

Chapter Four: The Intrinsic Value of the Basic Minimum

So far, I have offered a critical analysis of the most important non-welfarist approaches to the basic minimum. I have also argued that at least one welfarist approach (captured by WBM, or the view that the basic minimum is the maintenance of a valued project) can avoid the welfarist's dilemma. But even if we accept WBM (or, in response to the problem of preference for the worse, WBM2), much remains to be done in providing a full welfarist approach to the basic minimum. Though we may know what the minimum threshold is, a well-formed conception of the basic minimum must also account for its comparative moral importance. In other words, we must address a problem I hereby dub "the problem of weight": we must understand the comparative moral weight of the basic minimum against non-minimum states.

To some, an inquiry into the moral importance of the basic minimum might seem quaint. After all, we're talking about a basic *minimum*: surely the most natural way to understand its significance is to insist that the promotion of the basic minimum is, in all cases, of paramount or overriding moral importance. Of course, given BM3, this is not conceptually required: a basic minimum need only take weak moral priority. But surely the most natural view is that the basic minimum (whether welfarist or otherwise) should be the dominant moral concern. This proposal is reflected in the general motivation for a basic minimum offered by Stuart White (among others), and in Nussbaum's *Guarantee*.

Unfortunately, matters are not so simple. One can distinguish two ways in which the basic minimum might have overriding moral importance. The first, the aforementioned *Guarantee*, insists on an overriding moral reason to guarantee the basic minimum for all. The second, which I shall call *Maximize*, posits an overriding moral reason to promote the achievement of the basic minimum (in other words, the basic minimum is the dominant moral concern, but is not a *guarantee*). Both accounts fail: they are simply too strong. Instead, we must allow that the basic minimum can be traded-off against other valuable states of persons. I argue that the best strategy for approaching the problem of the *moral* weight of the basic minimum is to first consider its relative intrinsic value, i.e., how *good* is the basic minimum in comparison to other potentially valuable states? This topic will comprise the bulk of this chapter.

Before I begin, however, I want to say a few words about the overall argument of the chapter, and what I do and do not attempt to accomplish. My main goal in this chapter is to establish two separable theses concerning

the relative intrinsic value of the basic minimum (detailed in §4.2). However, the arguments for both theses will rely on general principles of impersonal and personal value I find plausible or natural. And while in most cases I will offer some motivating rationale, I will also rely to a great extent on my own considered judgments. I make no apology for doing so; I hope and believe that the resulting view will be, all things considered, attractive especially in comparison to alternatives, and will—together with the moral principle defended in Chapter Five—make for a satisfying representation of the traditional overriding view. Nevertheless, as I have so far noted, my approach to the basic minimum is *modular*. Though the argument of this chapter builds on the general account of human well-being I develop in Chapters Two and Three, nothing in the remaining chapters (nor, for that matter, in the previous ones) depends on the acceptance of the view I advocate here. Hence if readers' considered judgments differ from mine at a crucial point (say, if one chooses to reject the plausibility of the sequence I discuss in §4.5.2), they are licensed to replace either or both of the theses I present here with one that better conforms to their own considered judgments. (Including, say, one of the options against which I argue in §4.6.)

With this caveat in mind, the plan of the chapter runs as follows. The first part, comprising §§4.1-4.2, will discuss two standard accounts of the moral weight of the basic minimum and offer a strategy for progress in light of their failure. §§4.3-4.5 take up the intrinsic value of the basic minimum in comparison to *sub*-minimum welfare states. §§4.6-4.7 take up the intrinsic value of the basic minimum in comparison to *super*-minimum states. §4.8 concludes.

4.1. The Basic Minimum as Overriding

As stated above, it seems natural to believe that the moral weight of the basic minimum should be overriding. However, there are at least two interpretations of this natural instinct. The first, *Guarantee*, claims that political institutions, or moral agents more generally, have an overriding moral reason to establish the basic minimum for all. The second, *Maximize*, insists instead that one has a moral requirement to promote the achievement of the basic minimum to the greatest extent possible. Both approaches, I argue, fail.

4.1.1. Guarantee

Guarantee is one of the fundamental elements of Nussbaum's capabilities

approach. *Guarantee* states that moral agents (most importantly for Nussbaum, political societies) have a moral reason to establish the basic minimum for all persons and that doing so is a moral requirement in all cases.

[I]n some form all [ten basic capabilities] are held to be part of a minimum account of social justice: a society that does not guarantee these to all its citizens, at some appropriate threshold level, falls short of being a fully just society, whatever its level of opulence. . . In desperate circumstances, it may not be possible for a nation to secure them all up to the threshold level, but then it becomes a purely practical question what to do next, not a question of justice. The question of justice is already answered: justice has not been fully done here.¹

Guarantee as stated is an implausible principle—taken literally, no just society could ever exist. *Guarantee* states that a failure in the possession of the basic minimum—any such failure—is a failure to fulfill one’s moral obligations. But every society will have persons who, for one reason or another, cannot maintain the basic minimum. If this is the case, and the basic minimum must be guaranteed, no society will fulfill its moral obligations. Any society will have people with adolescent cancers or various genetic defects, say, who have no ability to achieve a valued project. But this is not a failure of justice.

Nussbaum understands the implausibility of these results, and suggests an alternative to the literal reading of *Guarantee*. In essence, Nussbaum allows that a just society will occasionally contain failures of the basic minimum because it is simply impossible to grant the basic minimum to individuals with, say, significant disabilities. Though tragic, such circumstances permit of options consistent with justice.² Nussbaum insists that states can remain just even in the face of failures of the basic minimum if the state has guaranteed the “social conditions” of the basic minimum to all. Some

¹Nussbaum (2006), 75, 175.

²Of a significantly impaired woman, “Sesha”, she writes: “Society should strive to give her as many of the capabilities as possible directly; and where direct empowerment is not possible, society ought to give her the capabilities through a suitable arrangement of guardianship. But guardianship, however well designed, is not as good for Sesha as it would be to have the capabilities on her own. We have emphasized the capabilities on the list because they have truly human importance: we have evaluated these options to function, and we say that they are really important and good. When someone does not attain them, this is an unhappy state of affairs, whether or not this is anyone’s fault: the only way that Sesha can ever flourish is as a human being,” (Nussbaum (2006), 193).

of these social conditions will include, for instance, appointed guardians or proxies (especially for people with severe mental disabilities).³

To put Nussbaum's suggestion in a slightly different way, one might think that there are roughly two types of failure of the basic minimum. The first involves conditions of certain individuals (like, for instance, the severely mentally disabled, or persons who are born with genetic defects, etc.) that political agency could not correct. (This last clause is important: anytime someone could be granted the basic minimum they should be—even if this means correcting certain natural impairments, such as physical or mental illness.⁴) Call these “natural failures”. “Social failures” are any failures of the basic minimum that are not natural failures, i.e., that are not the result of particular impairments of individuals. Thus, on Nussbaum's understanding, *Guarantee* yields two paths to injustice. In the first case, if a failure of the basic minimum obtains without an associated natural impairment, this is a failure to conform to overriding moral reasons; a failure of justice. However, in cases of natural failures, we ask: “[h]as the public political arrangement in which she lives extended to her the social basis of all the capabilities on the list,”⁵ to the extent that *if she were not suffering from natural failure*, she would obtain the basic minimum? If the answer is no, the society in question is to that extent unjust. If the answer is yes, justice is compatible with failures of the basic minimum.

I am willing to grant that Nussbaum's proposal is successful in dealing with cases such as genetic illnesses or various forms of disability. But the division of failures of the basic minimum into “natural” and “social” is insufficient to salvage *Guarantee*. Consider the following case:

Tsunami: A large and destructive tsunami destroys the homes and farms of six people (A-F). Without access to food, the fast-approaching winter means their deaths. Unfortunately, there is no direct access to deliver food from outside: the society in question does not have the resources to fly them in, and all access

³Nussbaum (2006), 193. Notice Nussbaum's use of the term “unhappy” rather than “unjust”.

⁴Cf. Nussbaum (2006), 193. Of Sessa, Nussbaum writes: “if we could cure her condition and bring her up to the capabilities threshold, that is what we would do, because it is good, indeed important, for a human being to be able to function in these ways. If such a treatment should become available, society would be obliged to pay for it, and would not be able to offer the excuse that she is impaired ‘by nature’. And, further, if we could engineer the genetic aspects of it in the womb, so that she would not be born with impairments so severe, that, again, is what a decent society would do.”

⁵Nussbaum, (2006), 193.

roads have been blocked. Even more unfortunately, the accessible resources are sufficient only to feed five of the six.

If *Guarantee* is true, assuming that these are the only two options, there is no option available consistent with justice. Political society is unjust no matter what it decides to do. In this case, Nussbaum's solution to the problems posed by disabled individuals is of no help: there are no natural impairments involved—no features of particular individuals that entail that they will fail the basic minimum. At least one person will fail the basic minimum because of a sheer lack of food. But why, we may ask, should such a flood turn a just society into an unjust one? It seems that according to *Guarantee*, no matter what it decides, this society is unjust—asking what should be done in this case is a “purely practical” question, rather than a question of justice.

Something has gone wrong here. At first glance, Nussbaum's view displays an internal tension. Nussbaum allows that societies have an escape clause in the case of failure of the basic minimum based on the physical or mental impairments of individuals. Because social systems cannot actually establish the basic minimum for them, social systems are just when they do the most that is in their power, viz., establish the social conditions, or social bases, of the basic minimum *rather than* eliminating all natural failures.⁶ It appears that in the case of *natural failures*, Nussbaum wishes to allow that justice should be within reach. But why shouldn't this apply also in *some* cases of social failure, e.g., cases of resource impairment? Why shouldn't we say of *Tsunami* that there are options consistent with justice, just as there are options consistent with justice when it comes to natural impairments? I see very little ground for accepting a less stringent requirement of justice in the case of disabled or impaired persons while placing justice out of reach in other cases in which social or political systems couldn't have done better.

