

DESERT ADJUSTMENT IN AXIOLOGY

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Desert Adjustment in Axiology

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ABSTRACT

Desert Adjustment in Axiology

This dissertation develops a contextualist desert-adjusted axiological theory that aims to evaluate well-being based on what individuals morally deserve. The traditional form of utilitarianism, grounded in welfarism, seeks to maximize total utility but does not directly address the fairness of distribution. Fred Feldman's justicised utilitarianism, however, proposes a solution: it argues that deserved well-being holds greater value than undeserved well-being, as it is better when people get what they deserve. Building on this intuition, this project defines and advocates for contextualism in axiology. According to this view, the moral value of well-being distributions depends on the context in which desert and well-being interact.

The dissertation begins by examining fundamental debates on intrinsic value and pleasure. It then analyzes Feldman's, Arrhenius's, and Skow's attempts to develop desert-adjusted axiology, highlighting the strengths and weaknesses of these approaches. It rejects the pursuit of a single value function, and defends a pluralist understanding grounded in shared context-types—or 'metacontexts'—that supervene on specific evaluative contexts.

To operationalize this framework, the dissertation presents a set of quantitative tools that account for positive and negative desert conditions, allowing for comparative value assessments across different metacontexts. Ultimately, it proposes a sophisticated, flexible, and pluralist axiology that takes justice intuitions seriously without collapsing into value relativism, positioning itself as a potential foundation for desert-sensitive consequentialism.

ÖZET

Aksiyolojide Hak Ediş Duyarlılığı

Bu tez, bireylerin ahlaki olarak hak ettiklerine dayalı bir refah değerlendirmesi yapmayı amaçlayan bağlamsalcı bir hak ediş duyarlı aksiyoloji kuramı geliştirmektedir. Geleneksel faydacılık, refahçılık temelinde toplam faydayı maksimize etmeyi hedeflese de refah dağılımının adaletini doğrudan ele almaz. Fred Feldman'ın adalet odaklı faydacılık yaklaşımı ise bu soruna bir çözüm sunar:

İnsanların hak ettiklerini almalarının daha iyi olduğu görüşünden hareketle, hak edilen refahın edilmeyenden daha değerli olduğunu savunur. Bu tez, bahsi geçen sezgiyi temel almakta ve aksiyolojide bağlamsalcılığı tanımlayıp savunmaktadır. Bağlamsalcı görüşe göre, refah dağılımlarının ahlaki değeri, hak ediş ve refahın etkileşime girdiği bağlama bağlıdır.

Tez, öncelikle kendinde değer ve haz kavramlarına ilişkin temel tartışmaları inceler. Ardından Feldman, Arrhenius ve Skow'un hak ediş duyarlı bir aksiyoloji geliştirme çabalarını analiz ederek bu yaklaşımların güçlü ve zayıf yönlerini ortaya koyar. Tek bir değer fonksiyonu arayışını reddeder ve tekil bağlamları önceleyen ortak bağlam türlerine -yani 'metabağlamlara'- dayalı çoğulcu bir anlayışı savunur.

Bu çerçeveyi işlevsel hale getirmek için tez, pozitif ve negatif hak ediş koşullarını dikkate alan ve farklı metabağlamlarda karşılaştırmalı değer ölçümlerine olanak tanıyan bir dizi nicel araç sunar. Sonuç olarak, değer göreliliğine düşmeden adalet sezgilerini ciddiye alan, sofistike, esnek ve çoğulcu bir aksiyoloji önerir ve bunu hak ediş duyarlı sonuççuluğun potansiyel bir temeli olarak konumlandırır.

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For Zeynep Gizem Haspolat

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CHAPTER 1

INTRODUCTION

It is better when people get what they deserve. If so, ethical theory is better off if it promotes a fit between what one deserves and gets. Traditionally, utilitarianism fails to do that. It suggests that one should make the world as good as possible, and goodness is defined through welfarism. In other words, for a utilitarian, one shall act in a way that brings out greater utility compared to alternative courses of action. It does not, at least directly, consider how *just* the distribution of welfare is made.

Fred Feldman takes up this question and suggests we can develop a justicised utilitarianism sensitive to what people deserve (Feldman, 1995). This form of utilitarianism will value a world in which people get what they deserve more than a world in which we find greater overall welfare that is not distributed according to deservingness. This way, utilitarianism will embrace justice sensitivity. To do that, we first need to develop a value theory that allows us to adjust the non-instrumental value of welfare to deservingness. Call it desert-adjusted axiology. Such a theory will show that deserved welfare brings greater non-instrumental value compared to undeserved welfare, even if the amounts are the same.

This dissertation follows the discussion Feldman initiates and suggests a novel way of developing desert-adjusted axiology. It argues that our intuitions regarding deservingness and goodness or badness of receiving welfare may work differently depending on the context. Our axiology should recognize such differences, and it would be better if it could bring out a unified yet embracing account. To do that, this project begins with an exploration of selected fundamental discussions on intrinsic value and pleasure. Then, it provides an analysis of earlier

attempts to develop a desert-adjusted axiology. Afterwards, it presents and argues for contextualism in axiology, followed by several discussions explicating its advantages and disadvantages.

The first chapter explores fundamental debates essential to the discussion on desert-adjustment. It begins with explaining the concept of intrinsic goodness with references to key figures and discussions within the analytic tradition. It demonstrates Moore's and Chisholm's understandings of intrinsic value by highlighting what it is and what bears it. Afterwards, it focuses on the concept of pleasure by surveying Mill, Sidgwick, Brandt, and finally Feldman's ideas. The primary concern at that point is to have a good understanding of pleasure, or pleasantness. There are certain disagreements on the nature of pleasure, as different accounts of pleasure yield different assumptions and claims, eventually leading to further complications. For instance, Sidgwick suggests that pleasures are heterogeneous, meaning that they differ in kind, yet the property common to all sorts of pleasure is being desirable or preferable (Sidgwick, 1962, p. 127). On the other hand, Brandt argues that the will to prolong specific experiences identifies pleasure, so it is part of an experience (Brandt, 1959, p. 306). Feldman opposes these ideas by arguing that pleasure is neither a part of an experience nor necessarily preferable. Instead, he says that it is a propositional attitude towards a state of affairs (Feldman, 1997, p. 462).

The chapter further explores Feldman's understanding of hedonism, as his account is fundamental to the project. It also proposes a critique of Feldmanian Hedonism. It challenges the way Feldman formulates basic hedonic states that bear intrinsic value. He defines basic hedonic states as those experienced by a subject at a specific time to a certain degree, inhering in a sensory property (Feldman, 1997, p.

464). Against Feldman, I argue that basic hedonic states do not exist or exist only as non-analyzable components of other, non-basic states of affairs. Either way, I find the idea insufficient.

After exploring the history of the debate on intrinsic value as well as pleasure and critically explicating Feldman's hedonism, the chapter moves on to a different understanding of non-instrumental value, called *final value*. Olson defines final value as non-derivative, meaning that the value of something is considered a final value if and only if it is not derived from some other value, or the value of some other, greater whole (Olson, 2004, pp. 34-35). This is the definition I favor to understand non-instrumental value, given that (as I argue in the following section) it allows for context-dependency of non-instrumental value without collapsing into instrumental value.

The last section of this chapter discusses the context dependency of pleasure and desert. The mainstream accounts of pleasure, or non-instrumental value in general, do not welcome context dependency. Being non-instrumental, usually referred to as *intrinsic*, often brings either a sort of naturalism or invariantism, as explained in the chapter's earlier sections. The reason is straightforward: if the value is intrinsic to something, then why should it allow external dependencies? Likewise, if the value is non-instrumental, then how could one understand context dependency without committing to a sort of instrumental relation between the value and the context in which it is found?

This project suggests that how deservingness affects the goodness or badness of welfare is context-dependent, so there is no single contribution function that shows how good or bad a particular distribution of welfare is. To do that, it must be

based on a compatible theory of non-instrumental value. Final value, as proposed by Olson, provides such ground.

The second chapter discusses three prominent figures from the current literature: Feldman, Arrhenius, and Skow. Each proposes specific methods to develop desert-adjusted axiology. Feldman's account is one of the earliest attempts to build a more detailed and quantifiable axiology. It shows the significance of desert-sensitive welfare distribution and suggests a justicised utilitarianism. There, I present and criticize Feldman. I show that his axiology is insufficient to serve as a ground for better consequentialism. My main criticism is about the lack of a precise method of measuring how desert affects the goodness of received welfare.

Following Feldman, I discuss Arrhenius' axiology. That section covers a detailed exposition of the Arrheniusian account and shows how he makes use of the fit value he proposes. Arrhenius presents several ways to develop a more useful contribution function. He also mentions the challenges his account will face. I state that the difficulties he highlights are not negligible. Thus, I regard his account as not comprehensive enough and therefore insufficient.

The third section of this chapter focuses on Skow's proposal. Skow mentions the problem of arbitrariness in developing desert-adjusted axiology. The problem of arbitrariness refers to the fact that there could be too many appealing ways of formulating a contribution function that more or less represent the intuition behind desert-adjustment. On the other hand, we need to find a reliable function (or a set of functions, as I will propose later). Thus, he proposes to use dimensional analysis to narrow down the list of candidate functions. Dimensional analysis is a method used mainly in physics to analyze different quantities with different dimensions, such as time and length. The method proposes that an equation is dimensionally consistent if

both sides of it have the same dimension. Skow suggests that dimensional analysis helps develop desert-adjusted axiology, as it allows for eliminating dimensionally inconsistent (therefore complicated) equations and narrows down the set of candidate functions. Then he ends up with a single contribution function. I argue that the problem he addresses (the problem of arbitrariness) is significant, but the solution is not to look for ways to find a single contribution function. Instead, I claim, given that the way deservingness affects the goodness of welfare varies depending on the context, the axiology should embrace contextualism and a plurality of contribution functions. More fundamentally, the axiology should acknowledge our contradicting yet strong intuitions regarding how deservingness should affect the final value. That is why I find Skow's attempt both brilliant and insufficient at the same time.

In the third chapter, I present contextualism in axiology. The core idea is that there is a variety of ways in which deservingness affects the goodness or badness of received welfare, and those ways are context-dependent. For instance, the badness of receiving less than what is deserved is not the same as that of receiving more than what is deserved, even when the gap between desert and welfare is the same. Context dependency can have several meanings here: one may argue that the relation between desert and welfare differs in every single context. This idea may lead to a strong form of value relativism. I am not advocating for that, though. I argue that there are certain properties common to specific sorts of contexts. For instance, there is a set of contexts in which one gets more than what is deserved. Another set of contexts signifies the property of having someone get less than what they deserved.

