

Welfare and Outcome

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In *Inequality*, Larry Temkin attacks 'The Slogan': 'One situation cannot be [morally] worse (or better) than another in any respect if there is no one for whom it is worse (or better) in any respect.'¹ Temkin notes that the Slogan has great intuitive appeal. It underlies, for example, the conviction that it is irrational to prefer a Pareto-inferior outcome; the transition from egalitarianism to the difference principle; Robert Nozick's Wilt Chamberlain example; defense of appropriation under the Lockean proviso; and Derek Parfit's Mere Addition Paradox.² As an egalitarian, Temkin's main concern with the Slogan is the support it gives to the 'leveling down objection' to egalitarianism: the egalitarian finds it to be in some respect an improvement that the better-off are leveled down to the position of the worse-off, without any gain to the worse-off. The Slogan condemns this: leveling down cannot be better in any respect, since there is no one for whom it is better in any respect.³

1 Larry Temkin, *Inequality* (Oxford: Oxford University Press 1993), 256, emphases omitted.

2 Not all of these arguments explicitly invoke the Slogan, but, as Temkin notes, much of their appeal may rest on the Slogan. For example, the Wilt Chamberlain example is most persuasive when we believe that giving to Wilt makes no one worse off (Temkin, 250-1).

3 For the phrase 'leveling down' and discussion of the objection, see Derek Parfit, 'Equality and Priority,' *Ratio* 10 (1997) 202-21. For discussion of a different Temkin argument against the Slogan, posed by Parfit's 'Non-Identity Problem,' see Nils Holtug, 'Egalitarianism and the Leveling Down Objection,' *Analysis* 58 (1998) 166-74. Nothing I say is intended to meet the objection posed by the Non-Identity Problem.

The Slogan claims a connection between evaluations of outcomes and evaluations of welfare. Temkin's main strategy is to argue that no theory of welfare is plausible as both a theory of welfare and as a theory of outcomes. He considers three theories of welfare: hedonism, preference satisfaction theory, and objective list theory. In the case of hedonism and objective list theory, Temkin's arguments are not new. The argument against hedonism, for example, engages a familiar and inconclusive debate against hedonism as a theory of outcomes: the hedonist claims that mental states alone are relevant for judging alternative outcomes; the anti-hedonist replies that something in addition to mental states, such as desert or equality, is also relevant, and indeed is sometimes more important than any mental state;⁴ the hedonist replies that any allegiance to values such as desert or equality stems from their usual connection to promoting pleasurable mental states, and that, absent this connection, we no longer value them; the anti-hedonist denies that this is so.

Temkin's treatment of preference satisfaction theory, however, deserves attention. For one of his objections to it does not engage in a parallel to the sort of inconclusive debate just sketched; it raises a problem internal to combining preference theory and the Slogan. In section I, I give his argument: the version of preference theory appropriate to welfare is inappropriate to outcomes. In II, I argue that this argument need not raise a problem for the Slogan: there are versions of preference theory that are plausible for welfare and outcomes. In III, I present a version of the Slogan that circumvents Temkin's argument altogether. The Slogan can claim a connection between outcomes and preferences rather than outcomes and welfare. Although this revised version can be resisted, the most plausible ground for doing so leads one to reject Temkin's argument against the original Slogan. I conclude that either the original Slogan or the Revised Slogan survives.

Some taxonomy is needed. An unrestricted preference theorist claims that assessments of welfare or outcome depend entirely on all of the (informed) preferences concerned.⁵ A restricted preference theorist claims that these assessments depend entirely on a proper subset of the preferences concerned. (Preference hedonism is one restricted theory: only preferences about mental states count.) An objective theorist claims that these assessments depend entirely on the realization of states whose value is specified without recourse to preferences. (Simple hedonism is one objective theory: assessments depend entirely on the mental states

4 Temkin, 260-1

5 In what follows, I assume that all preferences are informed.

of those concerned, where the value of a mental state is specified without recourse to preferences.)