But leaving this point aside, Nussbaum's view here is clearly implausible. Though she claims that cases similar to *Tsunami* present only “practical” questions, it is worth wondering what is to answer them (Nussbaum herself does not offer a response). Surely there are right and wrong answers to these questions. It is not as if, in such a case, moral reasons simply *fall silent*. (To take an extreme case, it would surely be morally wrong to *murder* A-F; this is no mere “practical” question, but a question to which moral reasons respond.) But Nussbaum must claim that even if a society answers these “practical” questions in precisely the morally appropriate way it remains

⁶I hereby ignore the point that establishing the social bases may be absolutely out of reach for some political societies given factors outside their control.

unjust. This position is unduly burdensome and, frankly, unfair to societies that answer these “practical” questions in the right way. We should say, rather, that answering these “practical” questions correctly—however that might be—just *is* what justice requires in tragic cases. Though there are perhaps very good reasons to regard Indonesia as a state that fails the ideal of justice, the mere fact that so many were killed in the 2004 tsunami does not shed *additional* light on this fact.⁷

4.1.2. Maximize

Guarantee is not the only way to understand an overriding approach to the basic minimum. An alternative is a position I call *Maximize*. According to *Maximize*, one is morally required to promote the achievement of the basic minimum *to the greatest extent possible*. *Maximize* seems better placed than *Guarantee*: because *Maximize* insists only that the basic minimum be established for as many as possible, rather than that the basic minimum should be guaranteed to all, it needn’t say that natural disasters, for instance, are failures of justice. Rather, what does entail a failure of justice, or a failure to conform to one’s overriding moral reasons, is a failure to promote the basic minimum to the greatest extent one can. In *Tsunami*, there are options consistent with justice, i.e., to promote the basic minimum for the most possible.

But *Maximize*, though it is better placed with regard to our considered moral judgments than *Guarantee*, remains too strong. Consider:

Severe Disability: Elise suffers from a severe disability that makes the achievement of the basic minimum virtually impossible. However, she could maintain the basic minimum were she to be given a radical, and radically expensive, sequence of medical treatments. Doing so—assume—would require the development of a new technology which—though possible—would be so expensive

⁷One might reply that my criticism of Nussbaum is unfair. After all, I appear to be evaluating her position in abstraction from her own theory of the basic minimum, viz., the capabilities approach. Two points. First, even if *Guarantee* is plausible when conjoined to Nussbaum’s preferred theory of the basic minimum, there are other reasons to reject her preferred theory of the basic minimum, and hence (given what I have said so far) reasons to reject *Guarantee*. Second, it seems to me that *Guarantee* is no less implausible when conjoined to Nussbaum’s preferred theory of the basic minimum. *Tsunami* is a problem for the capabilities approach no less than for WBM. Even on her view, a number of problems that could not have been prevented will affect any given society’s ability to provide the ten basic capabilities, yielding the same problems that confront *Guarantee* when conjoined to WBM.

as to require the expenditure of resources sufficient to rule out the promotion of all non-minimum goods for hundreds of millions of people.

For *Maximize*, the reason to establish the basic minimum for Elise overrides all other moral reasons to promote any other non-minimum goods for others. But stated this way, *Maximize* is not plausible. In *Severe Disability*, the particular society in question could establish the basic minimum for Elise, but her basic minimum cannot be had at reasonable cost in terms of other, non-minimum goods. It seems quite wrong to say that the achievement of the basic minimum for a single individual would outweigh the achievement of all sub-minimum goods for any finite number of individuals, *and* all super-minimum goods for any finite number of individuals. The basic minimum is surely important, but it is not *that* important.

One might respond on behalf of *Maximize*. I have so far assumed that *Maximize* insists that the promotion of the basic minimum is overriding, i.e., is itself decisive with respect to the promotion of all other valuable states (even when taken together). But one might reject the claim that the promotion of the basic minimum is overriding and instead believe that it must be balanced, though perhaps heavily weighted, against the promotion of non-minimum states. I believe this is a plausible route to follow, but along this route lies the death of *Maximize*. In balancing the importance of the minimum against non-minimum states, one no longer has a moral obligation to maximize the achievement of the basic minimum. The basic minimum becomes simply one important, promotion-worthy state among others that must be weighted appropriately. On this proposal, the relative moral significance of the basic minimum is left indeterminate.

We should reject the natural, though mistaken, interpretation of the basic minimum as morally overriding. But in rejecting *Guarantee* and *Maximize* we must look for an alternative solution to the *problem of weight*, one that, ideally, can accommodate at least *much* of what is plausible about the traditional overriding approach (without, one hopes, its excesses). Indeed, this question cannot be simply put off or ignored. Without a solution to the problem of weight, we cannot adequately characterize the moral structure of the basic minimum.

4.2. Strategy

How are we to make progress on the problem of weight? How are we to determine, in more or less precise fashion, how important the basic mini-

mum is in comparison to other social goals? I propose the following strategy. Though such an inquiry may not settle all moral questions that surround the basic minimum, we certainly make progress on the problem of weight by determining the relative goodness or intrinsic value of the basic minimum in comparison to non-minimum goods. After all, there appears to be at least a *pro tanto* moral reason to favor *p* over *q* if it can be established that *p* is *more valuable* than *q*. It seems a reasonable default presumption, then, that if the axiological weight of the basic minimum in relation to some non-minimum good *q* is *n*, the basic minimum should have the same relative moral weight (though, of course, this default presumption could be overridden by a number of potentially important moral reasons). Therefore a sensible place to begin an examination of the basic minimum's relative moral importance is to consider the basic minimum's relative *worth*.

In this chapter, I defend two general claims. These claims run as follows. First:

Lexical: the intrinsic value of the basic minimum lexically dominates the intrinsic value of sub-minimum welfare goods.

Lexical is strong; indeed, *Lexical* grants the strongest possible axiological priority to the basic minimum in comparison to sub-minimum goods: a single achievement of the basic minimum is better than any finite amount of sub-minimum states. Second, I defend:

Prioritarianesque: Super-minimum project-improvements for the better-off are less intrinsically valuable in comparison to the basic minimum than super-minimum project-improvements for the worse-off.

Prioritarianesque—as the name suggests—holds that the basic minimum takes a roughly prioritarian weighting against valued projects above the minimum: the better-off you are, the less intrinsically valuable your valued project is in comparison to the basic minimum. Putting *Lexical* and *Prioritarianesque* together, I defend a view that, at least in axiological terms, retains much of the traditional overriding approach to the basic minimum, including the lexical dominance of the basic minimum in comparison to *sub*-minimum states.

My argumentative strategy runs as follows. Both *Prioritarianesque* and *Leximin* are statements of impersonal value: the extent to which the basic minimum improves a state of affairs *tout court*. However, surely an important aspect of impersonal value is *personal* value: the extent to which the

basic minimum is better *for people*. One default position is that p is impersonally better than q to the extent that p is better *for people* than q . This follows from a plausible “person-affecting” claim about value, i.e., that the improvement of states of affairs is a function of the improvement of the welfare of persons in those states of affairs.⁸ But even if this is incorrect, relative welfare value (or “personal” value) is surely one important aspect of impersonal value. And this is where my argument for *Lexical* will begin. I argue that *Lexical* is a natural conclusion in light of a plausible thesis concerning the relative welfare value of the basic minimum in comparison to satisfactions. After considering an important objection to *Lexical*, I argue that *Prioritarianesque* is also a natural result of an inquiry into the comparative welfare value of valued projects for persons at higher and lower levels of welfare.

Before I begin, a terminological note. In discussing the prudential weight of the basic minimum, one important topic is the relative weight of the basic minimum against other marginal project-improvements of—in terms I shall adopt here—greater and lesser “magnitude”. Hence, it is important to understand what this means and, relatedly, what it means for one person to be better-off in terms of the achievement of valued projects. This question turns out to be surprisingly difficult to answer in a way that is fully ecumenical between subjective and objective theories of the good and so I won’t offer a general theory of magnitude here. But it seems to me sensible to say that any theory of the good will choose from among the following two methods of judging the magnitude of a given project-improvement. First, any individual’s conception of the good (complete, coherent) will display preferences among projects and among groups of projects given experience with the attendant value data. Hence one might judge the magnitude of a project-improvement by the extent to which this project-improvement satisfies the preferences of the person whose project-improvement it is. Second, for those who accept content-based assessment of valued projects, a project-improvement might be of greater magnitude than another when it maintains greater preference-independent value. In principle, a substantive theory of well-being could mix and match, and adopt different weightings of, these dimensions. I will remain ecumenical here, and refer generically to “project-improvements” and their greater or lesser magnitude; the reader is free to fill in the details as appropriate. (When I refer to “project-improvements”, I mean marginal improvements among *valued* projects, unless otherwise noted.) Furthermore, I will speak generically of a person’s being “better-off”

⁸See, for instance, Holtug (2007), 129.

or “worse-off” in terms of valued projects. A’s being better-off in terms of project-achievement than B will be assessed along the same dimensions as the question of magnitude: the satisfaction of preferences among projects, and the preference-independent value one’s projects maintain. Again, different theories of welfare will fill in the details in different ways; I remain neutral here.

4.3. *The Basic Minimum and Sub-Minimum Goods*

There are two potential marginal welfare benefits one could obtain while failing the basic minimum, both of which must be explored before any broad conclusion about the relative intrinsic value of the basic minimum can be drawn.⁹ Because WBM claims that the basic minimum is the achievement of a valued project, one can improve in terms of satisfactions without maintaining the basic minimum. Hence to properly determine the intrinsic value of the basic minimum in comparison to sub-minimum states, we must first better understand the value of the basic minimum in comparison to *satisfactions*. In addition, because WBM declares that the basic minimum is the achievement of a *valued* project, marginal improvements among *unvalued* projects are also available to those who do not obtain the minimum. For instance, someone might fail to value global project *p* and global project *q*, but might prefer *p* to *q*. If so, the move from *q* to *p* is a marginal sub-minimum welfare benefit, i.e., an unvalued project-improvement. Alternatively, for those who accept content-based assessment of valued projects, one might fail to value *p* and *q*, but it might be that *q* is more objectively valuable than *p*, hence a move from *p* to *q* might be a marginal welfare benefit. Hence to determine the relative goodness of the basic minimum, we must also determine the relative goodness of the basic minimum in comparison to improvements among *unvalued* projects.

⁹If one accepts WBM2, the number of marginal welfare benefits one can obtain without obtaining the basic minimum rises to three: satisfactions, unvalued project improvements, and valued project improvements that do not meet a “preference-independent” value threshold. I shall not discuss in the third marginal benefit in much detail except to say that it does not seem to me to change the axiology I accept to any great degree. WBM2 is still compatible with *Lexical* as I define it in §4.3.3: one would expect that if the true “dividing line” is between lives that maintain objectively valuable projects and those that do not, sub-minimum valued project improvements should fungible against satisfactions. If so, the argument offered in §4.3.2 applies *mutatis mutandis*. I offer this suggestion tentatively, however, and leave it to those who favor WBM2 to provide a more substantive account of the relative value of the basic minimum in comparison to valued project improvements of insufficient preference-independent value.