In order to make the difference between particular contexts and specific contexts of other contexts, I define context supervenience. I argue that a supervenience relation exists between particular contexts and those shared by a set of

contexts. I call the latter *metacontexts*, as they resemble contexts of specific contexts. So, if $C = \{C_1, C_2, \dots, C_n\}$ is a set of contexts in which one gets less than what they deserved, then M is the metacontext in which all members of C are found. M supervenes C . Referring to Olson, I appeal to the idea that final value is not derived, but supervenience does not require derivation, as “[s]upervenience and derivation are different kinds of dependence relations” (Olson, 2004, p. 35). The value (positive or negative) of a subject S ’s getting less than what she deserves is not derived from the context S finds herself in. Yet, there is a dependence relation implying that S ’s getting less than what she deserves is valuable to the extent x because the context S finds herself in is supervened by M . In other words, S ’s receiving a certain amount of welfare is valued depending on the context.

After defining metacontexts and establishing the supervenience relation, I define five metacontexts, each covering different contexts where a subject can be found. The crucial point is that one can define infinitely many contexts sharing infinitely many other properties. This axiology considers common properties relevant to the fit between deservingness and received welfare. Thus, a metacontext in which the subject is having a cup of coffee will not be relevant. The relevant ones can be listed as follows:

M_1 : S gets exactly what they deserve.

M_2 : S gets more than what they deserve.

M_3 : S gets less than what they deserve.

M_4 : S deserves something but gets nothing.

M_5 : S does not deserve anything, but still gets something.

Any situation that concerns welfare distribution and is loaded in terms of desert shall fall under one of these. I argue that the way we calculate the final value in M_2 , for

instance, is different from M_3 . This claim heavily depends on intuitions: arguing that our intuitions work the same for M_2 and M_3 is counterintuitive. They are aligned, assuming that we believe it is better when one gets what they deserve, yet M_3 may indicate direct suffering and therefore may be considered worse compared to M_2 .

Our intuitions may also contradict, and still be equally reliable, when it comes to comparing different scenarios. Desert-adjusted axiology focuses on the misfit between desert and welfare, and one may suggest that it is bad when one deserves 10 and gets 5, but not equally as bad as when one deserves 10 and gets 15, even though the gap between desert and welfare seems the same. The same can be argued when the misfit is calculated as the ratio of welfare and desert.

Intuitions and the way they work may vary. In a bit, I will say more about relying on intuitions as a method in philosophy. However, regardless of how they differ, my axiology suggests that we should take this variation into consideration and develop an understanding without ignoring it. This project assumes a specific variation of intuitions and suggests a toolbox that can be used to quantify it.

This brings us to the quantitative method I suggest using contextualist desert-adjusted axiology. I suggest that the following formulas can be used to represent the way deservingness affects the goodness or badness of received welfare in each metacontext:

The Toolbox of the Desert-Adjusted Axiology:

For $d \geq 0$,

If desert value = 0 and welfare value $\neq 0$, then

$$CV = -w$$

If desert value $\neq 0$ and welfare value = 0, then

$$CV = -d$$

If desert value < welfare value, and desert value or welfare value $\neq 0$, then

$$CV = w + d$$

If desert value > welfare value, and desert value or welfare value $\neq 0$, then

$$CV = 1 - w/d$$

If desert value = welfare value, and desert value or welfare value $\neq 0$, then

$$CV = w + d$$

For $d < 0$,

If welfare value = 0, then

$$CV = d$$

If welfare value = desert value, then

$$CV = |w + d|$$

If welfare value > desert value and $w \neq 0$, then

$$CV = d - w$$

If welfare value < desert value and $w \neq 0$, then

$$CV = 1 - w/d$$

After introducing this possible quantitative method, the chapter exemplifies its application. It concludes with a discussion on negative desert. Negative desert is usually overlooked, as it may lead to undesired consequences. For instance, if desert-adjusted axiology suggests that it is better when everyone gets what they deserve, and if desert implies proportionality with moral worth, then desert-adjusted axiology may permit capital punishment for a serial killer. To avoid such undesired consequences, I argue there is a limit to what can be deserved. Anything beyond that limit (including death) shall not be deserved, and therefore promoted as a proportionate receipt. This measure allows me to go on and suggest several formulas that can be used to quantify negative desert.

There is a crucial point that needs further explanation. My axiology suggests a method of calculating *comparative value* (CV) instead of intrinsic value.

Comparative value is proposed to be used when two possible distributions of welfare are compared. Quantification brings arbitrariness, as we do not have an objective scale of measurement for welfare. We may instead assign values to represent the weights of deservingness or received welfare. Then we may use those values to calculate which distribution brings greater value. This way, the axiology may serve as a guide to decision procedures without claiming that certain distributions have such and such objective non-instrumental value.

Avoiding making objective value assessments has both advantages and disadvantages. It is not ideal, as generally ethical theories seek it. It is useful, as it allows us to make value assessments without committing to objective quantification, and therefore, it is not guilty of reducing everything to mere quantities. Instead, it suggests a toolbox that will inform qualitative assessments.

The final chapter covers selected discussions from the literature and analyzes the advantages and disadvantages of desert-adjusted axiology. Some of those advantages (and disadvantages) will come from desert adjustment itself, and not contextualism per se. On the other hand, some of them are directly relevant to my proposal. It discusses (1) the repugnant conclusion and aggregation problem, (2) the experience machine and the problem of surplus welfare, (3) problems of partiality and demandingness, (4) commensurability, arbitrariness, and the need to bite the bullet in those matters, and finally (5) how could my axiology help develop an ethical theory.

There are several points I would like to clarify before concluding the introduction. First of all, this project mainly suggests a form of contextualism in

axiology, and the toolbox I propose is just one example among many possible others. It definitely has problems, as I discuss throughout the dissertation. What I argue is that it is promising as a developing method of quantification. Thus, further research will reveal better ways of formulating it.

Secondly, the way I use the term welfarism may turn out to be confusing. In the first chapter, I directly deal with hedonism and fundamental debates surrounding it. Afterwards, I use the term welfarism much more often. The reason is that, just as I explained in the first chapter, certain concepts may require assumptions that cannot be made within my axiology, or may appear to be too demanding at the very least. Referring to pleasure, for instance, seems to be too loaded. Talking about welfare, albeit still depending on hedonism in the end of the day, seems less demanding. When we say that a person receives welfare, we actually mean that they find themselves in a state of affairs that is more pleasant for the agent than the previous one. If we use pleasure instead of welfare, then we face challenges regarding what pleasure is, where it is found, how heterogeneous it is, or how it is delivered—if it is something that can ever be transferred. Therefore, this project proposes an axiology in which the goodness of receiving welfare, and not pleasure per se, is adjusted according to deservingness.

Another point to be mentioned is this project's appeal to specific moral intuitions. Desert adjusted axiology relies on the moral judgment that *it is better when everyone gets what they deserve*. This dissertation aims to find the reflective equilibrium between certain judgments or intuitions about justice and value theory. Attempting to develop a desert-adjusted axiology entails recognizing the lack of a mutual agreement between our considered judgments and traditionally accepted principles in the utilitarian side of the moral philosophy. I do this by proposing a

middle ground, a sort of contextualism, I argue that we can balance our moral intuitions and rational principles.

Last but not least, this project does not provide a complete theory of desert. However, at least a general understanding of what desert means should be present to make sense of what I propose. To do that, I would like to turn to Feldman's brilliant article on Desert in the Stanford Encyclopedia of Philosophy (2020).

Feldman begins by drawing a fundamental distinction between *desert* and *entitlement*. In ordinary language, for example, one might say *I deserve at least minimum wage because I am a full-time employee of this company*. However, this statement would actually refer to entitlement: in this country, the law mandates a minimum wage for all full-time workers, so all full-time workers are entitled to earn at least the minimum wage. Let's make the same claim, but this time base it on the effort we put into our work. We assert entitlement differently—namely, that *I am entitled to receive the minimum wage because the evidence demonstrates that I am honoring my work contract*.

Entitlement, in this context, refers to a specific social, legal, or institutional binding. While someone may be entitled to receive at least minimum wage, they may or may not deserve it. Consider Andrew (whose name will appear several times in a thought experiment I propose later). Andrew owns massive companies and, as such, is entitled to have a personal driver. But does he deserve it? Building on the distinction between desert and entitlement, we can now express two possibilities: we might say that *Andrew is entitled to have a personal driver, but he does not deserve such comfort because he is a bad person*. Alternatively, we might claim that *Andrew is entitled to and deserving of a personal driver because he is a good person*.

Here, we are narrowing down the concept of desert to *moral desert*. Other forms of desert, such as academic, financial, or political desert, could then be understood under the broader concept of entitlement. For instance, in a country where the law grants all citizens free access to healthcare, they are entitled to it. But does everyone deserve free healthcare? I would say yes, but this debate is irrelevant in that case.

This brings us to another ordinary use of desert. When people encounter someone living in terrible conditions, they might say *no one deserves to live that way*. Specific sociopolitical contexts likely shape this intuition and may be less common in specific other sociopolitical (or cultural) contexts. It could reflect the idea of a threshold of welfare below which no one deserves to live. In this sense, desert would be grounded in fundamental human needs necessary for survival or in satisfying particular needs required to prevent individuals from enduring severe suffering. My argument on deservability may be considered quite similar to this idea.

The concept of desert as moral worth can align with desert as entitlement or desert as need, but not necessarily. For instance, if one holds the belief that everyone should get what they deserve and concludes that a particular individual deserves to die due to their very low moral worth, they might argue that that person should die, regardless of what the individual is entitled to or needs. Conversely, another person might believe that no one deserves to die, approximating what I suggest later in this project. They could argue that it is worse if the individual dies and align with a legal system in which everyone is entitled to life, regardless of their moral worth.

It is possible to identify various ways in which the term *deserving* is used in ordinary language. Beyond the contingency of these everyday uses, I find the distinction between desert and entitlement particularly useful. Throughout this

project, I wish to refer to desert specifically as desert, not entitlement. This focus naturally leads to the concept of moral worth, as, if I am not referring to entitlement, there must be some form of moral worth that constitutes deservingness.