I

Temkin introduces preference satisfaction theory as a remedy for the problem that afflicts hedonism of any sort. Some think, for example, that a life in which my preference for loving friends is satisfied is better than a life, indistinguishable to me from the first life, in which my supposed friends are deceiving me. (This can be offered as an objection to hedonism as either a theory of welfare or of outcomes.) Preference satisfaction theory seems more attractive than hedonism because, by not limiting valuable states to mental states, it allows for such a belief.

Temkin then argues that there is no version of preference satisfaction theory that makes the Slogan true. Against unrestricted preference satisfaction, he cites an example from Parfit:

Suppose that I meet a stranger who has what is believed to be a fatal disease. My sympathy is aroused, and I strongly want this stranger to be cured. Much later, when I have forgotten our meeting, the stranger is cured. On the Unrestricted Desire-Fulfillment Theory, this event is good for me and makes my life go better. This is not plausible.⁶

Temkin concludes that unrestricted preference satisfaction is a poor account of welfare.

Temkin takes the lesson of the example to be that only self-regarding preferences should count toward welfare. He then argues that it is unattractive to combine this restricted theory with the Slogan. For we sometimes think the best outcome satisfies other-regarding rather than self-regarding preferences:

Suppose Jean has a strong other-regarding desire that certain graves be well tended. And suppose Liz could, with equal ease, fulfill either this strong desire or Jean's much weaker self-regarding desire for some suntan oil. Assuming Liz had no duty to do the latter, most would agree that *if* she were going to fulfill one of the desires, it would be better to fulfill the strong one.⁷

6 Temkin, 270, quoting Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press 1984), 494

7 Temkin, 270. By 'other-regarding,' Temkin means Jean's 'desires about how others fare and how their lives progress, as well as any desires she may have about the world per se' (269-70, emphases omitted).

There is, then, no version of preference satisfaction theory that is both plausible as an account of welfare and makes the Slogan true.

II

This need not convince anyone sympathetic to preference satisfaction theory as a theory of welfare. One problem lies in the lesson drawn from Parfit's example. The most natural reason for thinking that the stranger's cure does not increase my welfare is that I do not know of his cure, and what does not impinge on my consciousness cannot affect my welfare. Hence most who consider this sort of case feel driven to preference hedonism (or some variant).⁸ But the unrestricted theorist has a reply: the deceiving friends example shows that one can plausibly deny that impinging on consciousness is necessary.

There is, however, a more serious worry for the unrestricted theory, understood as a theory of welfare. We exclude some preferences from our welfare. For example, I might most prefer to keep a costly promise, or blow the whistle on my employer, while believing that satisfying these preferences makes me worse off. (Restricting preferences to self-regarding does not help, since these preferences count as self-regarding.) Indeed, excluding some preferences from our welfare is needed to understand voluntary self-sacrifice.⁹

8 Jeffrey Goldsworthy, 'Well-Being and Value,' *Utilitas* 4 (1992), 6; L.W. Sumner, *Welfare, Happiness, and Ethics* (Oxford: Clarendon 1996), 125-8; Shelly Kagan, 'The Limits of Well-Being,' *Social Philosophy and Policy* 9 (1992), 180-7; D.W. Haslett, 'What is Utility?' *Economics and Philosophy* 6 (1990), 79-81. James Griffin feels the pull but resists: see *Well-Being: Its Meaning, Measurement, and Moral Importance* (Oxford: Clarendon 1986), 17-23. Parfit himself seems to take his example to motivate both a restriction to self-regarding desires — since he follows the example with a theory which 'appeals only to someone's desires about his own life' — and (as an editor noted) a restriction that excludes past desires — since he describes the unrestricted theory, directly before giving the example, as holding that 'what is best for someone is what would best fulfill *all* of his desires, throughout his life,' and the initial presentation of the example occurs in a discussion of past desires (Parfit, *Reasons*, 494, 151, 157). If one is convinced by the example because one excludes past desires, one's theory of welfare gives no reason to resist satisfying Jean's stronger preference for the graves, since that desire is a present desire. Temkin would, then, fail to show that the restrictions needed for a plausible theory of welfare lead to implausible judgments about outcomes.