4.3.1. *Sub-Minimum Goods: Satisfaction*

The first category of sub-minimum goods to be weighed against the basic minimum is sub-minimum satisfactions. Given *Thesis*, we should say that valued projects (and hence the basic minimum) are prudentially more important than satisfactions, including sub-minimum satisfactions. One possibility, when considering the relative welfare value of the basic minimum in comparison to satisfactions, is to adopt a very strong relative weighting. Consider, then:

*Thesis**: the welfare value of the basic minimum lexically dominates the welfare value of satisfactions.

I think we should accept *Thesis**. Take the following case:

Greta: Greta maintains no valued projects, but would value, and could become, a very successful “outsider artist”. Becoming such an artist would unify and provide a shared explanation and meaning to Greta’s activities over the long term; in short, it would qualify as a global project. Alternatively, Greta could eschew becoming a successful artist in favor of n satisfactions (say, n moments of mild pleasure).

Greta has two options. She could either obtain a valued project, i.e., being an outsider artist, or grab some minor satisfactions. In considering Greta’s case, the obvious question becomes not the point at which n satisfactions are sufficient to outweigh her potential valued project, but whether there is *any* n , such that n satisfactions is sufficient to outweigh this project. The answer to this question seems clear: there is no such n . For Greta, though minor satisfactions would improve her life over neither being an artist nor achieving any satisfactions, it seems decidedly implausible to say that, faced with the possibility of maintaining a valued project over the course of her life, it would be better simply to opt for the life lacking in valued, self-directed meaning, whatever the value of n .

One can see this conclusion by considering a further case. Take again Velleman’s politician. Assume that, for A, being a successful politician is a valued project, the pursuit of which resulted in failure. We might be tempted to ask ourselves what might *compensate*, in terms of A’s life quality, for his failure to be a successful politician. In other words, and more pointedly, could it be the case that A’s failure to be a successful politician

could be compensated by *some* amount of satisfactions, rather than valued projects? I submit that the answer to this question is no. Imagine that A fails to become a successful politician, but has the opportunity to become a successful writer, a project he values. Imagine also that A could, instead, refrain from developing any valued projects, but instead simply to pursue momentary cheap thrills that are in no way narratively unified. Of course, any halfway plausible theory of welfare will hold that the achievement of pleasure (even if it's a simple cheap thrill) is a welfare benefit. But, plausibly, there is *no amount* of cheap thrills that it would compensate A for his failure to be a successful politician to the same degree as becoming a successful writer, especially when we consider that otherwise A would achieve no valued projects whatever. Recall that the maintenance of valued projects seems to be the primary data by which we understand our lives and their quality: to maintain a valued project means that one's activities participate in a shared, self-directed meaning over the course of a life. I doubt very much that a life without such meaning could be better than a life *with* the sort of unity provided by a valued project. If so, it would seem, the value of the basic minimum lexically dominates the value of satisfactions. The alternative suggestion seems crass, at best.

Of course, there is a limit to the plausibility of such a claim. For instance, someone might maintain a project which, for this person, would constitute the achievement of the basic minimum. One could imagine, however, that this project reaches a point at which success is so costly in terms of satisfactions (say, massive and constant headaches) that under these conditions it seems reasonable for such a person to give up this project in favor of restoring satisfactions. But my view is compatible with this sensible suggestion. As I noted in Chapter Two, projects are valued or unvalued *in context*. Some might value some project *p* in circumstances *C* but not in circumstances *D*. Given sensible assumptions about the psychology of valuing, we should expect that any successful project with a correspondingly extreme cost in momentary satisfactions would *not* be valued. This does not show that satisfactions are fungible against the basic minimum, it merely shows that sometimes satisfactions, or the lack thereof, can affect the extent to which any particular global project is a *valued* project.¹⁰

¹⁰Consider, for instance, a project someone might value, a project of "total headache avoidance". (This project is assuredly an odd one, and is likely to be ruled out for those who prefer WBM2 to WBM, but leave this aside.) In this case, even a single headache would eliminate the fulfillment of such a project. However, this again does not show that the satisfaction of headache relief is intrinsically fungible against the achievement of the basic minimum. Rather, it shows only that in some cases the suffering of a headache can

However, if a person, even with these accompanying headaches, views a particular project favorably, and sees the life in which it is led as being worth living, we should hesitate to say that this project could be traded-off for mere momentary goods. Insofar as valued projects constitute the major, long-term elements of our lives, elements that explain and provide our activities and decisions a shared, self-directed meaning, we should refuse to trade-off such projects for a life barren of such meaning (though perhaps filthy with satisfactions). This conclusion seems to me to be a natural, if not strictly *forced*, result of our reflections in Chapter Two: that the quality of our lives is determined, first and foremost, by the extent to which we maintain valued projects.

4.3.2. *Sub-Minimum Goods: Marginal, Unvalued Project Improvements*

I claim that, at least in terms of welfare value, the basic minimum lexically dominates satisfactions, and hence sub-minimum satisfactions. However, to determine the proper comparative welfare value of the basic minimum against *all* sub-minimum benefits, one must consider the welfare value of the basic minimum in comparison to a marginal improvement among *unvalued* global projects. For instance, one might be better-off living according to some unvalued projects rather than others; because I prefer to be a Grand Central Station janitor rather than to be the king's food taster, the former is better for me than the latter, though I fail to value both. Hence becoming a Grand Central Station janitor, which replaces the project of being the king's food taster, is a marginal welfare benefit.

The relative welfare value of the basic minimum against unvalued project-improvements is not as complex an inquiry as might first be thought. Indeed, *Thesis** helps answer it. Specifically, it seems right that there is *some* amount of satisfactions—whatever it is—that could make up for the loss of an unvalued project improvement. Imagine, for instance, that I am the king's food taster. However, I could either be made better-off by becoming a Grand Central Station janitor or by living a life that is otherwise extremely rich in mere momentary enjoyments. Could it be that there is *some* amount of momentary enjoyments that are better for me than an unvalued project-improvement? Though this question is to some degree esoteric, I maintain that the answer is yes: surely it's the case that *some* amount of satisfactions could compensate for the loss of an *unvalued* project improvement. After all, though I prefer being a Grand Central Station janitor under the prop-

be instrumentally damaging to the fulfillment of a valued project.

erly specified conditions to being the king's food taster, I either don't regard my life as a Grand Central Station janitor as worth living, or I don't see that project as *contributing* to the worthiness of my life as a whole. Given my attitude toward my project, given that it is not *valued* by me, there is surely *some* amount of, say, momentary hedonic satisfactions or other, more momentary preferences satisfied that could make up for the loss of unvalued project improvements, whatever their magnitude. (In other words, for any m , there is some n such that n satisfactions are better than a magnitude m unvalued project-improvement.)

But if unvalued project-improvements are fungible against satisfactions, and satisfactions are *non-fungible* against the basic minimum, it must also be the case that unvalued project-improvements are *non-fungible* against the basic minimum. This claim is reflective of the transitivity of the "is better than" relation: assume "is better than" is transitive. Now assume that for some m , an unvalued project-improvement of magnitude m for B is better than B's achievement of the basic minimum. If this holds, and if there is some n satisfactions that is better than an unvalued project-improvement of magnitude m (by the fungibility of satisfactions and unvalued project-improvements), n satisfactions for B must be better than B's achievement of the basic minimum. But this violates *Thesis**, and hence we must reject the claim that there is some magnitude unvalued project-improvement that can outweigh the achievement of the basic minimum.

This claim is susceptible to the following objection. There may be very little difference between a project that is *barely* valued by a given individual and one that is *barely* unvalued. Assume that I barely value a given project p , and barely do not value a given project q . But it could be that p and q are nearly identical projects, differing in only a few minor points (say, one or two minor annoyances). If this is correct, why should p be better than any magnitude m of q -like projects? This objection, however, does not fully make clear the crucial evaluative difference between p and q . At some point, small differences in projects will change my attitude toward them enough to render them unvalued. But though these differences may be small in descriptive terms, they are very large in evaluative terms. Maintaining a valued project means being able to look at the projects one adopts as being contributors to a life's worthiness to be led. In the current example, p provides my life a narrative unity that resonates with me. q , though it may be very nearly identical, does not. But if this is correct, the evaluative difference between p and q is no minor matter. To believe that the central element of my life's story, and the central explanation of my life's activities, is *good for me*, in a coherent and complete way, makes a tremendous evaluative

difference to the quality of my life. Small differences may determine my relative attitude toward p and q . But it is the attitude taken toward them, not their descriptive similarity or dissimilarity, that is essential.

Thus *Thesis** indirectly, but nevertheless significantly, draws a very sharp distinction between the welfare value of fulfilling a *valued* project and an *unvalued* project. But this distinction is independently motivated. There is something *special* about welfare goods that find—in the words of Peter Railton—an “internal resonance” in, or that are “compelling or attractive” to, the person for whom they are good.¹¹ It does seem to me correct to say that my valuing of individual projects—the internal resonance of *that particular project*, and the sense in which maintaining that project contributes to a life worth living—really is a crucial part of what makes projects evaluatively *special*, insofar as they are.

This “specialness” comes with a limit that I explore below. While I think it is plausible to believe that the achievement of a valued project (i.e., the achievement of the basic minimum) dominates unvalued, marginal project improvements, we should resist the claim that super-minimum project-improvements are lexically dominant in a similar way. To do so takes some doing, however; I address this in §4.5.2.

4.4. Lexical

*Thesis** states that, in terms of personal or prudential value, the basic minimum lexically dominates satisfactions. This claim indirectly implies that, again in terms of prudential value, the basic minimum also lexically dominates sub-minimum unvalued project-improvements. Furthermore, or so I shall argue here, *Thesis** implies *Lexical*, i.e., that the basic minimum lexically dominates sub-minimum goods when it comes to the *impersonal* evaluation of states of affairs.