Shelly Kagan, one of the philosophers who considers desert to be moral desert (and thus grounded in moral worth), acknowledges the challenge of formulating a robust theory of moral worth. Nevertheless, he maintains that adhering to the concept remains a plausible approach:

Presumably, if some people are more deserving than others, then this is by virtue of having some features that the others lack, or perhaps having those features to a greater or lesser degree. But what, exactly, are the relevant features? (...) This is obviously an important question, and the answer is far from clear. We can agree, perhaps, that your “moral worth” determines your level of desert, but it isn’t at all obvious what, exactly, affects your level of moral worth. (...) I will simply assume that there is some relevant desert basis, and that in principle, at least, we can rank people differentially in terms of this basis. Of course, it will be useful to have some way to refer to this basis, and so I will help myself to the language of virtue and vice. (Kagan, 2014, p. 6)

I find Kagan’s assumption sufficient to adopt for this project, as it provides a clear framework for understanding moral desert. Like Kagan, I set aside the question of what constitutes a virtuous person or life.

CHAPTER 2

ON NON-INSTRUMENTAL VALUE

This chapter begins by introducing certain fundamental debates on the concept of intrinsic goodness and pleasure. By doing that, it sets forward certain commitments this project has, as well as fundamental points it rejects. It critically discusses selected arguments made by main figures such as Moore, Chisholm, Sidgwick, Brandt, and Feldman. Then it introduces an alternative understanding of non-instrumental value by Olson, which is open to accommodate context-dependency. It concludes by arguing for the context dependency of welfare and desert.

2.1 Intrinsic goodness

This project aims to propose a framework for implementing a desert-adjusted axiology. At its core, it operates on the assumption that pleasure holds non-instrumental value. For now, let us set aside considerations of desert and its influence on the non-instrumental value of pleasure, and instead focus on the very nature of non-instrumental value itself.

I will prefer to use the term non-instrumental value for several reasons; however, within the tradition, this debate is often centered on the concept of *intrinsic value*. The notions of intrinsic value, intrinsic goodness, or the property of being intrinsically valuable have been widely discussed. Beyond the fundamental question of what is intrinsically—or, in some sense, unconditionally—good, philosophers have also explored what intrinsic value or goodness entails and what entities possess or bear it. Some argue that being intrinsically valuable means being valuable under any circumstances (as suggested by Moore, Chisholm, Feldman, etc.), while others

disagree. There is also debate about the bearers of intrinsic value, with some asserting that they are concrete objects (e.g., an apple) and others positing that they are abstract entities, such as states of affairs or propositions. Additionally, some philosophers challenge the very existence of intrinsic value altogether. I focus on the tradition that accepts the existence of intrinsic value and holds that it is borne by abstract objects, such as states of affairs or propositions.¹

G. E. Moore argues that intrinsic goodness must be demonstrable in complete isolation (Moore, 1993, p. 142). He contends that, for example, to affirm the intrinsic goodness of pleasure, one must be willing to accept that a world filled entirely with pleasure and nothing else is good in itself. Similarly, a world filled entirely with pain and nothing else would be inherently bad. Moore finds this claim untenable, which, in his view, highlights the implausibility of hedonism (Moore, 1993, pp. 142–143). Instead, he advocates for a naturalistic understanding of intrinsic value, stating: “To say that a kind of value is 'intrinsic' means merely that the question whether a thing possesses it, and in what degree it possesses it, depends solely on the intrinsic nature of the thing in question” (Moore, 1993, p. 286).

Chisholm extends Moore’s idea of isolation. Emphasizing the difference between intrinsic and extrinsic goodness, he makes use of the following example:

Perhaps it may be agreed, preanalytically, that the state of affairs which is someone experiencing pleasure is good and that, on a certain occasion, that the state of affairs which is someone undergoing discomfort is also good. But the former state of affairs and not the latter is intrinsically good. ... [T]he two states of affairs differ in the following respect: the former, unlike the latter, would be good no matter what else happened. The goodness of the latter is ‘extrinsic’ in that it is dependent, somehow, upon the occurrence of something else. (Chisholm, 1978, p. 121)

¹ This is for the sake of argument. The project focuses on and criticizes this tradition. Thus, I do not explore other traditions.

Suppose, in reference to the passage above, that the state of affairs in which *a sick person fully recovers* is deemed good, and the state of affairs in which *the doctor who treats them becomes tired* is also considered good. Chisholm argues that

p entails $q = p$ is necessarily such that (i) if it obtains then q obtains and (ii) whoever accepts it accepts q . (Chisholm, 1978, p. 123)

Assuming that the doctor's tiredness arises solely from their efforts to treat the patient, the goodness of the state of affairs in which *the doctor is tired* (S_2) is conditional upon the goodness of the state of affairs in which *the patient is cured* (S_1). In this case, S_1 is intrinsically good, while S_2 is good only insofar as it is entailed by S_1 .

Chisholm builds on Moore's isolation test by proposing that a state of affairs is intrinsically good if and only if it could represent all the good in the world. In this sense, in a possible world W where only S_1 and S_2 exist, S_1 would reflect all the good in the world, whereas S_2 would not. In other words,

P is an intrinsic value state = There is a possible world W such that: p reflects all the good and evil that there is in W ; and if p is not neutral, then every thing that reflects all the good and evil that there is in W either entails or is entailed by p . (Chisholm, 1978, p. 124)

Now, suppose there is an additional state of affairs S_3 in W , where ten innocent people die because the doctor used all available resources to cure the initial patient. Assuming S_3 is bad, one could argue that S_1 does not reflect all the good and evil in W . In this case, if $W_1 = [S_1, S_2]$ and $W_2 = [S_1, S_2, S_3]$, then S_1 is intrinsically valuable only in W_1 and not in W_2 . Referring to this distinction, Chisholm highlights the similarities between states of affairs and propositions when explaining the nature of states of affairs:

States of affairs, as they are being considered here, are in no way dependent for their being upon the being of concrete, individual things. Even if there

were no concrete, individual things, there would be indefinitely many states of affairs. States of affairs, so conceived, resemble what have traditionally been called propositions in the following respect. Even though the author of Waverly was the author of Marmion, “the author of Waverly being knighted” expresses a different state of affairs than “the author of Marmion being knighted” (the former state of affairs but not the latter could obtain in worlds in which there is no Marmion, and the latter but not the former could obtain in worlds in which there is no Waverly) (Chisholm, 1978, p. 114)

Following Chisholm’s example, if we define a proposition PS_1 as ‘ S_1 is intrinsically good,’ then PS_1 is true only in W_1 and not in W_2 . For any state of affairs S , there will be at least one proposition PS that holds if and only if S is intrinsically good in a given W —and the same applies to intrinsic badness.²

Without arguing for or against it, I assume that (by appealing to the arguments presented here) non-instrumental value resides in states of affairs. Let this serve as the common ground between this project and the mainstream understanding of intrinsic value. With this foundation established, I will now turn to the discussion on pleasure.

2.2 Pleasure

The hedonic thesis posits that pleasure is intrinsically good. Bentham’s utilitarianism, for example, relies on this thesis and asserts that pleasures and pains are somehow homogeneous. The enjoyment of eating an apple, for instance, appears to share certain qualities with the enjoyment of a friend’s company. These experiences vary in degree and can be compared based on the level of happiness they produce.

Mill, however, highlights a critical distinction between higher pleasures, such as enjoying a good novel, and lower pleasures, such as savoring a good beer. Yet

² This idea is later reflected in Feldman’s concept of *propositional pleasure*.

many argue that these feelings of pleasure are fundamentally dissimilar. While we describe them as pleasant, the pleasure derived from eating an apple is noticeably different from the pleasure of watching a good movie. If these feelings are not alike, what, then, makes them comparable—if they are comparable at all?

Sidgwick addresses the question of the heterogeneity of pleasures and seeks to identify a common quality that unites the diverse experiences of pleasure. He writes:

[W]hen I reflect on the notion of pleasure, --using the term in the comprehensive sense which I have adopted, to include the most refined and subtle intellectual and emotional gratifications, no less than the coarser and more definite sensual enjoyments,--the only common quality that I can find in the feelings so designated seems to be that relation to desire and volition expressed by the general term "desirable," ... I propose therefore to define Pleasure--when we are considering its "strict value" for purposes of quantitative comparison--as a feeling which, when experienced by intelligent beings, is at least implicitly apprehended as desirable or--in cases of comparison--preferable. (Sidgwick, 1962, p. 127)

For Sidgwick, the common quality of all pleasures is that they present themselves as inherently desirable or preferable.³ Building on Sidgwick, Brandt offers an expanded account that avoids the notion of desirability while still emphasizing the will to sustain or prolong a particular state of affairs: "‘Is pleasant’ is to have the same sense as ‘is a part of an experience, containing a subjective element, which one wishes at the time to prolong (or in which one is absorbed without effort) for itself’" (Brandt, 1959, p. 306).

Brandt suggests that pleasantness is *a part of an experience*. This could be misinterpreted as treating pleasantness as a distinct element of experience. However, he rejects this view and, following Sidgwick’s account of pleasure, argues that:

³ This is one interpretation of Sidgwick’s account, as he also refers to pleasure as "being desired" rather than "desirable" in other parts of his work. Many seem to support this interpretation. For a detailed discussion, see Shaver (2016).

Just try to examine pleasantness by itself, in the way you can inspect a red patch by itself. It cannot be done. Pleasantness always seems to be the pleasantness of something, of an activity, or some other elements of experience. (Brandt, 1959, p. 305)

Following Sidgwick and Brandt, we might propose that pleasantness involves enjoying the experience for its own sake, the will to prolong or sustain it for its own sake, or, more generally, adopting a favorable attitude toward the experience. This is how Feldman summarizes Sidgwick's account of pleasure. Regarding the intrinsic value of this kind of pleasure, Feldman concludes that "[t]he intrinsic value of a Sidgwickian pleasure ... is directly proportional to the intensity of the experiencer's desire for the experience to continue for its own sake." (Feldman, 1997, p. 455)

Feldman does not endorse this account of pleasure. He argues that the Sidgwickian interpretation contains conflicting statements. According to this account, pleasures are not intrinsically alike; rather, something qualifies as pleasure because someone adopts a certain attitude toward it. This, he contends, is "a contingent, extrinsic, relational fact about any such feeling. Yet, (...) such feelings are supposed to be good in themselves" (Feldman, 1997, p. 456). Then he continues: "if their pleasantness is purely extrinsic and contingent, (...) then they do not have their value 'in virtue of their own natures'; they have it in virtue of the fact that they are liked" (Feldman, 1997, p. 456). Feldman puts forward three arguments against the Sidgwickian pleasure.

He first appeals to Moore's supervenience principle (SUP) that suggests "[i]f something, x , has an intrinsic value of n , then anything intrinsically like x must also have an intrinsic value of n " (Feldman, 1997, p. 457). He then presents a thought experiment in which he and his brother both enjoy drinking cold beer together. However, one of them enjoys it more and, as a result, has a stronger desire to prolong the experience, while the other enjoys it less and only mildly desires to prolong it.

