).

27. Joseph Raz, "Mixing Values," *Proceedings of the Aristotelian Society* 65 (suppl.) (1991): 83–100. Compare James Griffin, "Mixing Values," *Proceedings of the Aristotelian Society* 65 (suppl.) (1991): 101–118.

28. Ronald de Sousa, "The Good and the True," *Mind* 84 (1974): 547–548; Walter Sinnott-Armstrong, *Moral Dilemmas* (Oxford: Blackwell, 1988), pp. 66–68.

29. Sinnott-Armstrong, for example, maintains that "the multiplicity of scales" is a source of incomparability among some, but not all, items that are rankable only by

different scales, but he does not explain why only those items and not others are thereby incomparable. See his *Moral Dilemmas*, p. 69. Charles Taylor suggests that it is the diversity of goods that gives rise to incomparability between certain instances of different goods. But it is difficult to see how the mere fact of diversity can explain incomparability among only some instances of the diverse goods when it is compatible with comparability among other instances. See his "Leading a Life" (this volume).

30. That the argument is put in terms of a continuum should not be taken to entail that the difference in creativity between contiguous items on the continuum is purely quantitative. I defend this argument in some detail elsewhere. Compare John Broome's "Is Incommensurability Vagueness?" (this volume), in which a continuum argument is used to argue for the indeterminacy of comparison.

31. See also Charles Taylor, "The Diversity of Goods," in Amartya Sen and Bernard Williams, eds., *Utilitarianism and Beyond* (Cambridge: Cambridge University Press, 1982); Stocker, *Plural and Conflicting Values*; and Anderson, *Value in Ethics and Economics*. Thomas Hurka has argued that a single value can differ in ways that allow for rational regret over a forgone, less valuable alternative. See his "Monism, Pluralism, and Rational Regret," *Ethics* 106 (1996): 555–575. On the question of whether the recognition of different aspects of a value lands us with pluralism, compare Hurka and Michael Stocker, "Abstract and Concrete Value: Plurality, Conflict and Maximization," (this volume) especially nn. 7–10.

32. Compare Amartya Sen, "Plural Utility," *Proceedings of the Aristotelian Society* 81 (1980–1981): 193–215. Also, indirect forms of utilitarianism can allow for incomparability among the values that reduce to the supervalue.

33. The text accompanying this footnote is puzzling: "Trade-off suggests that we compute the value of the alternative goods on whatever scale is at hand, whether cardinal or *ordinal*, precise or rough-and-ready" (emphasis added). See Steven Lukes' "Comparing the Incomparable: Trade-offs and Sacrifices" (this volume). But an ordinal scale need not involve calculation. Ordinal comparisons can be quantitative without being cardinal, that is, committed to the existence of some unit of value by which the items can be measured. We have already seen that comparison need not be a matter of quantities of some value.

34. The curiousness may be no fault of Raz. I find it unclear whether Raz is simply stating a position—that it is conceptually impossible for friends to judge friendships and money comparable—or attempting to provide a ground for the conclusion that friendships and money are incomparable, at least for friends. I will take as my target the latter claim since given our purposes it is of greater interest and because others have endorsed it (see Lukes' volume essay). At any rate, the first of my objections to the view applies also to the bare claim of conceptual impossibility. See Raz, *The Morality of Freedom*, pp. 346–352. A similar view about incommensurability is held by Cass Sunstein. See his volume essay and "Incommensurability and Valuation in Law."

35. Anderson's claim that items are incomparable if there is no good practical reason to

compare them does not strictly depend on her quantitative view of comparison. The degree of cogency of the claim does, however; it is more plausible to think that there is no good reason to compare a friendship and money if comparison requires cardinal units measuring their merits. At any rate, we can interpret her view without the quantitative assumption, and I have accordingly discussed it as an example under both the third and fourth types of incomparabilist argument.

36. See also Donald Regan, "Authority and Value: Reflections on Raz's *Morality of Freedom*," *Southern California Law Review* 62 (1989): 995–1095. Of course, whether the intrinsic good *is* more valuable turns on what the instrumental good is instrumental to. The thought embodied in norms governing attitudes appropriate toward intrinsic goods may be that the intrinsic good, as such, has a special status vis-à-vis instrumental goods, as such, though perhaps not all friendships are better than all amounts of cash.