The argument runs as follows. Though it seems right to say that, in terms of prudential value, valued projects are non-fungible against momentary satisfactions, it would seem odd to say that these momentary satisfactions are impersonally non-fungible against *each other*. If so, the following principle seems plausible:

Impersonal Satisfaction Fungibility: for any two people A and B, and for any n , there is some m such that m satisfactions for A that is better than n satisfactions for B.¹²

¹¹Railton (2002), 47.

¹²This principle is plausible on its face, but is also supported by a sequence argument

Now take two people, Jones and Brown. Assume that some amount of Jones' satisfactions, s (“ s Jones”) is impersonally better than Brown's basic minimum (“ bm Brown”). Given *Impersonal Satisfaction Fungibility*, it must be the case that there is some r such that r Brown's satisfactions (“ r Brown”) is better than s Jones. But if this is correct, Brown's basic minimum is fungible against Brown's satisfactions. Assuming that “better than” is transitive, if s Jones is better than bm Brown, and r Brown is better than s Jones, it must be that r Brown is better than bm Brown. But, given *Thesis**, no amount r of Brown's satisfactions is better than Brown's basic minimum.¹³ Hence Brown's basic minimum must lexically dominate Jones' satisfactions. A parallel argument establishes the lexical dominance of Brown's basic minimum in comparison to Jones' unvalued project-improvements. Hence, *Lexical*.

Lexical implies a number of claims that may seem implausible at first glance. After all, how could it possibly be true that no amount of satisfactions for people who fail the basic minimum—people who are, incidentally, very poorly-off—could outweigh the basic minimum for only one person? Doesn't this entail that it would be better to sacrifice millions (billions!) to total misery than to sacrifice a basic minimum for a single person? *Lexical* seems to offer an affirmative answer to such questions, and hence might be thought too strong.

However, though I shan't gainsay the contrary considered judgments, it seems to me that the balance of reasons supports *Lexical*. First, *Lexical* represents at least one element of the traditional, overriding approach to the morality of the basic minimum. At least in terms of its relative intrinsic value, the basic minimum *overrides* sub-minimum states. Hence, if we have a reason to morally favor better states of affairs we have at least *a* reason to treat the promotion of the basic minimum as of absolute moral priority.

of the form considered in §4.5.1.

¹³Of course, *Thesis** does not strictly imply this conclusion. As I've so far indicated, “is better-than” is really two different predicates, viz., “is personally better-than” (or “is better-than in terms of welfare value”) and “is impersonally better-than” (or “better *tout court*”). *Thesis** implies only that the basic minimum and satisfactions are not *intrapersonally* fungible. But if so, one might say that the *impersonal* fungibility of Jones' satisfactions against Brown's satisfactions, and the *impersonal* fungibility of Jones' satisfactions against Brown's basic minimum implies only the *impersonal* fungibility of Brown's basic minimum against Brown's satisfactions, and does not violate *Thesis**. This is correct, but in light of *Thesis**, this proposal is wildly implausible. This view would have it that we can improve a state of affairs by doing nothing but making Brown worse-off, i.e., by treating his satisfactions as fungible against his achievement of the basic minimum. Hence we should accept that the fungibility of Brown's against Jones' satisfactions, and the fungibility of Jones' satisfactions and Brown's basic minimum entails that Brown's basic minimum is fungible against Brown's satisfactions.

(More on this next chapter.)

Second, and more importantly, any potential axiological weight of the basic minimum against competitor states is bound to have problematic consequences. To successfully solve the problem of weight, therefore, any particular view must do the best job of managing counterintuitive verdicts. But to reject *Lexical* simply on the basis of its own counterintuitive verdicts is to ignore problems that accompany its denial.

Compare two states: one state (S1) in which many of the very well-off, the best of the best, obtain a minor satisfaction. In the second (S2), the best-off don't get this benefit, but one additional person obtains the basic minimum. S2 seems better. Indeed, this judgment is robust: there can be *no* number of extremely minor satisfactions (such as the relief of an extremely minor headache) for the best-off that could outweigh the achievement of the basic minimum for one. After all, not only are these individuals very well-off, but it is also the case that the welfare benefits they receive are absolutely insignificant in comparison to the maintenance of a life of valued and self-directed meaning. However, given *Impersonal Satisfaction Fungibility*, there is some amount of satisfactions for very well-off individuals that will outweigh any amount of satisfactions for very poorly-off individuals. But if that's correct, and "better-than" is transitive, to deny that minor goods for the best-off could outweigh the basic minimum for a single person, we must also say that the basic minimum for a single person outweighs satisfactions for individuals who are below the minimum.¹⁴

To deny *Lexical*, one must either deny that "better-than" is transitive, deny *Impersonal Satisfaction Fungibility*, or accept the conclusion that some number of very minor satisfactions for extremely well-off individuals are better than the achievement of the basic minimum for one person. Of course, some have denied that "better-than" is transitive.¹⁵ But this view comes with a remarkable number of puzzling and problematic implications.¹⁶ One might try instead to deny *Interpersonal Satisfaction Fungibility*. But this also seems hard to do, especially in light of the possibility of so-called "sequence arguments", which I consider in the following section. Furthermore, one could accept that some number of very minor satisfactions for extremely well-off individuals might outweigh the basic minimum for a single individ-

¹⁴Of course, there are other ways out of this proposal. For my purposes, however, I am assuming that satisfactions for individuals of a fixed welfare level are interpersonally aggregative, and that these satisfactions do not permit of a value limit. Both these assumptions are plausible. See, for instance Dorsey (2009), 37-9.

¹⁵See Rachels (1997), Temkin (1996).

¹⁶For the most puzzling, see Norcross (2002), 308-9. See also Dorsey (2009), 38n6.

ual. But, again, this conclusion seems quite implausible. Indeed, it smacks of a traditionally loathed trade-off in moral theory: the possibility that we might kill one person to save billions from a minor headache.¹⁷ And though the acceptance of this possibility says nothing about killing, it does say that it is better to trade-off what is the most central element of human well-being for a person, even in its most basic form, for the furtherance of minor satisfactions (like the relief of very minor headaches) for the best-off. This verdict is no less loathesome.

I recognize that *Lexical* is very strong, perhaps stronger than many will care for. However, the alternatives are no less implausible, and *Lexical* seems to me supported by a robust conception of the nature of human well-being. If so, *modulo* two objections to be considered directly, the balance of reasons requires that we accept *Lexical*, warts and all.

4.5. Two Objections to Lexical

This section responds to two objections to *Lexical*. Of course, there are many more than two; I limit myself simply for the sake of space. However, I should note that I consider a number of arguments against a similar principle elsewhere.¹⁸

4.5.1. The Sequence

To defend *Lexical*, one must defend the existence of lexical priority relations. And the most important objection to lexical priority relations is the classic *sequence* argument, given voice here by Alastair Norcross:

For each misfortune short of the worst possible one, there is a worse misfortune that can be individually outweighed by a sufficient number of the lesser one. In particular, it seems plausible that there is some misfortune short of death, perhaps some kind of mutilation, that can, if suffered by enough people, outweigh one death. Consider now a sequence of judgments, *S*, that begins as follows: one death is better than n^1 mutilations; n^1 mutilations are better than n^2 *x*s (where *x* is some misfortune less bad than mutilation). *S* continues with the first term of each comparison being identical to the second term of the previous comparison, until we reach the last two comparisons: n^{m-2} bro-

¹⁷See, for instance, Thomson (1990), 169. See also Kamm (1993), 101.

¹⁸See Dorsey (2009).

ken ankles are better than n^{m-1} mild ankle sprains; n^{m-1} mild ankle sprains are better than n^m mild headaches. If we have S , we can conclude, by the transitivity of ‘better than’ that one death is better than n^m mild headaches. In which case, we must reject [lexical priorities].¹⁹

For any lexical dominance thesis, it must be the case that the value given lexically prior status can stop the sequence. But, as Norcross so graphically suggests, it would appear that finding a stopping point between the most-bad bad and the least-bad bad is extremely difficult and likely to be arbitrary. But I think the centrality of valued projects *qua* welfare goods helps to stop the sequence without sounding arbitrary. Indeed, in outlining his sequence, Norcross considers only the badness of these various states of bodily injury in and of themselves. He does not consider the effects of these various states on *other* indices of value. But states of bodily injury can also affect the extent to which we achieve valued projects, in particular *the basic minimum*. But if we focus on *this* dimension of intrinsic value, that there should be such a sequence begins to look less plausible.

Assume that a broken ankle carries with it a certain degree of pain, while the next point in the sequence carries with it *slightly more* pain, but that a broken ankle *and not the very next point in the sequence* is compatible with the achievement of the basic minimum. I claim it is much less plausible to insist that the badness of broken ankles can outweigh the badness of the next point in the sequence, assuming that the next point in the sequence is not compatible with the achievement of the basic minimum. If the sequence is carried out only along the index of satisfactions, and leaving aside valued projects, it would appear that the sequence works: any disadvantage could be outweighed by enough of any other, insofar as satisfactions are clearly intrafungible. In other words, the sequence argument seems to establish, with very little doubt, a principle like *Impersonal Satisfaction Fungibility*. But intrinsic value, at least on my view, is more complicated: value breaks down (at least) into satisfactions, unvalued project-improvements, and valued project-improvements (including the achievement of the basic minimum). (Those who accept content-based assessment of valued projects, including those who accept WBM2, will suggest that value breaks down further: satisfactions, unvalued project-improvements, valued project-improvements, and valued (and unvalued) project-improvements of preference-independent value.) And when we import a further dimension of value to which these various bodily injuries may be instrumental, we find a

¹⁹Norcross (1997), 138-9.

stopping point: the basic minimum.

Of course, we might attempt to construct a Norcross-like sequence while taking seriously the distinction between indices of value. In other words, we may try to run a sequence while noting that certain points in the sequence are compatible with the achievement of the basic minimum, others are not. But this is difficult. The loss of the basic minimum entails the lack of the central element of human well-being, that which provides a unifying, narrative structure to a person's life and activities. If one wishes to construct a sequence running from the basic minimum to various minor satisfactions (including headache relief), the sequence goes wrong in its very first step: trading the basic minimum for satisfactions is worse. Stopping the sequence at the loss of the basic minimum is neither arbitrary nor unmotivated: valued projects are simply a different *sort* of good: they have an impact on a person's life quality that satisfactions could not outweigh.