According to the Sidgwickian account, the former experience would generate more intrinsic good than the latter. However, if the two experiences are assumed to be intrinsically alike, Moore's SUP would imply that they should possess the same intrinsic goodness. Feldman argues that the Sidgwickian account conflicts with Moore's SUP.

Feldman further argues that the Sidgwickian account violates a fundamental principle of intrinsic goodness—namely, that something is good in itself. He notes that one might not enjoy the same cold beer under different circumstances, such as if the beer had a different taste or if the individual were depressed and barely able to enjoy anything. If we claim that the experience of having a cold beer is intrinsically good merely because one desires to prolong it, then the experience is not truly good in itself, but good “in virtue of the fact that it bears some extrinsic relation to some other thing—a person who experiences it” (Feldman, 1997, 458).

Then he makes a similar point by referring to the necessity principle, which states that “[i]f something, x , has an intrinsic value of n , then it is necessary that x has an intrinsic value of n ” (Feldman, 1997, p. 460). He appeals to the necessity principle and concludes that the Sidgwickian account is implausible, as the experience of drinking beer should not be intrinsically good in one possible world but worthless in another.

Feldman appeals to a form of Moorean naturalism, and his arguments are likely quite persuasive to those who share this perspective. However, I contend that his counterarguments are, at the very least, intuitively challenging. That being said, I acknowledge that the Sidgwickian account is not without its flaws. Allow me to explain why.

Feldman's first argument appeals to SUP, which cannot be plausibly defended within a Sidgwickian framework. Similarly, his third argument relies on the necessity principle, which a Sidgwickian cannot plausibly defend or invoke either. This leaves us with a choice: one must reconsider either the Sidgwickian commitments or the Moorean commitments. Feldman's own example of sharing a cold beer with his brother highlights points of potential reconsideration from both perspectives. Either (1) the experience of having a cold beer is pleasant in all possible worlds, with pleasantness being an inherent property of the experience itself—thereby invalidating the Sidgwickian account—or (2) the experience is intrinsically more valuable when Fred Feldman enjoys it and intrinsically less valuable when Richard Feldman enjoys it.

Feldman's example demonstrates the difficulty of arguing that intrinsic properties remain what they are regardless of any extrinsic relations. He rightly cites Brandt and Frankena as proponents of both the Sidgwickian account of pleasure and a naturalistic understanding of intrinsic properties. Feldman then argues that what the Sidgwickian account truly refers to is being intrinsically liked, rather than being intrinsically good. While Feldman's arguments are grounded in Moorean commitments, I find his second argument against Brandt and Frankena plausible—not because I agree with his defense of Moorean principles, but because the inconsistency he highlights in their approach is evident to me as well.

However, I argue that Feldman's example itself highlights a fact that challenges Mooreanism. Whether the state of affairs one finds themselves in while drinking a cold beer is pleasant or not may depend on various factors: the type of beer, the individual's taste, past experiences, the setting, the company, the time, or even the events of that day—among countless other contingencies. If I argue that the

experience of drinking a cold beer may still be intrinsically pleasant, the immediate counterargument is that it cannot be intrinsically pleasant if its pleasantness depends on factors external to the experience itself. In response, I would emphasize that the pleasantness is indeed an intrinsic property of the state of affairs Fred Feldman finds himself in while drinking a cold beer; however, this intrinsic property arises from the interplay of numerous contingent factors. In this way, it is not the act of drinking a cold beer itself that is intrinsically pleasant, but rather *the fact that Fred finds the experience enjoyable* that can be regarded as intrinsically good.

This interpretation of intrinsic goodness is actually quite compatible with Feldman's proposed solution to the problem he addresses. Feldman introduces his account of propositional pleasure to reconcile two goals: maintaining the mainstream (naturalistic) assumptions about intrinsic value and incorporating the plausible elements of the Sidgwickian account.

The Sidgwickian account arises from rejecting the notion of pleasure as a distinct feeling. It posits that since no such distinct feeling exists, we must identify a unifying feature of all pleasures or pleasant experiences. According to this account, the commonality lies in the will or desire to prolong the experience—a specific attitude we adopt toward it. Feldman, however, argues that while we may want to prolong pleasant states of affairs, this is not always the case. Instead, he suggests that the unifying feature is a propositional attitude we take toward pleasure, which is common to all pleasant states of affairs:

On my view, hedonic phenomena may be identified by appeal to a crucially important propositional attitude. This is the attitude we indicate when we say that someone takes pleasure in or is pleased about some state of affairs. Although I cannot define this attitude, I can say a few words about it. I think that when we take pleasure in a state of affairs, we welcome it in a certain way; we are glad that it is happening; we like it in a certain familiar way. (...) I call this attitude 'propositional pleasure' since it is a propositional attitude. (Feldman, 1997, p. 462)

Feldman suggests that intrinsic propositional pleasure arises when one is pleased by a state of affairs itself, independent of any external factors such as its causes or expected outcomes. Conversely, extrinsic propositional pleasure occurs when one is pleased by something external to the state of affairs. A key distinction in Feldman's account is that pleasure is not necessarily understood as a feeling, but as propositional in nature. Rather than being a sensation, pleasure is instead an effect of a fact:

I may, for example, take pleasure in the fact that the war in Bosnia has at least temporarily stopped. I might do this even though I am not feeling any sensory pleasure. I might be feeling no sensations at all. So, from the fact that someone is taking propositional pleasure in some fact, it does not follow that he is experiencing any pleasant feelings. (Feldman, 1997, p. 463)

2.3 Feldmanian hedonism

In Feldman's account, one takes pleasure in a certain P that refers to a fact. Suppose a specific state J_1 represents the agent S taking intrinsic pleasure to degree n at time t in the fact that S is experiencing P . Feldman refers to J_1 as a basic hedonic state of affairs.⁴ He defines it as

Basic Hedonic State: A state of affairs is a basic hedonic state if and only if there is an individual, S , a time, t , a positive number, n , and a sensory property, P such that the state of affairs consists in S 's taking intrinsic propositional pleasure at t to degree n in the fact that he himself is experiencing P at t . (Feldman, 1997, p. 464)

Feldman refers to this framework as Feldmanian Hedonism (FH). FH distinguishes between basic hedonic states and non-basic hedonic states. Suppose, for instance, that spending a night out with friends creates a pleasant state of affairs for me at a certain time and for a certain duration, and that its pleasantness is inherent to that

⁴ Feldman further elaborates on this concept in his 2005 article *Basic Intrinsic Value*. However, the concept itself is not entirely novel. For earlier discussions, see Harman (1967), Quinn (1974), and Zimmerman (2001). For a more recent debate on basic intrinsic value, see Lemos (2021).

state. Now, further suppose I feel displeased about going out because I know my boss expects me to complete work by the next morning, and failing to do so will make me feel bad. According to FH, when I go out, I am intrinsically pleased but extrinsically displeased, and may ultimately find myself displeased overall. My being out with friends represents a basic hedonic state that provides basic intrinsic value. If FH holds true, the hedonic thesis would assert that intrinsic value resides in the basic state, but it can be overridden by the extrinsic (dis)value associated with the non-basic state.

By referring to the specific and inherent properties of a particular state, Feldmanian Hedonism (FH) is claimed to align with the mainstream Moorean assumptions about intrinsic value. For the agent S , it is necessary to be pleased by P at time t to a degree n . Since this state is a basic hedonic state, it is inherently tied to S and can only be experienced by S . Even if another agent, R , does not derive pleasure from the very same fact, this represents a different state of affairs. As such, FH does not violate Moorean principles.

I believe Feldman's account of propositional pleasure provides a better explanation of pleasant states of affairs. However, I argue that Feldmanian Hedonism (FH) is untenable. My argument against FH argues that either (1) there is no such thing as basic hedonic states, as any state of affairs could qualify as a basic hedonic state, rendering the distinction meaningless, or (2) basic hedonic states exist as infinitely small states of affairs experienced over infinitely small durations of time, which makes them equally meaningless.

Feldman's basic hedonic states are states an individual finds herself in at t to a degree n for a duration d . Now, referring to Feldman's own example in his 1997 article, consider the following:

J₁: Mary is taking intrinsic pleasure to degree +3 at t in the fact that she is having beers with friends at t .

Feldman notices that Mary may take different amounts of pleasure within that duration, so that

J₂: Mary is taking intrinsic pleasure to degree +2 at t_1 in the fact that she is having a beer with friends at t_1 .

J₃: Mary is taking intrinsic pleasure to degree +1 at t_2 in the fact that she is having a beer with friends at t_2 .

If J₁ is a basic hedonic state, then J₂ and J₃ are also necessarily basic hedonic states. Given that basic hedonic states are not basic because they are not analyzable, but because they represent the inherent properties of a certain state of affairs, this is fine. J₂ and J₃ are parts of J₁.

Now, suppose Mary enjoys the first couple of beers immensely, the next few less so, and finds herself displeased by the fifth and sixth beers. During the time she drinks the beer, the inherent properties of the state of affairs remain unchanged—it is still Mary, drinking beer with the same people, in the same place, under the same conditions—whatever Feldman might refer to as evidence that Mary's pleasure is inherent to the state of affairs.

This scenario suggests that Mary's experience with six beers would also indicate that:

K₁: Mary is taking intrinsic pleasure to degree +3 at t_1 in the fact that she is having a beer with friends at t_1 ,

K₂: Mary is taking intrinsic pleasure to degree +3 at t_2 in the fact that she is having a beer with friends at t_2 ,

K₃: Mary is taking intrinsic pleasure to degree +2 at t_3 in the fact that she is having a beer with friends at t_3 ,

K₄: Mary is taking intrinsic pleasure to degree +1 at t_4 in the fact that she is having a beer with friends at t_4 ,

K₅: Mary is taking intrinsic pleasure to degree -1 at t_5 in the fact that she is having a beer with friends at t_5 ,

K₆: Mary is taking intrinsic pleasure to degree -3 at t_6 in the fact that she is having a beer with friends at t_6 ,

which should mean, overall

K: Mary is taking intrinsic pleasure to degree +5 at t in the fact that she is having beers with friends at t .

For every basic state K, there must be an infinite number of K_n that are experienced within the duration d . So, $K = \{K_1, K_2, \dots, K_n\}$ and $t = [t_1, t_2, \dots, t_n]$.