9 For these objections to the unrestricted theory as a theory of welfare, see David Sobel, 'Well-Being as an Object of Moral Consideration,' *Economics and Philosophy* 14 (1998) pt. 1; Sumner, 134-5; Stephen Darwall, 'Self-Interest and Self-Concern,'

These worries prompt a move to a restricted theory of welfare. The restrictions could be of two sorts.

First, if one holds that what does not impinge on my consciousness cannot affect my welfare, one can add an 'experience requirement': I must at least know that my preference is satisfied. The standard objection is that adding an experience requirement leads to preference hedonism. But as L.W. Sumner notes, the two positions are at least distinct, since, on the preference satisfaction plus experience requirement theory, the preferences need not be for mental states.¹⁰ The resulting theory would be analogous to Moore's view in *Ethics*: knowledge of the satisfaction of the preference is a necessary condition for welfare, yet the amount of welfare need not be proportioned to any feature of our experience — such as the pleasure we derive from the knowledge — but rather to the strength of the preference.¹¹

Second, one can — again following Sumner — claim that a preference counts toward my welfare if and only if I judge it to so count.¹² This handles the exclusion problem.

Temkin might object that either restriction still makes preference theory implausible for outcomes. Suppose, like Sumner, one makes both restrictions. Sumner's restricted theory might still say that Liz should give the oil, and so satisfy Jean's weaker preference, provided Jean will not know whether the graves have been tended or does not nominate the satisfaction of her preference for well-tended graves as part of her

Social Philosophy and Policy 14 (1997), 162-5; T.M. Scanlon, *What We Owe to Each Other* (Cambridge: Harvard University Press 1998), 115. (Scanlon reads Parfit's stranger case as simply making the point that the satisfaction of some preferences does not contribute to welfare.) For a further worry about the unrestricted theory as a theory of welfare, see Darwall, 166-8, 172.

10 Sumner, 128. Sumner's *argument* for adding an experience requirement is, however, puzzling. He concedes that many think their welfare can be affected by events after their deaths; he notes that hence 'the fact that a theory of welfare entails the possibility of posthumous harms and benefits is not sufficient by itself to establish its descriptive inadequacy'; he points out that death is merely one way in which preference satisfaction can fail to affect us; and then concludes, oddly, that '[t]he obvious remedy is to impose on the desire theory ... an experience requirement' (127). If there is no inadequacy in a view that violates the experience requirement, there is nothing that needs a remedy. (Just as oddly, Sumner adds on the next page that '[a] theory of welfare can be descriptively adequate only if it incorporates some form of experience requirement' [128].)

11 G.E. Moore, *Ethics* (New York: Henry Holt 1912), 239-46

12 See, in particular, Sumner, 153-4.

welfare. But this verdict does not seem clearly wrong. For many tempted to advise Liz to tend graves reverse their judgment once it is made clear that tending graves adds *nothing* to Jean's welfare (by stipulating, say, that she will never discover whether the graves have been tended).¹³ The distinction between self- and other-regarding preferences does seem to lack normative significance, perhaps because it does not correlate with welfare; the distinction between what contributes to welfare and what does not may well have normative significance.

III

There is a different route for the unrestricted theorist. Rather than convert to a restricted theory of welfare, the unrestricted theorist might abandon speaking of welfare altogether.

In the Liz and Jean example, some will favor satisfying Jean's stronger preference, for tending the graves, even if satisfying this preference fails to increase her welfare. Say Liz is indifferent between tending graves and providing oil and that Jean prefers tended graves to oil. Say, again, that Jean's preference for tended graves does not count toward her welfare — perhaps because she does not so count it, or because she will not know whether the graves have been tended. The world in which Liz tends the graves is seen as better by one and worse by none; the world in which Liz provides the oil is seen as worse by one and better by none. Jean would feel more gratitude toward Liz for tending the graves than for providing the oil. She (and anyone else) would agree, from a pre-moral position, to a moral theory that advised others to cater to her preferences rather than to her welfare, when these diverge. And Jean could ask a Liz, tempted to provide the oil, to imagine herself in Jean's place.