4.5.2. *A Distributive Objection and Varieties of Lexical Dominance*

Another objection to *Lexical* begins by noting that there is a difference between saying that the basic minimum should dominate sub-minimum goods and saying that *all* valued projects lexically dominate sub-minimum goods. Of course, *Lexical* itself says nothing about the weight of super-minimum projects against sub-minimum benefits, only about the weight of the basic minimum in comparison to sub-minimum benefits. However, there is a straightforward argument that *Lexical* implies not just the lexical dominance of the basic minimum against sub-minimum benefits, but the lexical dominance of *all* valued projects, including those for the very well-off.

This argument begins by noting a plausible claim about the evaluative relationship between project-improvements. Recall *Severe Disability*. Leaving aside the moral question, it seems wrong to say that the basic minimum for Elise is worth whatever the cost in super-minimum goods for any number of persons. Hence, it would seem sensible to accept the claim that the basic minimum is fungible, if not against satisfactions (as per *Thesis**), against project-improvements for the better-off. But if the basic minimum is fungible against project-improvements for the better-off, it would seem odd to say that some less significant good (i.e., some super-minimum project-improvement) should be non-fungible against higher level project-improvements. If this is correct, the following proposition seems natural:

Impersonal Project Fungibility: For any two people A and B, and for an n there is some m such that a magnitude m project-

improvement for A is better than a magnitude n project-improvement for B.

Impersonal Project Fungibility is also supported by sequence arguments of the form we encountered in the last section. Here's an example: from the worst-off person A to the best-off person Z there is a finite sequence of individuals, each better-off than the last by a marginal amount. For any arbitrary person Q in that sequence it seems right to say that a project-improvement of a sufficient magnitude for Q will outweigh a project-improvement of any magnitude for the next-worse-off person. If there is such a sequence, *Impersonal Project Fungibility* follows.

However, if we accept *Impersonal Project Fungibility* and *Lexical*, trouble brews. Take the following case:

Roy, Gus, and Lee: Roy is extremely well-off, and obtains a number of extremely worthwhile valued projects and satisfactions. Gus does not maintain the basic minimum, but could obtain it. Lee, on the other hand, is extremely poorly-off and has no hope of obtaining the basic minimum, although he can get further satisfactions.

If we accept *Impersonal Project Fungibility*, there is some magnitude project-improvement for Roy (and perhaps others of Roy's welfare level) that would trade-off against Gus's basic minimum.²⁰ But if this is correct, it must be the case that Roy's valued projects *also* lexically dominate sub-minimum satisfactions. Assume that a project-improvement of magnitude m for Roy (" m Roy") is better than the basic minimum for Gus (" bm Gus") (m Roy $>$ bm Gus). If we assume that Lee's satisfactions are fungible against Roy's project-improvements, there must be some amount s of Lee's satisfactions (" s Lee") that is better than m Roy (s Lee $>$ m Roy). If so, by the transitivity of "better than", s Lee must be better than bm Gus. But given *Lexical*, bm Gus is better than s Lee. Hence we must reject the claim that there is some s such that s Lee $>$ m Roy. But this seems to imply that Roy's project-improvements lexically dominate Lee's satisfactions. And hence we arrive at the result this objection seeks to pin on *Lexical*. (A parallel argument can be run when it comes to Lee's unvalued project-improvements.)

This result is problematic and should be avoided. Two reasons. First, it is *impersonally* problematic. It seems right to say that, at some point, a

²⁰*Impersonal Project Fungibility* is supported by the same sort of sequence arguments that supported *Impersonal Satisfaction Fungibility*. One potential argument against this view is offered by Roger Crisp, which I discuss in §4.6.4.

single valued project for a very well-off person could be outweighed by, for instance, the relief of suffering for a large number of persons who are below the basic minimum. Second, it is *intrapersonally* problematic. The greater one's accumulation of valued projects, the greater the possibility that one could improve one's life *more* by pursuing satisfactions (in sufficient amount) rather than improvements among valued projects. The lexical dominance of the basic minimum seems plausibly motivated by the fact that without the basic minimum, one does not maintain a life of valued, self-directed meaning. This, it seems to me, drives much of our intuitive reactions in Greta's case, and the case of Velleman's failed politician. But once the basic minimum is maintained, any additional valued projects, though surely very significant welfare goods, will not spell the difference between a life that maintains a valued, self-directed meaning and a life that does not. Hence it is implausible to say that super-minimum project-improvements lexically dominate satisfactions. Or, at least, so say my considered judgments.

However, I think *Lexical* can escape. In particular, the argument for the claim that *Lexical* implies that Roy's valued project lexically dominates Lee's satisfactions contains a fatal error. The error is in taking the conclusion that *m*Roy must be better than *s*Lee (which is implied by *Lexical* and *Impersonal Project Fungibility*, for any *s*) to imply that *any* magnitude project-improvement for Roy is better than *any* amount of Lee's satisfactions. Consider two ways goods might be lexically dominant. One might call the first way:

Total Lexical Dominance: *p* totally lexically dominates *q* if and only if any amount of *p*, no matter how small, is better than any amount of *q*, no matter how large.

Now consider a somewhat weaker relation:

Mitigated Lexical Dominance: *p* mitigatedly lexically dominates *q* if and only if there is some amount *n* such that *np* is better than any amount of *q*, no matter how large.²¹

Mitigated lexical dominance can allow that there is some number *n'* ($n' < n$) such that a sufficient amount of *q* is better than *n'p*.

When it comes to individuals of high well-being levels, it seems to me right to say that, at least under certain conditions, project-improvements

²¹Mitigated lexical dominance is reminiscent of the "discontinuity" principle discussed by Griffin (1989), 85-89, whereas total lexical dominance is reminiscent of Griffin's "trumping" relation.

should trade-off against satisfactions. I think there is a limit to this fungibility; there is surely *some* magnitude n project-improvement for Roy against which Lee's satisfactions would not be fungible. At a certain magnitude, given their status as a central element of well-being, projects for individuals at any welfare level should not trade-off against satisfactions. But this claim would allow that some (magnitude $< n$) project-improvements for Roy could trade-off against Lee's satisfactions; this would allow the both personally and impersonally plausible value claim that satisfactions for the better-off, in certain cases, can outweigh project-improvements. Hence we should say that valued projects, including the basic minimum, *mitigatedly* lexically dominate sub-minimum satisfactions. For some n , a project-improvement for Roy of sub- n magnitude is fungible against some amount of satisfactions. If so, just because there is no amount of Lee's satisfactions that would be better than m Roy, it could be that s Lee is better than some lesser magnitude (n') project-improvement for Roy.

But hang on. If we accept the mitigated lexical dominance of valued projects against satisfactions, how can we accept *Lexical*? *Lexical* implies the total, rather than mitigated, lexical dominance of the *basic minimum* against satisfactions. But how can we make this claim if valued projects (of which the basic minimum is one) do not totally lexically dominate satisfactions, but rather only mitigatedly lexically dominate satisfactions? Here's how: we should expect that, as a person gets better-off in terms of project-achievement, the fungibility of marginal project-improvements against satisfactions increases. Plausibly, as Roy gets better-off, additional valued projects become less central to his welfare and hence *more* fungible against satisfactions. I think the right way to express this idea is to say that as Roy gets better-off, n —the magnitude of his valued project-improvements that is no longer fungible against satisfactions—increases. As Roy gets worse-off, n decreases.

However, if we accept this, we can accept *Lexical, Impersonal Project Fungibility*, and also hold that Roy's valued projects of a lesser-than- n magnitude (n' Roy) are fungible against sub-minimum satisfactions. For Gus, we should expect that even a minute project-improvement will be better than any amount of satisfactions, i.e., for Gus, and for anyone else who fails the minimum, $n < 1$. Hence the basic minimum, as per *Lexical*, totally lexically dominates satisfactions (and other sub-minimum goods). But as one gets better-off, the magnitude (n) of one's project-improvements required to render project-improvements non-fungible against satisfactions increases. If so, we can accept that n' Roy is fungible against s Lee (given that $n' < n$).

However, one further principle is required. To maintain the transitivity-

ity of “better than”, we must also say that $bmGus$ is better than $n'Roy$, and any other sub- n magnitude project-improvement for Roy (otherwise, we must accept that $sLee > n'Roy$, $n'Roy > bmGus$, but $bmGus > sLee$, violating transitivity). With these pieces in place, we solve the problem at hand: $sLee > n'Roy$ (which accommodates the sensible point that Roy’s project-improvements do not totally lexically dominate Lee’s satisfactions), $bmGus > sLee$ (for any s , accommodating *Lexical*), but $mRoy > bmGus$ (accommodating *Impersonal Project Fungibility* given, once again, that $m > n$). Thus *Lexical* need not imply either the lexical dominance of the basic minimum in comparison to super-minimum projects *or* the (total) lexical dominance of super-minimum projects in comparison to sub-minimum benefits. The view here is not only independently plausible, but also avoids a potentially serious worry for *Lexical*. This is reason enough to accept it.

4.6. Super-Minimum Goods: A Simple Solution

I have already offered an account (*Lexical*) of the axiological weight of the basic minimum in comparison to sub-minimum goods. What remains is to consider the value of the basic minimum in comparison to super-minimum goods. But this task is comparatively simple. The groundwork for a solution to this problem has already been laid in the acceptance of *Thesis**. First, because some super-minimum goods will be satisfactions, and because *Thesis** holds that the basic minimum lexically dominates satisfactions, the basic minimum will take lexical priority to all super-minimum satisfactions. The same holds for super-minimum *unvalued* project-improvements.

Second, the previous section’s examination of the relative value of valued projects and satisfactions has already laid the groundwork for the relative evaluative weight of the basic minimum versus super-minimum project-improvements. Speaking strictly in terms of welfare value, valued projects for individuals at very high levels of well-being should only mitigatedly lexically dominate satisfactions. Someone who is very well-off might be better-off in pursuing additional satisfactions rather than additional valued projects up to a magnitude n . But *Thesis** holds that the basic minimum is *not* fungible against satisfactions. If so, assuming the transitivity of “better-than”, it would appear that the basic minimum must be worth more than magnitude n project-improvements at higher levels of well-being.

But recall that a further claim is also plausible. The better-off a person gets, the *more* fungible additional valued projects become against satisfactions. In other words, at increasing levels of welfare it takes a greater magnitude project-improvement to render those project-improvements non-

fungible against satisfactions (n increases as one gets better-off). If so, it would appear, the prudential weight of the basic minimum must increase in comparison to project-improvements of a fixed magnitude at increasing levels of welfare. As a matter of strictly prudential value, the basic minimum outweighs greater magnitudes of valued project-improvement as one's welfare increases.