The concept of basic hedonic states necessarily implies the temporal extension of states. For instance, K₄ can span t_3 to t_5 , representing a specific duration and a corresponding state of affairs, K₃₋₅. The crucial task, then, is to identify any state of affairs within this set that does not share the intrinsic properties of the overall K. Each K includes the fact that Mary is having beers with friends. However, this could encompass moments when Mary is not actively drinking—perhaps waiting for her next beer or simply taking a break. It might also involve different friends, as some may join later, leave the table after a few beers, or the group may even relocate to another pub. Thus, neither the act of drinking beer nor the presence of specific friends appears to be inherently tied to the experience of *having beers with friends*. What remains constant is Mary herself and the way she engages with the overall experience. It is her perspective and attitude toward the experience as a whole that

define its hedonic quality, rather than any single intrinsic property of the external elements.

If so, then why don't we also add K_0 at t_0 as the moment the state just begins, or K_{-1} at t_{-1} as the moment Mary walks into the bar? I am not saying that we must, but we certainly can. We may define another state of affairs such that

L: Mary is taking intrinsic pleasure to the degree +4 at t in the fact that she is having a night out.

Here, L could include a set of states of affairs that is

$$L = \{L_1, L_2, \dots, L_{n-m}, \dots, L_n\}$$

where $L_{n-m} = K$. If all relevant properties of K are inherent to K, as Feldman suggests, then all relevant properties of L are inherent to L. So, L is a basic hedonic state too. If we extend it once more and focus on the fact that, let's say, Mary has a night out and misses a deadline at work, we may end up with

R: Mary is taking intrinsic pleasure to degree -2 at t in the fact that she has a night out and misses a deadline at work.

R could then include a set of states of affairs that is

$$R = \{R_1, R_2, \dots, R_{n-m}, \dots, R_n\}$$

where $R_{n-m} = L$. Now, Mary missing a deadline is not anymore external to the basic hedonic state.

My purpose is not to present trivial arguments against Feldman's concept of basic hedonic states. Rather, it is to demonstrate that any experience of a fact could qualify as a basic hedonic state, which ultimately undermines the entire concept. This leads to a critical decision point: either basic hedonic states do not exist, or they exist only as non-analyzable components within a broader set of states of affairs. Only under the latter interpretation could we meaningfully distinguish between basic and

non-basic states. However, since this interpretation renders the concept meaningless—due to its inability to provide a clear or practical distinction—I argue that basic hedonic states are not useful.⁵

2.4 Final value and context-dependency

Feldman argued that pleasure is not necessarily a feeling but rather propositional, and I agreed with this view. However, Feldman also argued that intrinsic value is borne by basic hedonic states, a claim I opposed. This entire debate, from Moore to Feldman, seeks to uphold—albeit partially—the concept of intrinsic value, or the notion of intrinsic value.

Feldman, for example, defends the idea that basic hedonic states bear basic intrinsic value, yet he also proposes (as I will explain in detail later) a desert-adjusted axiology that incorporates desert considerations to define end value, rather than relying solely on pleasure. Nonetheless, when addressing the concept of intrinsic value, Feldman remains committed to Moorean principles. Even in his desert-adjusted axiology, desert is not treated as conditional to anything else. Pleasure is taken as intrinsically valuable, with desert enhancing or mitigating its value.

Another group of philosophers defends the concept of conditionalist end (or final) value as an alternative to Moorean intrinsic value.⁶ This position is commonly referred to as *conditionalism*. Jonas Olson defines conditionalist final value as follows:

FV: The value of some F is final if and only if the value of F is such that it is non-contributory, i.e. if F is not (merely) valuable as a part of a valuable whole, and non-derivative, i.e. if the value of F is not derived from the (final or non-final) value of something else (this rules out for instance merely

⁵ Similar concerns about Feldman's account are expressed by Zimmermann (2007).

⁶ Among them one shall find Korsgaard (1996), Kagan (1998), O'Neill (1992), Rabinowicz and Rønnow-Rasmussen (1999).

instrumental values, since this is a species of derivative value). (Olson, 2004, pp. 34-35)

This discussion originates with the Moorean principle of *organic unities*, which asserts that the final value of a whole (or the intrinsic value of its parts) cannot be conditional upon anything else. In contrast, Olson's definition of final value, along with the conditionalist approach more broadly, permits certain non-derivative dependencies, such as context dependency:

[A]ssume that the final value of *F* is dependent on its context *C*. First, It is not the case that the value of *F* here is merely contributive, since, *ex hypothesi*, it is *F* that is finally valuable and not the whole, *C*, in which *F* appears (*C* may be devoid of value, or *C* may be valuable, not for its own sake, but for the sake of *F* appearing in it). Second, to say that the final value of *F* depends on its context *C* is not to say that the value of *F* is derived. The dependence relation that holds between the final value of *F* and *F*'s appearing in *C* is not a relation of derivation, but of supervenience. Supervenience and derivation are different kinds of dependence relations. (Olson, 2004, p. 35)

Now, let's reconsider the states of affairs Mary finds herself in. This time, I will appeal to FV and try to find out if it gives us a better understanding.

Mary spends a night out with friends and enjoys it. The next day, however, she suffers due to the missed deadline. Both the pleasure she experiences during the night out and the displeasure she feels the following day are dependent on the specific context Mary finds herself in. In a different context—say, a world where missing that deadline leads to her being fired and becoming homeless (and she is aware of this)—she likely wouldn't even consider going out, and if she did, she probably wouldn't enjoy it. Conversely, in a context where missing the deadline has no real consequences, she might go out without any guilt or discomfort the next morning.

Neither the pleasure nor the displeasure she experiences in these scenarios is derived from a further valuable state of affairs, meaning there is no derivative

relationship. Unlike, for instance, the taste of the beer (which could be considered contributory), the overall pleasure or displeasure she experiences is not contributory either. By contrast, the pleasure she gets from drinking the third beer might be seen as contributory, or the value of listening to her friends' ordinary stories could be considered derivative.

Depending on the context (which undoubtedly includes personal preferences and tendencies), one may feel good, bad, or neutral about the entire experience. It's not that the context itself possesses the final value of a particular state of affairs, but rather that it provides the necessary foundation for that state of affairs to exist in the first place. In contrast to mainstream Mooreans—who would argue that if Mary's night out is good in itself, it must be good in all possible worlds—Sidgwickians—who focus on the desire to prolong the experience—and Feldman, I propose that *context* determines whether a state of affairs bears (let us say, non-instrumental) value or not. Once again, I emphasize supervenience over derivation in this determination.⁷

Let's define three contexts. All else being equal:

C₁: Mary's work schedule is loose, so that if she misses the deadline, she will be tolerated.

C₂: Mary's work schedule is tight, so that she will be displeased about the consequences of missing the deadline.

C₃: Mary's work schedule is tight and this deadline is vital for her to keep her job.

Now, consider Mary within context C₃, where it would (intuitively) be a disastrous decision for her to go out. Suppose she makes this poor choice and goes out anyway,

⁷ I say more on supervenience in the next chapter.

fully aware of the terrible consequences she will face. In such a scenario, it is plausible to say she would not experience pleasure. The same people, the same beer, the same place, and the same conversations—if Mary were within context C_1 , the decision might not be a bad one, and she could have a pleasant experience instead. The pleasant state of affairs she finds herself in within C_1 can be said to have positive final value; similarly, the unpleasant state of affairs she finds herself in within C_3 can be said to have negative final value. In both cases, the states of affairs are the sole bearers of pleasure (or displeasure) as non-instrumental value. Here, pleasure is conditional upon the context, but not upon *any further instrumental or non-instrumental value*.

2.5 Context-dependency of pleasure and desert

Final value (FV), with its flexibility to account for context-dependent considerations, offers a suitable way to move beyond the concept of intrinsic value. I favor this approach because the term *intrinsic*—even when loosely defined—inevitably carries naturalistic or essentialist connotations. My primary concern with the concept of *ethical* value, and I believe this concern resonates with many others, is to define it in a way that rationally explains what makes a particular state of affairs ethically preferable.

Many ethical theorists, particularly within the consequentialist tradition, have sought to construct universally acceptable ethical frameworks. The concept of intrinsic value is appealing in this endeavor because it provides a basis to claim that certain acts are morally right or wrong, irrespective of context. This is also why hedonism has been so attractive to many.

It is undeniably appealing to assert that, despite our differences as sentient beings, we all seek to avoid undesired pain—making pain bad no matter the context. Similarly, the positive value of pleasure is often explained in this way. On the other hand, Feldman’s appeal to the intuition that it is better when people get what they deserve seems almost equally compelling. States of affairs involving undesired pain can indeed be bad, just as pleasant states of affairs can be quite good on a personal level. However, we also tend to feel that pleasure is less commendable when it is undeserved. This is where the appeal of Feldman’s Justicism lies—a view that will be explored in detail in the next chapter.

If we understand ethical value as final value (FV), then, alongside the basic and intuitively appealing assumptions we make about the value of pleasure, we can incorporate a form of contextualism into value theory. For instance, if we assert that it is better when one gets what they deserve, we are faced with two options: either we assume that desert considerations are context-independent and universally applicable, or we accept the idea of context dependency.

In the latter case, we would say that deservingness influences the goodness of pleasure (or the badness of pain), but the extent and nature of this influence depend on the specific context. This project advocates for the latter view, but first, let me explore the former.

I will say more about Feldman’s desert-adjusted axiology in the next chapter. For now, I will briefly outline his key statements regarding how desert influences the goodness of pleasure, using this as an example of non-contextualist conditionalism.⁸

⁸ I have also noted that Feldman’s attempt to define basic hedonic states reflects an effort to preserve Moorean (intrinsicist) principles regarding intrinsic value. At the same time, it is evident that his justicized utilitarianism is grounded in a conditionalist assumption—that the intrinsic goodness of pleasure can be enhanced or mitigated by deservingness. In Feldman’s framework, it seems that both principles coexist, suggesting their compatibility. However, I am not taking a stance for or against this compatibility here.

Pr1: Positive desert enhances the intrinsic goodness of pleasure.

Pr2: Negative desert mitigates the intrinsic goodness of pleasure.

Pr3: Neutral desert neither enhances nor mitigates the intrinsic goodness of pleasure.

Pr4: Positive desert aggravates the intrinsic badness of pain.

Pr5: Negative desert mitigates the intrinsic badness of pain.