Preference theorists persuaded by these considerations should give up the claim that they are explaining our notion of welfare. For them, what is of normative significance are facts about what people prefer rather than facts about their welfare.¹⁴ The Slogan can be revised: one

13 For a similar stress on how the complete absence of welfare gains can alter our judgment, see *ibid.*, 204.

14 I owe this suggestion to Bob Bright. It is also made very effectively by Sobel (though not in the context of Temkin or the Slogan) (Sobel, esp. 269-71). Some preference theorists might be read as agreeing. Peter Railton, for example, takes his unrestricted account to be explaining a person's good, which he distinguishes from her welfare. See Railton, 'Facts and Values,' *Philosophical Topics* 14 (1986), 30 n.9.

situation cannot be morally worse (or better) than another in any respect if there is no one whose preferences are frustrated (or satisfied) to a greater extent, whether or not the preferences are part of anyone's welfare. Puzzles raised by an intuitive notion of welfare or 'good for' disappear.¹⁵

One way to see the attraction of the revised Slogan is to consider our judgments about two cases of leveling down. In the first, the parties care about equality, although this preference is not part of their welfare. In the second, the parties do not care about equality. Leveling down seems much worse in the second case. The revised version of the Slogan explains why. The initial, welfarist version of the Slogan cannot make a distinction between the cases.

There is a serious welfarist objection to the revised Slogan. After debating the objection, I shall conclude with a dilemma: if the welfarist objection is convincing, it should lead one to reject Temkin's argument against the original Slogan; if it is unconvincing, the most pressing reason for rejecting the revised Slogan has been defeated. Either the revised Slogan or the original Slogan survives.

The welfarist objection is that the revised version has lost its appeal. The Slogan appeals because welfare appeals. Ignoring welfare is unattractive. And if, as my unrestricted theorist now allows, a restricted view of welfare is best, welfare is not merely ignored: my unrestricted theorist recommends uncompensated losses of welfare in the name of what we prefer. This, it would seem, is no more attractive than recommending uncompensated losses in the name of desert or equality.

I think that at least some of those attracted to welfare should not agree. Consider the most developed recent argument for welfarism, offered by Sumner. Sumner's theory of welfare makes the exclusions noted in II: preferences whose satisfaction the agent does not experience, and preferences whose satisfaction the agent judges to be irrelevant to her wel-

15 Dennis McKerlie offers a revision of the Slogan that goes beyond welfare in a very different way: 'The basic idea behind the slogan seems to be that to make an outcome better we must make at least some person's life better. We could understand making a life better in terms of adding objectively valuable states or activities to that life, whether or not this is counted as being in that person's self-interest.' Equality may be objectively valuable, but since it is not a feature of an individual's life, McKerlie's Slogan rules out egalitarianism. One worry is that it is unclear why outcomes are to be assessed only in terms of features of individual's lives, given the existence of objectively valuable relational properties. See Dennis McKerlie, 'Critical Notice of Larry S. Temkin, *Inequality*,' *Canadian Journal of Philosophy* 25 (1995), 634-5; Temkin, 273-5.

fare, however valuable she takes their satisfaction to be on other — aesthetic, for example — grounds.¹⁶ But (1) many of his arguments for welfarism do not rely on anything particular to his account of welfare, or on anything not shared by unrestricted preference satisfaction. And (2) where his account of welfare does play a role, he himself provides reasons for preferring unrestricted preference satisfaction as what is normatively significant.