Thus the basic minimum is worth more in terms of *welfare* value in comparison to project-improvements of a fixed magnitude for people of increasing levels of well-being. But if this is correct, a parallel principle is naturally suggested for the *impersonal* domain. And this just *is Prioritarianesque* which, as you'll recall, runs as follows:

Prioritarianesque: Super-minimum project-improvements for the better-off are less intrinsically valuable in comparison to the basic minimum than super-minimum project-improvements for the worse-off.

It is worth comparing *Prioritarianesque* to the more traditional understanding of its namesake, *prioritarianism*. According to prioritarianism, the impersonal value of equivalent welfare benefits increases as that benefit is obtained by a worse-off person. Paul Weirich, in introducing prioritarianism, describes it this way:

The principle first weights utility gains according to the situations of the individuals to whom they go. The weight of a utility gain decreases as the utility of the recipient's situation increases. More precisely, the weight is inversely proportional to the utility of the recipient's situation. Then the principle says to maximize weighted utility gains. This principle can claim to mediate between utility and equality because, although it gives some weight to every utility gain, it gives more weight to utility gains for those less well-off and so helps them to catch up.²²

Prioritarianesque implies that the relative weight of the basic minimum against super-minimum project-improvements is, literally, "prioritarianesque": the value of project-improvements of a fixed magnitude decrease in comparison to the basic minimum as the welfare of those who stand to achieve such projects increases. *Prioritarianesque* is not a version of prioritarianism, at least as Weirich understands it. *Prioritarianesque* says nothing about the comparative impersonal weight of *equivalent welfare benefits* for

²²Weirich (1983), 424.

the worse-off and better-off. Because valued projects of a fixed magnitude are of diminishing *welfare* value as one's welfare increases, *Prioritarianesque* is compatible with a view that holds that equivalent welfare benefits are of equivalent impersonal value.

Before I address alternatives to *Prioritarianesque*, I should note that I will not address the traditional prioritarian view, as expressed by Weirich. Indeed, I believe that the traditional version of prioritarianism has much to say for itself; I will offer a truncated argument for prioritarianism in §5.3.3. Accepting the traditional version of prioritarianism (if one chooses to do so) does not threaten *Prioritarianesque*: doing so will have only the affect of increasing the concavity of the impersonal prioritarianesque value curve.

4.6. Alternatives to Prioritarianesque

Prioritarianesque, it seems to me, is strongly suggested by my method of treating valued project-improvements as mitigatedly lexically prior to sub-minimum welfare goods. Of course, it does not strictly follow. One could accept the claim that the welfare value of project-improvements permits of a prioritarianesque treatment, but reject the claim that *Prioritarianesque* is a reasonable principle of impersonal value. I consider four alternatives to *Prioritarianesque* here: neutrality, egalitarianism, leximin, and sufficientarianism. Far from being reason to reject my view, I claim that consideration of these alternatives serves my argument for *Prioritarianesque*; each has important problems *Prioritarianesque* helps to address.

Three notes. First, my discussion of these views is compact, and does not attempt to address all points in favor or against. But the objections I discuss here, though generally well-known, nonetheless appear to me to get to the heart of the matter. Second, many of the views I discuss here receive their initial statements as *deontic* or moral principles, rather than evaluative or axiological principles. I take the liberty of translation. Finally, some views on offer here are not strictly compatible with *Lexical* (such as leximin and strong versions of egalitarianism). However, for the sake of charity, one can easily hold that the views on offer apply to the axiological weight of project-improvements *only*, and hence that any proposal is *Lexical-compatible*. I will adopt this interpretive rubric here.

4.6.1 Neutrality

A natural competitor to *Prioritarianesque* claims that, speaking impersonally, project-improvements are of equivalent value: leaving aside non-project

goods, when seeking to promote the best state of affairs, we simply promote the state of affairs that maximizes total project-improvement. Under this assumption, the one should be indifferent between a project-improvement for Roy and a project-improvement for Gus.

Neutrality fails if for no other reason than it delivers verdicts that are straightforwardly implausible. First, it seems right to say that, other things being equal, a project-improvement for a better-off person is not as valuable as a project-improvement for a worse-off person. At best, a neutralist view can only offer justification for granting priority to the worse-off in terms of the *means* to project-improvements. But there seems to be broad agreement that, other things being equal, a valued project granted to a worse-off person is better than a valued project granted to a better-off person. The proposal that a project-improvement for a person who obtains no such projects is of equivalent axiological weight to a project-improvement for an individual who already lives a life with a valued long-term structure stretches believability.

Furthermore, when combined with *Lexical*, this view would appear to claim that a single project-improvement for an exceedingly well-off individual also lexically dominates sub-minimum satisfactions. If this project-improvement for a well-off individual is equivalent in value to the basic minimum, and the basic minimum is better than any finite number of sub-minimum satisfactions, a valued project for a better-off person must also be better than any finite number of sub-minimum satisfactions. This leads us back to a claim we worked hard to avoid in §4.5.2.

The foregoing reasons are sufficient to reject a neutralist stance. But the following objection is also decisive. If my account of intrapersonal welfare is correct, a neutralist view would reject priority of project-improvements for the worse-off in a way that would actually *decrease* aggregate achievement of well-being. I can understand the claim—made by many traditional utilitarians—that we should not grant priority to welfare benefits for the worse-off because doing so reduces aggregate welfare. But I don't understand a refusal to grant priority to project-improvements for the worse-off when doing so actually *increases* aggregate welfare. Hence, it seems to me, a neutralist view is without motivation.

4.6.2. Egalitarianism

Egalitarianism comes in many shapes and sizes. Call “strong egalitarianism” the view that rank-orders states of affairs based only on the extent to which these states of affairs display an egalitarian distribution of welfare (perhaps admitting total welfare as a tie-breaker). On a strong egalitarian interpre-

tation of the comparative value of the basic minimum and super-minimum goods, one might hold that a state of affairs gets better as the distribution of project-improvements gets closer to equality. On this view, the value of the basic minimum against super-minimum achievements is up for grabs: it solely depends on whether granting the basic minimum increases equality (the determination of which is itself a complex matter).²³

Of course, in all but unusual cases, granting priority to project-improvements for those below the line of equality will improve overall equality, and hence strong egalitarianism is very likely to grant priority to the achievement of the basic minimum in comparison to benefits for the well-off. If so, an egalitarian distribution of project-improvements may seem attractive to those who are concerned about the problematic features of a neutralist stance. Even if this is true, however, a number of problems with strong egalitarianism are obvious. One such worry is the classic

Leveling-Down Objection: According to strong egalitarianism, simply reducing the welfare of the better-off, with no attendant benefit for the worse-off, makes a state of affairs better rather than worse.²⁴

Strong egalitarianism clearly embraces the value of leveling-down. Whether this is a problem in all cases is controversial. Even so, however, strong egalitarianism appears to be committed to leveling-down in circumstances in which leveling-down is uncontroversially repugnant. Strong egalitarianism will claim that leveling-down is acceptable even when the welfare level to which people are leveled-down is extremely low.

Furthermore, on straightforward assumptions about the nature of inequality, improvements to the worst-off can sometimes increase inequality, if a means to or necessary side-effect of such improvements are larger improvements to the better-off. So, for instance, if one person fails the basic minimum, and a necessary side-effect of granting the basic minimum to that person is to grant *many* valued projects to persons better-off, strong egalitarianism would rank this transfer as a value loss, even though *both* the worse-off person and the better-off person improve. Strong egalitarianism is thus unacceptable.²⁵

²³See, for instance, Temkin (1993), ch. 2.

²⁴For a detailed discussion of the leveling down objection, see Holtug (1998). Notice that my view states a slightly weaker leveling-down objection than the one discussed by Holtug, which applies not only to strong egalitarianism, but other, pluralist forms of egalitarianism as well.

²⁵See also Rawls (1971), §§13, 26.

Most egalitarians attempt to avoid the leveling-down objection by adopting a form of pluralism. On this view, overall welfare has impersonal value, but value that competes with the value of equality.²⁶ But, in refusing to level-down, this view appears to have given up on a distinctive egalitarian axiology. As Brighouse and Swift note: “Egalitarians can be pluralists about value. They think that there is a reason to level-down—where doing so will make a distribution fairer—but to recognize that there are also reasons not to. We are sympathetic to this response, but the result is to leave egalitarianism without much bite. The (non-person-affecting) reason to level down is unlikely to outweigh the reasons there are to prefer people to be better rather than worse-off.”²⁷ In refusing to level-down, the egalitarian holds that the value of equality can never outweigh the value of marginal welfare benefits. This view “lacks bite”: equality adds only marginal value to project-improvements for the worse-off (given the assumption that a benefit to the worse-off improves equality²⁸). However, specified in this way, it would appear that this form of egalitarianism is more-or-less equivalent to the value curve defended by *Prioritarianesque*. If so, it seems hard to justify insisting on the *per se* value of equality for a view that differs from a far more parsimonious view only at the margins.

Even if one abstracts from the above worry, some have objected to this form of pluralist egalitarianism. The leveling-down objection arises again in a slightly different form. Note that any view that tolerates even the slightest non-zero intrinsic value of equality is forced to admit that leveling-down a state of affairs makes that state of affairs better *in at least one respect* (i.e., in respect of equality), even though this state of affairs might, given the loss of overall welfare, be all-things-considered worse.²⁹ In rejecting any commitment to the value of equality, *Prioritarianesque* avoids this problem; hence for those who believe that leveling-down never improves a state of affairs in any respect, there is reason to prefer *Prioritarianesque* even to this comparatively weak egalitarianism.

Two further egalitarian views are worth brief consideration. “Conditional egalitarianism” declares that equality is intrinsically valuable, but only conditionally; an egalitarian state of affairs is more valuable than an inegalitarian state of affairs if and only if at least one person is better-off in the more egalitarian state of affairs. In advocating just such a position, Andrew Mason writes: “When some benefit from equality, we should value

²⁶See Temkin, *Inequality*, 161.

²⁷Brighouse and Swift (2006), 472.

²⁸Of course, this doesn’t hold in all cases. See Temkin (1993), 71-6.

