A Puzzle from Nagel's Pairwise Comparison

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There are different accounts of impartiality in moral philosophy. The account of consequentialist in general and utilitarianism in particular is very simple. The permutations of personal identities do not affect our moral judgments. For example, in comparison of two alternatives in the two-person case, X=(5, 3) and Y=(3, 5) are equally good.

In his influential paper "Equality", Thomas Nagel proposes an egalitarian distributive principle, which rejects the consequentialist-utilitarian account of impartiality. He calls it the *pairwise comparison*. He states it in the following way.

> Where there is conflict of interests, no result can be completely acceptable to everyone. But it is possible to assess each result from each point of view to try to find the one that is least unacceptable to the person to whom it is most unacceptable. This means that any other alternative will be more unacceptable to someone than this alternative is to anyone. The preferred alternative is in that sense the least unacceptable from each person's point of view separately. A radically egalitarian policy of giving absolute priority to the worst off, regardless of numbers, would result from always choosing the least unacceptable alternative, in this sense.[1]

The pairwise comparison compares each person's gain and loss with another's, and, through the series of one-to-one comparisons, it identifies the alternative that is least unacceptable to everyone. It is conceived as one of the plausible non-aggregative distributive principles, given that it does not compare the combined gains and loss of different people to judge the rightness and wrongness of a choice. To illustrate how Nagel's pairwise comparison rejects the consequentialist-utilitarian account of impartiality, compare two alternatives in the three-person case.

X=(5, 3, 1)
Y=(3, 1, 5)

The brackets show the states of person 1, 2 and 3 respectively. Utilitarianism and other forms of consequentialism (e.g. Prioritarianism) judge that X is equally as good as Y because each

[1] Nagel (1979: 123).

alternative is just a permutation of personal identities from another. On the other hand, the pairwise comparison tells us to choose Y. If X is chosen, person 3 will lose 4 units. If Y is chosen, persons 1 and 2 each will lose 2 units. Therefore, choosing Y minimizes the maximum loss, and thus being less unacceptable, considered from each person's point of view separately. This shows that the pairwise comparison rejects the consequentialist-utilitarian account of impartiality. Probably, Nagel has a different account of impartiality in mind if impartiality is important at all.

A puzzle arises. Suppose that we add another alternative, Z, to X and Y, and compare these three alternatives. Three options are as follows.

X=(5, 3, 1)
Y=(3, 1, 5)
Z=(1, 5, 3)

Needless to say, the consequentialist-utilitarian account impartiality claims that all three alternatives are equally good. There are two ways to interpret the pairwise comparison in this example. On one reading, Y is less unacceptable from individual standpoint than X in comparison between X and Y (as we saw earlier), and Z is less unacceptable from individual standpoint than Y in comparison between Y and Z (following the same process of reasoning as in the comparison between X and Y). By transitivity, it should be concluded that Z is less unacceptable from individual standpoint than X. However, in comparison between X and Z, X is less unacceptable from individual standpoint than Z. But this is a contradiction.

On the other reading, three alternatives (X, Y and Z) are equally acceptable from individual standpoint because the maximum loss is 4 units regardless of whichever alternative we would choose. Given that all three alternatives are equally (un)acceptable, it seems to follow, from the Chernoff condition (or the standard contraction condition), that, for any pair of three alternatives, two alternatives are equally (un)acceptable. Therefore, X and Y are equally (un)acceptable. However, if we apply the pairwise comparison to the comparison between X and Y, Y is less unacceptable from individual standpoint than X, as we saw earlier. This is inconsistent, if not contradictory.[2]

[2] The same problem also arises from the simple majority rule in social choice and the minimax principle in decision theory.

Either way, Nagel's pairwise comparison encounters the problem of incoherence. The cost of rejecting the consequentialist-utilitarian account of impartiality is incoherence. This cost seems too heavy if we take the coherence to be a necessary property for justifiable ethical principles.

Reference

Thomas Nagel. 1979. Equality. In his *Mortal Questions*. Cambridge, MA: Cambridge University Press.