(1) Sumner offers various arguments for welfarism. Some of these arguments do not depend at all on his particular account of welfare. For example, he sees perfectionism as the main rival to welfarism, either as replacing welfare as morally significant or as being morally significant in addition to welfare. He then argues against perfectionism. Perfection cannot be the only moral good, since welfare is obviously good.¹⁷ Perfection is not even one moral good: anything with a nature can possess perfection, but we do not think moral concern extends beyond things capable of having a good *for* them.¹⁸ Furthermore, I must not promote the perfection of others at the expense of their welfare, since to do so 'involves completely overriding any say they might have in the matter... [t]his seems to accord little recognition or respect ... to their say over the management of their own lives... Any [objective] theory will ... be committed in principle to overriding the autonomous choices of individuals concerning their own lives, imposing on them what they themselves value less.'¹⁹

Other arguments depend on features shared by Sumner's account of welfare and unrestricted preference satisfaction. Thus Sumner notes that his account of welfare gives a plausible criterion of moral standing: one has moral standing if one is sentient. And his main positive argument for welfare claims that welfare is an intrinsic, generic, important, and morally salient good. Unrestricted preference satisfaction has the same features.²⁰ Moreover, Sumner's intuitive case for welfarism could just as well be an intuitive case for unrestricted preference satisfaction. He asks,

16 Sumner does not endorse a preference theory of welfare, but his own more complex theory, on which preferences remain a source of welfare, puts these two restrictions on those preferences. The differences between Sumner's theory and a restricted preference theory are irrelevant here.

17 Sumner, 195

18 *Ibid.*, 209-12

19 *Ibid.*, 214-15. Sumner makes the same objection to hedonism, given that some people care about things other than mental states (93-8).

20 Sumner himself makes some of these points on 122-3.

'[i]f something will harm no one, make no one worse off, what reason could be given for condemning it?'²¹ One could equally well ask 'if something will not frustrate the aims of anyone, what reason could be given for condemning it?'

(2) As noted, Sumner criticizes perfectionism for recommending infringements of autonomy. He raises a similar objection to Thomas Nagel's asymmetric treatment of pain-removal and aim-achievement: 'If I have a reason to want your headache to go away ... why don't I also have a reason to want you to achieve your aim of running a marathon...? The asymmetry seems especially odd when we reflect that success at your project may be more important *to you* than relief from your headache.'²² But Sumner's own account of welfare has the same drawback. Say that I care most about the satisfaction of a preference not included in my Sumner-welfare — a preference, say, for an event I will not know about, or a preference I do not include in my welfare. Like Nagel, Sumner holds that others do not have a reason to want me to satisfy the preference that is most important to me. Like the perfectionist, Sumner overrides my autonomous choice.

Sumner has a reply. Say that your most important preference is to create some aesthetic good and that this preference is not included in your Sumner-welfare. Sumner writes that 'it is not at all clear why ethics should be concerned with the ... gain in aesthetic value which compensates for the loss of your well-being. Aesthetic value is the concern of, well, aesthetics.'²³ Similarly, say you must choose among the preferences for medical treatments of an unconscious friend. You know he would reject the least painful treatment because it is associated with harmful experiments on animals, though he would admit that it is best for his welfare. You should ignore this and any other preference insofar as it does not impact his Sumner-welfare: 'If protecting what matters to him does not make his life go better, then you have no further reason to care about it... [w]elfarism ... license[s] us to ignore these competing dimensions of value when we are doing ethics, except to the extent that they affect well-being; in themselves, they are irrelevant to the ethical enter-

21 Ibid., 192; also 217, 220

22 Ibid., 197

23 Ibid., 189. Sumner's point is not that aesthetic preferences are irrelevant because of their content. If I nominate some of my aesthetic preferences as part of my welfare, Sumner treats them as relevant (provided they are not excluded by an experience requirement). Sumner's point is that if my aesthetic preferences are excluded from my welfare, either by an experience requirement or by my choice, then they are irrelevant.

prise.... I have no reason to aid you with your project, or even to hope that you succeed, if success will make you no better off.²⁴

This reply is dangerous, unconvincing, and ill-fitting with Sumner's commitment to autonomy.