²⁹See Holtug, (2003).

it for its own sake even though its value is partly grounded in its benefiting some. If no one benefits from equality, then it lacks non-instrumental value.”³⁰ This view is similar to a view described by Bertil Tungodden and Peter Vallentyne under the heading “Paretian egalitarianism”. As stated by Tungodden and Vallentyne, Paretian egalitarianism is the conjunction of a concern for a weak efficiency requirement with a concern for equality. On this view, whenever two states of affairs are Pareto-incomparable (i.e., one state of affairs is better for some and worse for others than another), “equality is determinative of justice.”³¹ (These views are similar given that both views will declare an egalitarian improvement worse only if it is worse for at least one and better for none. In all other cases, egalitarian improvements are better.)

Though these views can retain at least some of the bite of a more traditional egalitarianism, they should be rejected. Nils Holtug argues (successfully, in my view) that conditional egalitarianism (and given their similarity, Paretian egalitarianism) appears committed to the denial of the transitivity of “better-than”.³² Holtug compares three states: S1: {A: 5, B: 5; C: 5; D: 5}, S2: {A: 10, B: 10; C: 4; D: 6}, S3: {A: 30, B: 20; C: 10; D: 5}. For conditional and Paretian egalitarianism, S1 must be better than S2 (given that S1 is more egalitarian, and is better for at least one person, than S2), S2 must be better than S3 (given, plausibly, S2 is more egalitarian, and is better for at least one person, than S3), and S3 must be better than S1, (given at least one person is worse-off in S1, and none are better-off). Hence these views are intransitive. The culprit here is the refusal to level down, i.e., the refusal to describe S1 as better than S3.

Furthermore, conditional and Paretian egalitarianism have results that are only slightly less unpalatable than those of strong egalitarianism. The following states of affairs are Pareto-incomparable (assume that level 10 roughly corresponds to the achievement of the basic minimum, 1000 corresponds to a high level of project achievement): S1: {A: 50, B: 50, C: 1000}, S2: {A: 1, B: 51, C: 51}. Assuming that S2 is more egalitarian than S1, Paretian and conditional egalitarianism would appear to declare that S2 is better than S1 given that (a) they are Pareto-incomparable and (b) S2 is more egalitarian. These views are incorrect.

³⁰Mason (2001), 248.

³¹Tungodden and Vallentyne (2005), 131. It is no accident that Tungodden and Vallentyne use the term “justice” when describing Paretian egalitarianism. According to them, a *deontic* form of Paretian egalitarianism is a distinct position, but an *axiological* form is not: axiological Paretian egalitarianism is simply equivalent to a form of leximin.

³²Holtug (2006).

I here conclude my examination of egalitarianism. This view has a rich tradition, and my treatment of it here is admittedly cursory. Nonetheless, I think egalitarianism has serious problems, problems that are perhaps not decisive, but weighty. Much more should be said to defend any *all-things-considered* rejection of egalitarianism (though many have relied, simply, on some version or other of the leveling-down objection). In any event, I will leave aside egalitarianism here.

4.6.3. *Leximin*

Leximin (or, at least, the version I intend to discuss here) holds that project-improvements for any worse-off person lexically dominate such improvements for any better-off person. Hence, in a comparison between super-minimum project-improvements and the basic minimum, the basic minimum maintains *absolute* priority: the worse-off—those who fail the basic minimum—will always take priority to project-improvements for those who are better-off (those who maintain the minimum).

Though many have accepted leximin in some form or other,³³ this view is difficult to sustain plausibly. When it comes to the distribution of project-improvements, leximin is too extreme. Arneson (referring to “maximin”) notes that a leximin-style view

would prefer the outcome which a single worst-off person gains a penny’s worth of benefit at the cost of the loss of thousands of dollars for each of thousands of the better-off. A maximin rule introduces a strict lexical priority for the interests of the worst-off, however slight, when they conflict with the interests, however great, of the next worst-off. . . In the context of the distribution of social benefits as assessed by social justice principles, leximin is implausibly extreme.³⁴

Arneson’s point is a perfectly cogent criticism of the claim that projects for the worst-off have lexical priority to projects for the better-off. This view is too strong.³⁵ One way to see the strength of leximin is to consider the following possibility. Imagine that, in a particular society, there are millions of people who are doing just better than the minimum; in other words, they achieve the minimum but just barely. Leximin would hold that the basic

³³See, for instance, John Rawls’ “difference principle” in Rawls (1971).

³⁴Arneson (2000c), 237-8.

³⁵Larry Temkin also argues convincingly against leximin in (1993), 103-5. For a response to Temkin, see Mendola (2005).

minimum for only one person takes priority to project-improvements of *any* magnitude for *all* the rest. This is far too strong, as we have seen in *Severe Disability*; *Leximin* would hold that it is better to grant Elise the basic minimum than to grant any number of others project-improvements of any finite magnitude. This is beyond belief.

4.6.4. Crispian Sufficientarianism

In recent years, *sufficientarianism* has emerged as a powerful competitor to egalitarian accounts of distributive justice, morality, and axiology. Sufficientarianism might thus be profitably canvassed for an account of the axiological relationship between the basic minimum and super-minimum project-improvements. The basic idea behind sufficientarianism is to identify a line of “enough”, i.e., a particular welfare achievement, and declare that it is the achievement of *enough*, rather than the relative welfare levels of the better-off and worse-off, that takes evaluative priority.

I limit my discussion here to a view I call “Crispian Sufficientarianism”, after its innovator, Roger Crisp. Though there are other accounts of sufficientarianism,³⁶ Crisp’s is by far the most thoroughly articulated. His view begins with a form of prioritarianism: granting axiological priority to equivalent benefits for the worse-off. But it deviates from prioritarianism in two important ways. First, Crispian Sufficientarianism would set some particularly important line of welfare achievement, and declare that benefits below the line are to take absolute priority to benefits above the line.³⁷ Second, above the threshold benefits for the worse-off are to be given no priority.³⁸

What might this say about the intrinsic value of the basic minimum in comparison to super-minimum projects? Crispian Sufficientarianism would accept a prioritarianesque value curve below the threshold, though sharper than the curve required by *Prioritarianesque* (given the prioritarian treatment of marginal benefits for the worse-off). The comparative weight of valued project-improvements above the threshold would take a *Prioritarianesque* structure, but without additional priority for the worse-off. And the axiological weight of project-improvements above the line in comparison to those below the line is the strongest possible: project-improvements

³⁶See, for instance, Frankfurt, “Equality as a Moral Ideal” in Frankfurt (1988).

³⁷Crisp (2003), 758.

³⁸Crisp (2003), 758. I have left out a further element: Crisp claims that the priority for the worse-off is void in cases of merely trivial benefits for the worse-off. This shan’t play any role in my discussion here, as the main problem concerns distribution of project-improvements, which I take to be non-trivial benefits.

below the line, including the basic minimum, trump those above the line.

This is an interesting view and is worthy of serious consideration.³⁹ However, I argue that Crisp's view is unstable. It seems to me implausible to say that valued project-improvements for individuals below a sufficient threshold take lexical priority to identical benefits above that threshold. But if we reject the, I shall argue, we cannot accept the claim that below this threshold, benefits are ranked in a prioritarian way and above the threshold no prioritarian weight is given. To put this another way, the stability of Crisp's view depends on the lexical dominance of benefits below the line to benefits above. But this should be rejected.

Crispian Sufficientarianism requires the specification of a morally or evaluatively significant threshold. On Crisp's view, the smallest project-improvement for a person *just below* the threshold would be enough to outweigh project-improvements of *any magnitude* for *any amount* of people *just above* the line. This, then, must be a threshold of *extreme* significance.⁴⁰ But maybe there is such a line. Crisp suggests that the proper threshold should be set at "the point at which [a person] has a level such that [she] can live a life which is sufficiently good."⁴¹ Indeed, thought about in this way, Crisp's view is tremendously plausible. Why believe that, insofar as one's life is sufficiently good, benefits should be fungible in comparison to benefits for those whose lives are not sufficiently good? Call the line of "sufficient goodness" l .⁴²

I argue that no l can support the lexical dominance of sub- l benefits to super- l benefits. To see this, consider first that l cannot be identified as the basic minimum (Crisp agrees⁴³). To set l at the line of the basic minimum is to render the lexical dominance of benefits below the line moot: there are no valued project-improvements below the basic minimum; Crisp's view would then simply become extensionally equivalent to *Prioritarianesque*.⁴⁴ But if l

³⁹There is a large literature on Crisp's position. See Temkin (2003). See also Brown (2005), Benbaji (2006).

⁴⁰For a brilliant critical examination of sufficientarianism along these lines, see Casal (2007), 312-14.

⁴¹Crisp (2003), 761.

⁴²Crisp also identifies the threshold as the point at which "compassion gives out". But insofar as he identifies the point at which compassion gives out with the point at which a person's life is sufficiently good, it seems better to concentrate on the latter formulation. See Crisp (2003), 761-2.

⁴³Crisp (2003), 759.

⁴⁴Furthermore, even if we accept an interpretation of Crispian Sufficientarianism that evaluates non-project goods, it would hardly be plausible to say that all benefits above the basic minimum are lexically dominated by even the slightest benefit below the minimum.

is set above the minimum, Crisp is in the position of claiming that a valued project of minimal magnitude for a worse-off person lexically dominates a valued project of any magnitude whatever for a better-off person. But this violates *Impersonal Project Fungibility* and is implausible to boot. Recall that I was able to avoid Norcross' sequence argument by claiming that the sequence could be stopped by concentrating on different indices of value, i.e., the distinction between valued projects and, e.g., satisfactions. But Crisp's view is required to draw a lexical superiority along a single scale: the scale of project-improvements themselves. But it is hard to see how one could accept a lexical dominance thesis along the scale of valued projects *only*. Recall that it seemed right to say that if we draw a finite sequence of individuals from the worst-off person A to the best-off person Z, any magnitude project-improvement for an arbitrary person in that sequence could be outweighed by *some* magnitude project-improvement for the next best-off person.

Crisp might respond by claiming that there *is* a natural division in the sequence: the point at which Q maintains, and a person slightly worse-off than Q does not maintain, a life of *sufficient goodness*. This response begs the question. The objection I seek to press is that there is no threshold of sufficient goodness l such that it is plausible to declare that benefits for individuals above the threshold are lexically dominated by benefits for individuals below the threshold. To be told that the sequence argument can be avoided by positing a threshold of sufficient goodness thus is unsatisfying: we must know what this threshold is, sufficient to provide plausible support for Crisp's axiological claims. But a Norcross-like sequence seems to show that there is no such threshold.