Pr6: Neutral desert neither enhances nor mitigates the evil of pain. (Feldman, 1995)

These principles form the foundation of Feldman's justicized utilitarianism. Consider Pr1, which posits that positive desert enhances the intrinsic goodness of pleasure, regardless of the context. For example, if someone deserves 10 units of pleasure and receives 10, the overall value of the situation would amount to 20 units—again, irrespective of context. The same reasoning applies to Pr2, Pr4, and Pr5. If we evaluate deservingness in terms of moral worth, Pr4 would suggest that a morally unworthy person experiencing good outcomes is not as valuable as a morally worthy person experiencing the same. Furthermore, it could intuitively be argued that a morally very unworthy person attaining significant welfare is not just less good, but potentially bad for the world.⁹

Consider Andrew, who owns a steel factory in the late 19th century—a time when workers' rights were scarcely recognized. He forces his employees to work under deplorable conditions for little to no pay. One day, the workers go on strike. Rather than negotiating, he resorts to violent measures, resulting in the deaths of hundreds. Ruthlessly exploiting others to build his wealth, Andrew becomes one of the richest individuals in the United States. However, Andrew also becomes a

⁹ Feldman too mentions this in the very same article. (Feldman, 1995).

prominent philanthropist, donating generously to universities, foundations, and thousands of people in need. By the end of his life, he is celebrated as one of the most famous philanthropists in American history.

From an intuitive standpoint (which is sufficient for now, as Feldman's framework lacks a more precise tool for evaluating moral worth), it is easy to argue that Andrew can be seen as both morally worthy and unworthy. For some, Andrew's actions may render him a monster. For others, his philanthropic deeds might outweigh his sins. Some might argue that charity cannot compensate for moral failings, while others could point to the countless lives that were improved because of Andrew's contributions and legacy. This duality highlights the complexities involved in assessing moral worth in cases like his.

Feldman's theory is not a theory of moral worth, so the problem of evaluating Andrew's moral worth is not necessarily a direct threat to him. But it is an indirect one. Suppose the question is whether we should give Andrew some more happiness or not. Feldman's theory would say that giving him more happiness will increase the value of this world if he deserves it. If not, it may make the world worse. As it stands, this suggestion is not applicable, as we still need a theory of moral worth. Suppose we have three main theories of moral worth: A, B, and C. A suggests that Andrew's moral worth is determined by every single morally loaded decision he made in the past. So, theoretically, one could get a list of his good and bad deeds and decide if he deserves more or not. Let A be a theory of objective actual moral worth.

B, on the other hand, may suggest that an objective rundown of Andrew's past actions is impossible to make, yet one may refer to what is known about Andrew's past. In light of what is known, one may decide whether it is more likely

for Andrew to have a morally good character or not. Call this a theory of objective expected moral worth.

Finally, let C suggest that Andrew's current moral character and moral worth are not necessarily a result of all of his past deeds, as people may change. So, his moral worth should be determined with reference to who he is now and not who he was 40 years ago. Call this a theory of subjective (expected) moral worth.¹⁰

Feldman's theory cannot accommodate C, as C allows for subjective evaluations of moral worth. Andrew might be a very nice person as I know him, but he could be terrible in someone else's view. If the goodness of pleasure is intrinsic within the same state of affairs, then how can it be both enhanced and mitigated? One of these assessments must be wrong. Thus, Feldman's theory requires an objective understanding of moral worth. A is clearly more compatible with Feldman's framework, but it could lead to practical issues since compiling an objective list of all morally loaded actions is impossible. B emerges as the most plausible approach concerning Pr1 – Pr6. However, it still involves some reliance on the context in which Andrew's moral worth is evaluated. Such epistemic constraints can be highly subjective and context-dependent. That said, in theory, one could gather all available information about Andrew and form a fairly reliable opinion about his moral character. If we are charitable enough, we might say that a B-like theory of moral worth could work within Feldman's framework without necessarily appealing to contextualism.

But this—the ways moral worth or deservingness can be understood—is not the only issue with the non-contextualist framework. Even if we were to develop the

¹⁰ I define A, B, and C only for the sake of argument.

perfect theory of moral worth to support the framework, we would still face conflicting intuitions about how deservingness influences the goodness of pleasure.

Suppose that a person P receives just a little more than they deserve, while everyone else relevant receives exactly what they deserve. Now, compare this to a scenario where P gets the same, but the rest of the people receive less than what they deserve. Intuitively, the latter situation seems worse overall compared to the former. Moreover, alongside the overall worseness of the second scenario, P receiving more than they deserve (albeit just a little) might also seem worse. Now, consider a third scenario where everyone gets exactly what they deserve, except P, who receives just a little less than they deserve. Does the badness of P receiving slightly less than what they deserve weigh the same as the badness of P receiving slightly more than what they deserve in the first scenario? Furthermore, suppose P deserves -10 but receives nothing. Is the badness of not receiving what they deserve equivalent to the badness of a scenario where P deserves 10 but receives nothing? Is the former as bad as the latter?

Such questions raise further inquiries about merititarianism. Should we strive for a perfect fit between deservingness and receipt, or not? Should we consider the ratio between deservingness and receipt to evaluate injustice, or should we simply assess the absolute difference between the two? Alternatively, should we adopt a weighted method of calculation to determine the degree of justice or injustice?

I will leave these questions aside for now, as they will be addressed in the next chapter. However, the intuitions raised by such questions demonstrate that context matters—particularly when we seek to understand the extent to which deservingness influences the felicific calculus. This is the primary reason I appeal to

final value (FV) and conditionalism. I argue that context dependency is essential in desert-adjusted axiology.

If the goal is to incorporate our intuitions about justice, distribution, or fairness within consequentialism (and to build an axiology that supports this effort), a contextualist axiology will likely outperform a non-contextualist one. At this juncture, I aim to (1) further explore the concept of contextualism in axiology within ethics, and (2) demonstrate that it may offer better tools for achieving a kind of reflective equilibrium between our intuitions and the theory of value. The next chapter explores three major proposals to desert-adjusted axiology by three major philosophers. After critically discussing them as preliminaries, I will turn back to developing contextualism.

CHAPTER 3

DESERT-ADJUSTED AXIOLOGIES

In this chapter, I explore three significant perspectives on desert-adjustment within axiology. I begin by explaining Feldman's Justice-Adjusted Hedonism. Then I progress to Arrhenius' meritarian axiology. I conclude with Skow's dimensional analysis.

One thing to note is that this chapter focuses on Feldman's, Arrhenius', and Skow's proposals without extensively discussing the conceptual challenges these approaches may face. For instance, Feldman's understanding of *justice*, which posits that justice is done when everyone gets what they deserve, may turn out to be insufficient for many. Similarly, the quantification of welfare and desert values can be challenged. Feldman, Arrhenius, Skow, and many others, including myself, concentrate on a convenient way to adjust utility for justice with respect to assumed definitions of concepts and methodological assumptions taken for granted. Lastly, this chapter only critically explores these ideas. It leaves suggesting an alternative (and better, as I claim) account for the next chapter.

3.1 Feldman's axiology

Fred Feldman engages with John Rawls' critique of utilitarianism and offers a response that challenges the perception that utilitarianism lacks sensitivity to justice. In constructing his argument, Feldman introduces a distinctive axiological framework for his theory of *justicized act utilitarianism* (JAU). JAU seeks to harmonize with our intuitions regarding justice by proposing a novel formula for determining *intrinsic value*. This formula introduces a dynamic interplay between

welfare and desert, resulting in a *contribution value* that significantly differs from the conventional understanding. In contrast to mainstream utilitarian theories, where the contribution value is often considered identical to the welfare value, JAU recognizes the critical importance of deservingness. According to Feldman, it is essential to acknowledge that the moral significance of welfare is heightened when it is perceived as deserved. This directly challenges the traditional utilitarian perspective.

Feldman outlines six propositions to articulate his desert-adjusted axiology. These propositions (listed below) serve as the foundational principles guiding JAU and provide a comprehensive response to Rawls' criticism while addressing the broader discourse on justice within the utilitarian framework.

- Pr1: Positive desert enhances the intrinsic goodness of pleasure.
- Pr2: Negative desert mitigates the intrinsic goodness of pleasure.
- Pr3: Neutral desert neither enhances nor mitigates the intrinsic goodness of pleasure.
- Pr4: Positive desert aggravates the intrinsic badness of pain.
- Pr5: Negative desert mitigates the intrinsic badness of pain.
- Pr6: Neutral desert neither enhances nor mitigates the evil of pain. (Feldman, 1995)

This axiology is called *justice-adjusted hedonism* (JH). JH is argued to have the capacity to capture and resonate with our justice-sensitive intuitions. In formulating JH, Feldman starts with a foundational assumption rooted in a prevailing understanding of justice: an ideal that is realized when individuals receive their due share of goods and evils *in accordance with their deservingness* (Feldman, 1995, p. 573). In essence, by adopting JH as the guiding axiological principle, JAU is designed to navigate justice-related intuitions. Feldman's presupposition of justice as an allocation based on desert forms the cornerstone for this fusion of hedonistic principles with justice considerations, thus contributing to the justice-sensitive nature of JAU.

Propositions 1 and 2 demonstrate the fundamental relation between pleasure and deservingness. They yield the most significant claim of JH, namely the idea that the value of pleasure is *affected* by desert.¹¹ Propositions 3 and 6 are ostensibly clear and require little elaboration, while propositions 4 and 5 bear a resemblance to 1 and 2 in their functionality, but focusing on the evil of pain. Consequently, my scrutiny will be directed toward 1 and 2. I will explore the intricacies inherent in these propositions and explicate their conceptual foundations. Once these propositions have been scrutinized, a broader critique of Feldman's entire axiology will be undertaken, which will allow for a more comprehensive evaluation of its strengths and limitations.

Pr1: Positive desert enhances the intrinsic goodness of pleasure.

Let's think of a hypothetical scenario to illustrate the potential shortcomings of mainstream hedonist axiology. Consider John, who legitimately deserves 10 units of welfare and indeed receives this amount. Now, imagine Smith, who, undeservingly, receives the same 10 units. According to mainstream hedonist axiology, both scenarios would be deemed equally valuable since the welfare amounts are identical. However, this is precisely where hedonism encounters a stumbling block in capturing our intuitions related to deservingness. Intuitively, it proves challenging to dismiss the notion that the scenario where John receives the welfare is inherently more valuable compared to the one where Smith receives it without deserving it. See Figures 1 and 2 below for a better representation.

¹¹ Thomas Hurka asserts that "Feldman treats desert not as a separate value additional to those of pleasure and pain but as a factor that adjusts those states' values up and down, so undeserved pleasure is purely and simply evil, and deserved pain purely and simply good." (Hurka, 2001, p. 11) I find this interpretation to be rather extreme. As we further engage with Feldman's JH, it becomes apparent that the theory doesn't outright label undeserved pleasure as inherently and unequivocally evil.