It is dangerous because it allows Sumner's opponents the same strategy. A perfectionist might say 'I allow that welfare is the only value for what you call "the ethical enterprise." But in the broader and more important "normative enterprise," perfection has more value.'

It is unconvincing because Sumner gives no argument for restricting the ethical enterprise in particular to welfare, or for thinking our judgments of outcome — even moral outcome — agree with what welfarism recommends. One might think that the better outcome — even morally better — is one where the excluded preference is satisfied. This result cannot always be evaded by finding some non-moral value. Suppose Jean takes her preference that graves be well-tended to be irrelevant to her welfare. She still cares more about the graves than the oil, however, because she believes it is morally important that the graves be well-tended, and that this moral importance outweighs concerns of welfare. Sumner cannot claim that Liz has no moral reason to tend the graves rather than provide the oil by classifying the value Jean puts on the graves as aesthetic or perfectionist rather than moral. (The same holds for the unconscious friend, since the disvalue he places on the least painful treatment is moral.)

Finally, Sumner's reply fits badly with his commitment to autonomy: we must take as reason-giving the autonomous ranking of preferences within the set of preferences included in one's welfare, but the equally autonomous ranking of excluded preferences has no moral significance. This does not respect people's 'say over the management of their own lives.' It imposes on people 'what they themselves value less.'²⁵

24 Ibid., 205-6, 197. The unconscious friend example is from Amartya Sen, 'Well-Being, Agency and Freedom,' *Journal of Philosophy* 82 (1985), 209-10. (Sen thinks that the friend should satisfy the stronger preference, but that society has no obligation to satisfy preferences outside welfare. See also Sen, *Inequality Reexamined* [Oxford: Clarendon 1992], 70-1.) For a different example that similarly separates preference satisfaction and welfare, see Darwall, 173-4. Darwall does not take it as obvious which should be promoted in such cases. Scanlon, citing Darwall, uses these cases as part of his argument for thinking that the concept of well-being is not so important (135).

25 An editor noted that the violation of my choice is more severe for preferences excluded by the experience requirement than for preferences excluded as not part of my welfare. For I, not Sumner, make the latter exclusion; Jean could nominate her concern for the graves as contributing to her welfare, so that Liz will count it.

Sumner can reply to some of these objections.²⁶ Say one is attracted to welfarism because, fundamentally, one wants to benefit people (or sentient creatures). Normally, benefiting involves satisfying preferences. This is what makes it tempting either to see unrestricted preference satisfaction as constituting welfare or, more simply, to see unrestricted preference satisfaction as what is normatively relevant. But if some preferences are not part of a person's welfare, then — as Sumner claims in the unconscious friend case — one has no reason to satisfy them, since doing so does not benefit that person. Again, many tempted to advise Liz to tend graves reverse their judgment once it is made clear that tending graves adds nothing to Jean's welfare.

This defense of Sumner can be put differently. Perhaps, the welfarist can say, it is acceptable to think that my preferences give reasons to others when they are part of my welfare, since concerns of welfare give reasons to others, and preferences are plausible constituents of welfare.²⁷ But this does not show that my preferences give reasons to others when they are not part of my welfare.

Sumner can also be defended from the charge of violating autonomy or endorsing paternalism.²⁸ There is a similarity between what the welfarist recommends and paternalism: the agent's judgment concerning the better outcome is ignored, in favor of a view of the agent's welfare. But in standardly objectionable cases of paternalism, it is ignored on the basis of a view of the agent's welfare not shared by the agent. And it is ignored, not only in the sense that it is not taken to make an outcome better, but also in the sense that the agent is actively prevented from bringing about what she takes to be the better outcome. Neither of these features hold here: there is no disagreement concerning

Sumner, however, does not see the nomination process in this light. Jean's nomination is to be guided by her understanding of the question 'would the satisfaction of this preference contribute to the prudential value of your life?' rather than by strategic thoughts about getting Liz to tend graves. See Sumner, 153-4.