Alternatively, Crisp might insist that there is a natural division between valued projects. If Crisp accepts that one's valued projects are susceptible to content-based assessment, one might say that l is set at the point at which a person maintains a valued project of preference-independent value. Projects of preference-independent value might be significant enough to blunt the force of any sequence argument: no project-improvement of any finite magnitude for a person who already maintains a valued project of preference-independent value will outweigh any goods of any magnitude for a person who does not. But this suggestion is independently implausible. Take an example. Imagine that A lives a life that is, from A's perspective, *nearly ideal*. A maintains many valued projects, but none that are of preference-independent value. B, on the other hand, does maintain a valued project of preference-independent value. But just barely, and only one. On this view, project-improvements for A would take absolute priority to project improvements for B. This is implausible. Crisp might respond by claiming that A

could be above the threshold; i.e., there are two (or perhaps more) ways to maintain the threshold: live a life that conforms to one's preferences among valued projects, or maintain a project of preference-independent value. But this suggestion, which seems a sensible amendment, leads us back to the sequence argument. If A lives a life of sufficient goodness, Crisp must draw a threshold between A and another person C, whose projects are also objectively valueless, but who does not maintain the threshold of sufficient goodness. But I see no plausible way to identify a threshold *in terms of objectively valueless projects* that would sustain the strong axiological priority that Crisp requires; this suggestion obviously permits of the same sort of sequence at which I gestured in previous paragraphs.⁴⁵

Crisp might respond in the following way: "You're one to talk! After all, not only do you posit an evaluatively significant threshold (i.e., the basic minimum) you claim that the achievement of the threshold lexically dominates benefits below the threshold. So why reject my view, which also posits such a threshold, and also posits a lexical ordering of benefits above and below the threshold?" The answer is this. *Lexical* is justified in part by the fact that welfare goods below the basic minimum are of a fundamentally different order than the basic minimum itself. The maintenance or failure of the basic minimum means either that someone will, or that they will not, maintain the central element of welfare; will, or will not, maintain a life of valued, self-directed meaning. This, as I have argued at length, is no arbitrary division. But in setting the threshold above the line of the basic minimum, Crispian Sufficientarianism must draw a threshold *between* people who *already* maintain a life of valued, self-directed meaning, but who differ only along the dimension of super-minimum project achievement. Thus any threshold set above the line of the minimum seems arbitrary: it is a division between people who are slightly worse-off, and slightly better-off, in terms of valued projects alone.

So let's leave aside the first element of Crisp's view. What about the second? What about the suggestion that above a certain threshold, priority

⁴⁵One might complain that I have been unfair to Crisp. After all, he explicitly accepts a theory of welfare that would permit of no distinction between satisfactions and valued projects: hedonism. (See Crisp (2007), ch. 4.) For my purposes, however, this point is irrelevant. Even if we reject a substantive theory of welfare that allows for the distinction between valued and unvalued projects, this does not eliminate the trouble for Crisp's view. For *any* theory of welfare, Crisp's view implies that a *p*-good for a person below the threshold takes lexical priority to an identical good for a person above the threshold. In terms I have already had occasion to use, this view requires a lexical priority along a *monist* evaluative scale. But insofar as such views permit of refutation *via* sequence arguments, altering the theory of welfare at hand cannot save Crisp's view.

is not to be granted to the worse-off? Surely *this* element of Crisp’s view is plausible. Whereas below the line, the traditional form of prioritarianism is plausible, above a certain threshold, who cares if someone is better-off or worse-off? We might be tempted, then, to accept this feature of Crisp’s view, even if we jettison the first element.

But if we do not treat benefits below the line as lexically prior to benefits above the line, a problem arises. Assume that A is below l . Assume that B is just above l . Assume that C is *wildly* above l . And, finally, assume that a valued project-improvement of magnitude n is *just barely* better than a valued project-improvement of magnitude m . On these assumptions, a valued project improvement of magnitude n for C (nC) is better than a valued project-improvement of magnitude m for B (mB). But we could surely imagine the following possibility. Assume that mB is barely better than a valued project-improvement of very insignificant magnitude i for A (iA) (recall that we are assuming that benefits for A are not lexically dominant). But given that C is *wildly* better-off than B, and given that n is *barely* more significant than m , it would appear that iA is better than an nC , though not better than mB . But if this is correct, “better than” is intransitive. nC is better than mB which is better than iA . But iA is better than nC . One could avoid this conclusion by claiming that benefits to A take no *greater* priority to benefits for C than for B and hence $nC > iA$. But this seems implausible. After all C is *wildly* above the threshold, B just *barely* above the threshold. Though it might seem plausible to say that mB is better than iA , it seems decidedly implausible to say that an equivalent improvement for C takes the same priority. If one insists that “better than” is transitive, however, and insists that A’s benefits take greater priority to C’s benefits than to B’s, one must say that B’s benefits also take priority to C’s benefits, and hence that mB is better than nC . The lesson here is that once we eliminate the lexical dominance of benefits below the line to benefits above the line, Crisp’s view destabilizes: we can no longer claim that there is no priority to be given to the worse-off above the threshold.

Crisp’s view is an important innovation. Indeed, his account captures a number of plausible considered judgments. However, we should not accept the claim that benefits below the threshold lexically dominate benefits above the threshold. And if we reject this, the remainder of Crisp’s view cannot be plausibly sustained.

4.6.5. Prioritarianesque as Solution

Return now to *Prioritarianesque*. Though other views may have some hold

on important considered judgments, they are either too strong, or violate axiological considerations there are good reasons to believe. (This argument from elimination is certainly not decisive: there are a number of views I have not considered.⁴⁶) Hence it seems to me that *Prioritarianesque* is the best option. (So far, anyway.)

Prioritarianesque, unlike egalitarianism, needn't be committed to the value of leveling-down: for *Prioritarianesque*, leveling-down never improves a state of affairs in any respect. (In addition, if we also accept a version of prioritarianism, *Prioritarianesque* can accept one of the fundamental motivating principles of egalitarianism: that benefits to the worse-off should be given axiological priority to equivalent benefits for the better-off.) Furthermore, *Prioritarianesque* corrects the defects of a leximin approach. *Prioritarianesque* declares that significant enough project-improvements for people who are *barely* above the minimum can outweigh the minimum, although the minimum is more intrinsically valuable than a single instance of a project-improvement of equivalent magnitude. Furthermore, *Prioritarianesque* does not commit to a particular, super-minimum threshold of extreme evaluative importance, unlike Crisp's view.

But not only does *Prioritarianesque* correct severe defects in alternative approaches, it is plausible in its own right. *Prioritarianesque* holds that the achievement of the basic minimum is of crucial importance in the improvement of states of affairs. But it also accommodates the plausible view that it is worse for those people who live lives that are *just* above the minimum to sacrifice project-improvements for the sake of the achievement of the basic minimum than it is for those who are well above the minimum to undertake a similar sacrifice. Hence, I conclude, *Prioritarianesque* is independently plausible, as well as a proper fix for the defects of alternative accounts of the relative weight of the basic minimum in comparison to super-minimum valued project-improvements.

4.7. Conclusion

This chapter has addressed the first stage of the problem of weight. Doing so is a grim job. Evaluating the relative goodness of the basic minimum in comparison to other benefits, especially to benefits for people who are very poorly-off, is enough to make one's stomach turn. But the unenviability of this inquiry is no reason for it to be ignored.

However, the views I advocate here reflect at least one feature of the

⁴⁶See, for instance, Roemer (2004).

more traditional, overriding, moral weight of the basic minimum. Remember that *Guarantee* and *Maximize* both insist that there is an overriding reason to promote the achievement of the basic minimum. Insofar as this reason is *overriding*, it must be morally decisive with respect to the reasons to promote sub-minimum achievements. And though the view I advocate here says nothing—yet—about moral weight, it does say something similar when it comes to *evaluative* weight: the basic minimum lexically dominates sub-minimum goods. However, my view tempers the overriding approach by adopting a prioritarianesque weight of the basic minimum in comparison to super-minimum valued projects. I do not claim that the achievement of the basic minimum will trump all welfare benefits above the minimum, though they are comparatively strongly weighted.

Before I move on, I want to make one brief comment concerning an important implication of the axiology I advocate here. If my proposal is correct, the acceptance of a basic minimum is compatible with a very wide range of substantive moral and political theories. This result is significant. Previous writers on the topic of a basic minimum have assumed that the commitment to a basic minimum is beyond the reach of, e.g., utilitarianism. Richard Miller, for instance, writes that commitment to a basic minimum is, for those who accept it, “a crucial nonutilitarian precondition for mutually respectful citizenship”.⁴⁷ However, a commitment to a basic minimum need not be nonutilitarian. *Prioritarianesque* and *Lexical* are compatible with the claim that impersonal value is maximized by maximizing aggregate human welfare; no other values need operate at the impersonal domain than human welfare itself. If this is correct, act-utilitarianism (which joins a commitment to consequentialism with a commitment to the claim that impersonal goodness is a function only of aggregate welfare) will hold that the basic minimum must take lexical priority to sub-minimum states, and “prioritarianesque priority” to super-minimum projects. If so, act-utilitarianism accepts a strong basic minimum, indeed. Of course, these facts neither support, nor cast aspersions on, the axiology I adopt here. But it is simply worth noting that the view I endorse shows that a utilitarian need not reject commitment to a basic minimum: the achievement of a valued project conforms to the requirements of BM3 even if we insist that moral facts go no further than the promotion of aggregate welfare.

The goal of this chapter has been to articulate a thorough axiology of the basic minimum that, along with the view I advocate in Chapter Five, provides a satisfying solution to the problem of weight. Of course, the

⁴⁷Miller (2010), 50.

argument for my view has very often relied on my own considered judgments, or on evaluative propositions that simply seem right to me. Not all readers will march with me in lockstep. And though I regard the overall picture as attractive, I should note one more time that this chapter is simply one module in my overall welfarist approach to the basic minimum. Indeed, it is the module that I take to be most easily jettisoned. None of my arguments going forward will rely on this *particular* axiology. Nevertheless, whether one accepts my theory of the comparative intrinsic value of the basic minimum or not, one should have very good reason to adopt a *teleological* approach to the second stage of the problem of weight, outlined and defended in the next chapter.