37. There is another class of examples Anderson cites to support her pragmatist principle, 'If no good practical reason to compare, then incomparable'. Sometimes there is no good reason to compare items because it is "boring" or "silly" or "pointless" to do so. It is boring, silly, and pointless to compare, for example, the intrinsic aesthetic merits of all the world's limericks. But can such a categorical claim be sustained? We surely can imagine some point to making comparisons that generally would be inane. As editor of *The World's Greatest Limericks*, one might see a great deal of point in comparing limericks with respect to intrinsic aesthetic merit. I suspect that with enough imagination, a practical point for making seemingly inane comparisons can always be found.

38. If the 'rational resolution' of conflict is understood in terms that do not entail determination of the comparative religion that holds between the alternatives, such arguments become significantly weaker. Considerations against such arguments are given by Michael Stocker, "Abstract and Concrete Value" (this volume).

39. For related positions, see, e.g., Lewis Kornhauser, "The Hunting of the Snag: Incommensurability in Ethics and Economics," unpublished ms, who thinks that plausible conditions on orderings of alternatives may underdetermine a single correct ranking; Sinnott-Armstrong, *Moral Dilemmas*, pp. 66–68, who thinks that moral requirements are incomparable if their strengths are not exact; and T. K. Seung and Daniel Bonevac, "Plural Values and Indeterminate Rankings," *Ethics* 102 (1992): 799–813, who think that two items are incomparable if one is better than the other, worse than it, *and* just as good. A powerful, detailed treatment of the possibility of multiple rankings can be found in Isaac Levi, *Hard Choices*.

40. Compare Hurka, *Perfectionism*, p. 87.

41. See Raz, *The Morality of Freedom*, ch. 13; Sinnott-Armstrong, *Moral Dilemmas*, pp. 65–66, also his "Moral Dilemmas and Incomparability," *American Philosophical Quarterly* 22 (1985): 321–329, 327; de Sousa, "The Good and the True," pp. 544–546.

42. Raz's and de Sousa's argument proceed by appeal to rational attitudes of indifference and not by direct appeal to rational judgments we might make. But the argu-

ment is stronger if understood in terms of rational judgments. The strong version I consider is given by Sinnott-Armstrong in the context of moral requirements.

43. See Regan, "Authority and Value."

44. Susan Hurley makes a similar point against Mackie's error theory of moral judgments. See her *Natural Reasons* (Oxford: Oxford University Press, 1988), pp. 278–279. Of course, the strict trichotomist is always free to deny the phenomenology of judgment as I have described it. But a denial without at least a debunking explanation amounts to mere dogmatism.

45. I owe this large point to Derek Parfit, who first pointed out to me that small improvement arguments need not entail incomparability. Parfit uses a small improvement argument to suggest that there is "rough" comparability, that is, imprecise cardinal comparability. See Parfit, *Reasons and Persons*, pp. 430–431.

46. I make a slight modification of Morton's model. See Adam Morton, *Disasters and Dilemmas* (Oxford: Blackwell, 1991), pp. 34–35. Note that since I take Morton's 'diamond pattern' to be a model of biased and unbiased differences, we should not expect to find room for incomparable items, which have no evaluative differences.

47. Note that even if the one option bore only moral value and the other only prudential value, this would probably not be a case of noncomparability with respect to either moral or prudential value; acts that are moral are typically the kinds of things that belong to the domain of 'prudential', and vice versa.

48. See Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge: Harvard University Press, 1985).

49. For exemplary work of this kind with respect to the value of (objective) morality, see Frances Kamm, *Morality, Mortality*, Vol. II, (New York: Oxford University Press, 1996), ch. 12. Kamm's discussion can be understood as an attempt to illuminate a murky part of the notion of morality through an investigation of the comparative relations holding between its "rights and duties" contributory values and its "well-being/pursuit of conceptions of the good" contributory values.

50. Note that if intrinsic literary value and intrinsic sartorial value are not parts of any other value, then there is no nameless supervalue that has all values as parts.

2. Incommensurability: What's the Problem?

1. This is my fourth attempt at this subject; the previous three are "Are There Incommensurable Values?" *Philosophy and Public Affairs* 7 (1977): 39–59; *Well-Being* (Oxford: Clarendon Press, 1986), ch. 5; and "Mixing Values," *Proceedings of the Aristotelian Society* (suppl.) 65 (1991): 101–118. This fourth attempt inevitably repeats some of the content of the earlier attempts, especially the third one. But the third attempt was too condensed. I try to fill out the story here and make it more convincing, but it remains very sketchy. This attempt is a survey of the whole subject—all kinds of values. And because the issue of commensurability turns, as I say in the text, on the nature of practical rationality over the entire ethical domain, it is bound to be too big a subject for more than the groping exploration I present here.