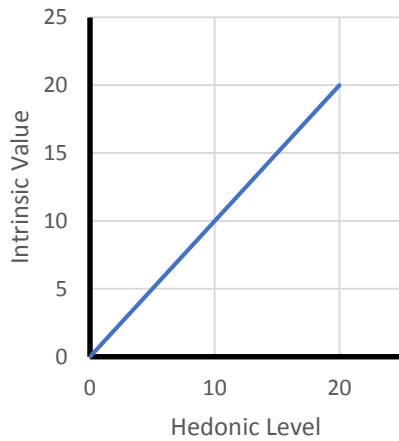


Figure 1. A graph showing the non-adjusted function of intrinsic value and hedonic level.

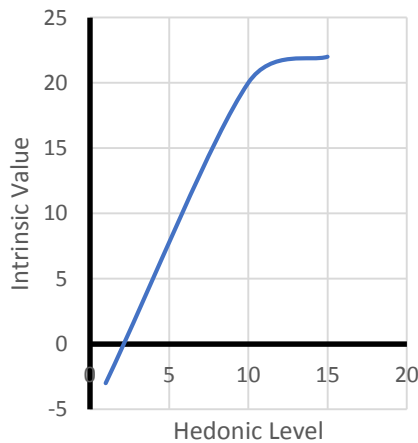


Figure 2. A graph showing the adjusted function of intrinsic value and hedonic level.

Examining both graphs in Figures 1 and 2 under the assumption that deservingness is fixed at 10, a key distinction emerges between hedonism and JH. In the context of Figure 1, hedonism posits that the hedonic level is equivalent to the contribution value, aligning with the IV. However, Figure 2, representing JH, introduces a different perspective by incorporating deservingness. Pr1 in JH asserts that 10 units of welfare received are enhanced to 20 units of intrinsic value as it is deserved.

Two notable observations arise from Figure 2. First, in line with Feldman's elucidation, when the receipt surpasses deservingness, the intrinsic value ceases to increase. This reflects the idea that receiving more than what one deserves is not inherently good, or, at least, not as good as deserved welfare. The second figure, albeit a replication of Feldman's original work (Feldman, 1995, p. 576), lacks precision. It effectively communicates the intrinsic negativity associated with receiving no welfare, though, of course, only when there is a deservingness claim. Overall, Pr1 operates under the conditions that (1) there is some receipt, and (2) the receipt does not exceed deservingness. This underscores the fundamental idea behind justice-adjusted hedonism, which considers both the presence of deserved welfare and the desired fit between welfare and desert values. The dynamics depicted in Figure 2 challenge conventional hedonistic axiology and offer a more intricate understanding of value in the context of justice-sensitive intuitions.

Pr2: Negative desert mitigates the intrinsic goodness of pleasure.

According to Pr2, when an individual with a negative desert value receives a certain amount of welfare, the intrinsic goodness of this welfare reception is mitigated. Similar to Pr1, Pr2 underscores that a discrepancy between desert and welfare values results in a mitigated IV. To illustrate this, consider a scenario where an individual with a deservingness of -10 receives 10 units of welfare. In this case, Pr2 implies that the intrinsic value remains neutral, suggesting that the negative desert effectively counteracts the positive aspect of the welfare received. In essence, the presence of negative desert nullifies the inherent goodness of the received welfare up to a certain extent.

Feldman takes this argument further and asserts that if an individual has an extremely low deservingness, indicating that the person only deserves suffering, the

reception of welfare might even lead to a negative IV. In this scenario, letting such a person receive welfare is considered intrinsically bad. This challenges the conventional notion that welfare reception is universally positive. Acknowledging potential controversies, it's important to note that even Feldman himself characterizes the notion of extremely low desert values resulting in negative intrinsic value as *extreme* (Feldman, 1995, p. 577). In light of this characterization, it is more plausible to treat this concept with caution and perhaps view it as an exploratory idea rather than an integral component of JH.

There are two ways to understand the relationship between IV and desert. One involves achieving a desired fit between deservingness and welfare and suggesting that the optimal outcome arises from a perfect alignment between the two. The alternative approach relies on the distribution of welfare according to merit. In this perspective, the intuitively appealing concept is to provide individuals with what they deserve, and injustice occurs when this principle is not followed. In essence, the merit idea posits that receiving what one deserves holds intrinsic value.

Feldman's axiology seems to bridge these two perspectives, as both ideas can be found in his writings. Particularly, Pr1 and Pr2 appear to endorse the merit idea by emphasizing the importance of individuals receiving what they deserve. On the contrary, Feldman also introduces the following perspective:

An outstandingly good sort of case is the one in which desert and receipt match precisely. If a person fully deserves a certain good, and receives that good, then the value of the world is substantially increased. Two factors work in concert. In the first place, there is the fact that someone has received some good. In the second place, there is the fact that justice has been done—the recipient deserved precisely the good that he received. As a result, there is a sort of enhancement of value. The value for the world of his deserved receipt in this case is greater than the value received by the person, taken just by itself. (Feldman, 1995a, p. 197)

Two significant points require attention here. Firstly, it is evident that there is an inherent appeal to the fit idea. Secondly, Feldman introduces a distinction between the personal value of the receipt and its value for the world. As he proceeds, he states the following:

A less good case is the one in which a person receives a certain good, but does not deserve it. Brentano's remarks suggest that in this case, the good is valuable for the person, but not for the world. The world is not made better by this person's receipt of that good, since he does not deserve to be having it. Thus, lack of desert mitigates the value of a good. (Feldman, 1995a, p. 198)

The distinction between personal value and value for the world becomes evident.

Based on the earlier quotations, one might assert that the mismatch between deservingness and welfare diminishes the overall value of the world. However, the personal value of the receipt remains significant, as Feldman appears to maintain a form of hedonism where he does not entirely dismiss the intrinsic value of receiving welfare. In cases where a person deserves a certain amount of welfare but receives less than deserved, Feldman argues that it is a matter of degree. If an individual receives only a tiny fraction of what they deserve, it is nearly identical to receiving nothing in terms of value for the world. Conversely, if they receive an amount close to what they deserve, it is nearly as good as a perfect fit (Feldman, 1995a: 198).

The distinction between personal value and value for the world becomes particularly relevant when considering the scenario in which a person deserves a certain amount of welfare but receives nothing. According to Feldman, in such cases, the value for the world is deemed negative, indicating a deterioration in the overall state of affairs when a deserving individual goes unrewarded. However, for the individual themselves, nothing changes; they do not find themselves in a state of affairs worse than a moment ago. The deserving person continues to live the same

old life, while the world experiences a decline due to the absence of the welfare deserved by that individual:

In this case, the experience (or lack of experience) has no value for the person. However, in virtue of its injustice, it has negative value for the world. The world is made worse when a deserving person fails to receive what he deserves. (Feldman, 1995a, p. 199)

All in all, it is clear that JH honors the fit idea as well. Considering both the tension between fit and merit ideas, as well as the utilization of the distinction between personal value and value for the world, I contend that Feldman's theory (1) fails to establish a consistent axiological framework, thus inadequately addressing our justice-sensitive intuitions, and (2) either lacks precision or is afflicted by arbitrariness. I will elaborate on these issues in the following order.

Persson (1997) posits that there are three avenues for comprehending the justice element within Feldman's JH: the fit idea, the merit idea, and a fit-merit hybrid account. As demonstrated earlier, he argues that Feldman's JH appears to encompass both the fit idea and the merit idea. Therefore, one could make the case that JH is a fit-merit hybrid account. He argues that “[Pr1] is misleading in claiming, without qualification, that positive desert 'enhances' the intrinsic goodness of pleasure: this occurs only if there is a rough fit between this desert level and the pleasure received” (Persson, 1997, p. 326).

While Pr1 itself may not explicitly endorse the fit idea, Feldman, as noted elsewhere, does entertain the concept of fit (Feldman, 1995a, p. 197-199). Contrarily, Pr1-Pr6 seem to advocate for the merit idea. This creates an inherent tension within JH, as the value of receiving deserved welfare may eventually diverge from the value of fit between deservingness and welfare levels. Persson ultimately contends that neither the merit idea nor the hybrid account successfully incorporates justice into classical hedonist axiology.

At this juncture, it is apparent that Feldman's theory introduces different perspectives on understanding the relation between deservingness, welfare, contribution value, and the IV. This reveals a lack of internal consistency. This lack of coherence may lead to conflicting judgments concerning the relationship between deservingness and received welfare, potentially indicating that Feldman's theory falls short in adequately capturing our justice-sensitive intuitions. However, an alternative perspective suggests that the inconsistency may not be a failure on the part of Feldman's theory but rather a reflection of conflicting intuitions. In such a scenario, the objection from the fit-merit account might not be as robust. The ensuing discussion will further support or challenge these objections and shed light on the complexities within Feldman's axiological framework.

Another challenge for JH is presented by Carlson. Carlson argues that JH fails to overcome the objection from justice. Consider the following case I borrow from him represented in Table 1:

Table 1. Carlson's Initial Thought Experiment

Case 1	Option	A's receipt	B's receipt	Total value
A's d-value: 0	a	101	-100	1
B's d-value: 0	b	0	0	0

With reference to Pr3 and Pr6, Carlson asserts that JH favors option *a* over option *b* (Carlson, 1997, p. 309). However, when there is neutral deservingness for both A and B, JH does not outperform classical hedonism. An evident injustice arises in this scenario, highlighting that JH fares no better than hedonism in acknowledging such instances. Carlson proceeds to examine another case wherein A's desert level is 10, and B's is 0, represented in Table 2:

Table 2. Carlson's Developed Thought Experiment

Case 2	Option	A's receipt	B's receipt	Total value
A's d-value: 10	a	10	-19	1
B's d-value: 0	b	0	0	-5

In this scenario, considering A's positive desert according to Pr1, Carlson contends that A's receipt is augmented—following Feldman's illustrations, this enhancement is assumed to be 20. Consequently, the total value of option *a* is 1. On the other hand, option *b* implies that no one receives anything. Since A deserves 10 but receives nothing, Carlson, in line with Feldman's own examples, calculates the total value for option *b* as -5 (Carlson, 1997, p. 310). Based on these calculations, option *a* appears to be preferable for JH. However, this outcome proves counterintuitive, as it results in a blatant injustice to B. In this particular case, JH performs even worse than classical hedonism, as hedonism would straightforwardly sum up the receipts and endorse option *b*.

Case 1 illustrates that JH can exhibit insensitivity to justice considerations in specific circumstances. Meanwhile, Case 2 demonstrates that, under certain conditions, JH may advocate for even more counterintuitive options compared to classical hedonism. It's crucial to note that precision plays a significant role here, as Feldman's quantifications, while serving illustrative purposes, lack exactitude. Even considering this aspect and temporarily setting aside the objection related to justice sensitivity, a persistent issue emerges: the lack of precision results in a quantitative ambiguity. This renders the axiology less functional.