26 I owe most of this defense of Sumner to Joyce Jenkins.

27 When I write of 'giving reasons to others,' here and below, I intend the sort of choice Liz faces: *if* she were going to satisfy one of the preferences, and can satisfy either with equal ease, she has most reason to satisfy Jean's preference for tended graves (or oil). I do not intend the stronger claim that everyone has a duty, or ought, to satisfy the preferences of other people. Whether that is true depends on further arguments connecting judgments of better and worse outcomes with duty- or ought-judgments.

28 For the charge of paternalism against welfarists, see Sobel, 269.

the content of the agent's welfare, and no active prevention; at most, the agent is not given what she prefers.

I do not think this defense of Sumner's welfarism is conclusive. For — to reply to its most important point — one can question whether the fundamental stance is one of benefiting (or whether the distinction between preferences inside and outside welfare corresponds to the distinction between giving and failing to give reasons to others). In normal cases, benefiting and satisfying preferences do not separate, so our intuition about our fundamental stance may not be fine-tuned enough to distinguish between the two. But the considerations in favor of satisfying preferences given at the start of this section — that, for example, anyone would choose a moral theory that catered to preferences rather than welfare, or that role-reversal favors tending the graves — show that it is not obvious that our commitment is to welfare rather than preferences, or that reasons for others must rest on welfare rather than preferences.

There is a further point to be made against the defense of welfarism. The welfarist prefers that Liz provide the oil. This would be fine if there were a difference between what Jean sees as better and what is better — that is, if she has made some error. Error is a good ground for treating a preference as not guiding. But Jean need have made no error.²⁹ The welfarist will reply that there remains a significant difference between preferences that fall within and beyond one's welfare, and that only the former give reasons to others. But it is the significance of this difference that is being questioned. *It*, for example, is not a difference whose significance Jean sets.

This suggests another way to see the attraction, for the unrestricted preference theorist, of bypassing welfare. Preference theorists have a very plausible account, within an agent's welfare, of how normative significance is introduced — by our preferences. Some then offer the same account to explain the significance of the distinction, if any, between preferences within and beyond welfare: this distinction has significance only insofar as preferences of one sort occur higher or lower in one's ranking than preferences of another sort. Preference theorists need not say this; they might abandon the appeal to preferences when asked to explain the significance of the distinction between preferences within and beyond welfare. But it is not clear why they should do so.

Suppose, however, that these replies to the defense of Sumner are unconvincing. Welfare is what matters, and so it is important for a

²⁹ For this point, see *ibid.*, 276-7.

preference theorist to offer a (restricted) theory as an account of welfare and important to claim that excluded preferences do not give guidance to others. This defeats the revised Slogan. It does not, however, help Temkin. Temkin argues that when preference theory is restricted to offer a plausible theory of welfare, it becomes implausible for outcomes, since we think we should satisfy a stronger preference that is outside one's welfare rather than a weaker preference that is part of one's welfare: Liz should tend the graves rather than give the oil. But one who rejects the revised Slogan on a welfarist basis will not agree that Liz should tend the graves rather than provide the oil, if tending the graves brings no welfare increase. The same thought that defeats the revised Slogan dictates that Liz should give the oil — tending the graves benefits no one. Temkin fails, then, to show that one's theory of welfare is implausible as a theory of outcomes. There is nothing wrong with the original Slogan: whatever one's theory of welfare, this theory will be one's theory of outcomes. The plausible, welfarist reason for rejecting the revised Slogan leads one to reject Temkin's argument against the original Slogan.

I conclude that there are plausible preference theories of welfare that are also plausible for outcomes; that the revised Slogan is an attractive alternative to the original Slogan; and that those who object to the revised Slogan on welfarist grounds avoid Temkin's initial argument. Either the original Slogan or the revised Slogan survives Temkin's internal attack.³⁰

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