Wigley provides another example supporting these objections, utilizing a well-known thought experiment involving a small town grappling with a murder. In this scenario, the sheriff faces two options: either leaving the case unsolved due to

the presumed impossibility of catching the murderer or framing an innocent individual (let's call him John) to appease the townspeople. This thought experiment is commonly employed to highlight the potential counterintuitiveness of classical utilitarian considerations. The argument posits that classical utilitarian calculus might endorse wrongly accusing an individual, as the pain caused by the false accusation could be less than the pleasure derived from the relief experienced by the townspeople. Consequently, classical utilitarianism is criticized for being insensitive to justice considerations in such instances.

Wigley employs this thought experiment to assess whether JH fares better than hedonism within the consequentialist framework. Table 3 below is borrowed from Wigley (2012, p. 471):

Table 3. Wigley's Thought Experiment

Actions:	IV-John	IV-Townspeople	IV-Total
Accuse John	H: -800 JH ₁ : -1600 JH ₂ : -900	H: 810 JH ₁ : 700 JH ₂ : 800	H: 10 JH ₁ : -900 JH ₂ : -100
Not accuse John	H: 30 JH ₁ : 100 JH ₂ : 40	H: -700 JH ₁ : -800 JH ₂ : -710	H: -670 JH ₁ : -700 JH ₂ : -670

Let this be Case 3.¹² Wigley contends that JH proves superior in capturing our justice-sensitive intuitions compared to hedonism solely in Case 3 when specific desert values are intentionally assigned. According to the provided table, hedonism asserts that falsely accusing John results in a greater overall positive outcome. However, JH₁ is tailored to introduce a substantial negative value for John when

¹² Case 3 is considered assuming that townspeople's desert level is neutral. See Wigley (2012, pp. 472-473) for a further thought experiment in which the townspeople's desert level is not neutral.

wrongly accused, along with a diminished positive value for the townspeople since the relief is not deserved. Similarly, JH₂ proposes a similar concept with different quantifications. Consequently, Wigley argues

[w]hat this shows is that the axiology, by itself, does not rule out unacceptable harmdoing. It would only block the conclusions like Sheriff I [Case 3] if the intrinsic value of desert was deliberately set in order to achieve that aim. (Wigley, 2012, p. 472)

I have briefly presented the fundamental ideas behind Feldman's JH. Now, let me proceed to the next topic. Before presenting Arrhenius' work, it's crucial to emphasize that both Feldman's JH and the counterpoints presented here are subject to reevaluation, particularly as Feldman's theory requires more attention. I am keeping this discussion brief for the sake of the current argumentative flow.

3.2 The Arrheniusian account

Gustaf Arrhenius proposes a more detailed axiology compared to Feldman. I intentionally avoided defining a contribution function for Feldman's JH, as it may perform differently under different circumstances. However, if one needs to generalize Feldman's contribution function, the following will be the best option:

$$C(w,d) = w + d$$

I have mentioned the tension between fit-idea and merit-idea in the previous section. Feldman's account appeals to both, as discussed. Arrhenius proposes an interpretation of the fit-idea, arguing for a *fit-value* (FV)¹³ between deservingness and welfare. So, instead of summing up w and d –or adjusting w in accordance with d , he argues that justice is done when FV is maximized. Thus, a simple

¹³ 'FV' is used in order to represent 'Final Value' in the previous chapter. For this section, it is aimed to represent fit-value.

representation of the Arrheniusian contribution function (C-Function from now on) will be something like this:

$$C(w,d) = w + FV(w,d)$$

In a population of n number of people, each life will be represented by vectors $\{(w_1, d_1), (w_2, d_2), \dots, (w_n, d_n)\}$. If $P = \{(1, 3), (2, 5)\}$, then w -value of the second person is 2 (Arrhenius, 2007: 6). W -value of the population P will therefore be $w_1 + w_2$ (in this case, 3). D -value of the population will be the sum of d -values of the individuals.

This axiology is called *Additively Separable Fit Meritarianism* (ASFM):

[W]e are going to investigate a version of Meritarianism according to which the intrinsic value of a life equals the sum of its welfare and fit values, and where the fit value is understood along the lines of the fit-idea. Let us call this theory Additively Separable Fit Meritarianism or ASFM for short. (Arrhenius, 2007, p. 6)

So, according to ASFM, $IV(P) = IV\{(w_1, d_1), (w_2, d_2), \dots, (w_n, d_n)\} = IV(w_1, d_1) + IV(w_2, d_2) + \dots + IV(w_n, d_n)$. Now, the crucial part of understanding ASFM is to see how the fit value is defined. Arrhenius discusses two main approaches. The first one is *The First Central Fit-Idea* (call it CFI_1):

The First Central Fit-Idea: The better the fit between receipt and merit, the higher the fit value. (Arrhenius, 2007, p. 9)

CFI_1 seems to provide us with the core idea behind ASFM. Arrhenius discovers possible ways to formulate this idea.

F1-1: If $d \geq w_1 > w_2$, then $FV(w_1, d) > FV(w_2, d)$; and

If $w_1 > w_2 \geq d$, then $FV(w_1, d) < FV(w_2, d)$. (Arrhenius, 2007, p. 9)

F1-1 proposes that, under the assumption of two lives having the same d -value, if both receive more (or less) than what they deserve, then the one with the smallest difference between d -value and w -value holds the highest FV . In other words,

If $|w_1 - d_1| < |w_2 - d_2|$, then

$$FV(w_1, d_1) > FV(w_2, d_2)$$

and, it may follow from F1-1 that

If $|w_1 - d_1| = |w_2 - d_2|$, then

$$FV(w_1, d_1) = FV(w_2, d_2).$$

However, asserting that, for instance, $FV(1, 2)$ and $FV(3, 2)$ are equal appears counterintuitive. Both cases involve a misfit between d-values and w-values, yet the latter (receiving more than what one deserves) seems to be more preferable from an individual's perspective, especially when prioritizing the value of receiving what one deserves. Recognizing the significance of this detail, Arrhenius opts for a further adjustment:

A1: If $|w_1 - d| = |w_2 - d|$ and $w_1 > w_2$, then

$$FV(w_1, d) > FV(w_2, d).$$

so that

[i]f the difference between merit and receipt is the same for two lives with the same merit, and one has more and one has less welfare than she merits, then the former life has the highest fit value. (Arrhenius, 2007, p. 10).

However, in this case, the fit-idea is not given priority. The approach to both prioritize the fit-idea and align with the intuition that receiving more than what one deserves is better than receiving less is elucidated with reference to the IV formula of ASFM, namely:

$$IV(w, d) = w + FV(w, d)$$

So, when $|w_1 - d| = |w_2 - d|$ and $w_1 > w_2$, the intuition underlying A1 is understood through the following:

$$IV(w_1, d) > IV(w_2, d).$$

Another consideration concerning F1-1 is that in a world where everyone receives at least what they deserve, one could argue that justice is achieved, and the remaining distribution of welfare becomes irrelevant in terms of justice (Arrhenius, 2007, p.

11). Taking this into account, Arrhenius revises F1-1 as follows:

F1-2: If $|w_1 - d| < |w_2 - d|$, then $FV(w_1, d) > FV(w_2, d)$; and

If $|w_1 - d| = |w_2 - d|$, then $FV(w_1, d) = FV(w_2, d)$.

Arrhenius states:

If two persons merit the same amount of welfare, and the difference between the first person's receipt and merit is less than (equal to) the difference between the second person's receipt and merit, then the fit value of the first person's life is greater than (equal to) the fit value of the second person's life. (Arrhenius, 2007, p. 12)

F1-2 introduces a symmetry between under- and over-receipt situations when d-levels are identical. The same principle applies to identical w-levels with different d-levels. In light of this, we arrive at the following principle:

F1-3: If $|w_1 - d_1| < |w_2 - d_2|$, then $FV(w_1, d_1) > FV(w_2, d_2)$; and

If $|w_1 - d_1| = |w_2 - d_2|$, then $FV(w_1, d_1) = FV(w_2, d_2)$.

Arrhenius explains:

If the difference between receipt and merit in a certain life is smaller than (equal to) the difference between receipt and merit in another life, then the fit value of the former life is greater than (equal to) the fit value of the latter life. (Arrhenius, 2007, p. 13)

Now, consider the following sample population:

$$P = \{(w_1, d_1), (w_2, d_2)\} = \{(1, 4), (97, 100)\}$$

Suppose that we have 2 units of welfare to be distributed among these two people. If we distribute it equally, then we get

$$P_1 = \{(2, 4), (98, 100)\}$$

whereas if we give 2 units to the first person and nothing to the second, then we get

$$P_2 = \{(3, 4), (97, 100)\}$$

F1-3 will suggest that either $IV(P_1) = IV(P_2)$ or, if it implements a criterion of fairness for such cases, then $IV(P_1) > IV(P_2)$ –the latter is just a possible interpretation, though. So, let's assume the former. It is intuitively challenging to suggest that $IV(P_1) = IV(P_2)$ as in P_1 the first person doubles their welfare level and still, percentage-wise, remains quite far from what they deserve; whereas for the second person, the marginal value of the increase in w-value appears less significant. Considering the marginal value of the first person receiving more welfare, P_2 intuitively appears more preferable. But for F1-3, as $|w_1 - d_1| = |w_2 - d_2|$, the difference between the value of increases in w-levels of two people in P_1 is not recognized.

Arrhenius sees this problem and proposes *The Second Central Fit-Idea* (CFA₂).¹⁴

CFA₂ suggests that “[t]he contributive value of a given increase in fit by a change in the receipt decreases the closer to the merit level one gets.” (Arrhenius, 2007, p. 21) In this manner, Arrhenius progresses towards acknowledging the marginal value of received welfare when an individual is further from what they deserve. He states:

If we can increase the fit between merit and receipt in two lives with the same merit level by adjusting their welfare level up or down by a fixed amount, then the life with the greater difference between receipt and merit will get the greater increase in fit value from the adjustment of its welfare level. (Arrhenius, 2007, p. 22)

In a population of three people, represented as $\{(3, 10), (4, 10), (9, 10)\}$, CFA₂ proposes that distributing a fixed amount of welfare is more valuable when prioritizing those who are farther away from what they deserve. For example, if the total welfare to be distributed is 3, CFA₂ would suggest allocating 2 to the first person and 1 to the second, resulting in the following distribution: $\{(5, 10), (5, 10),$

¹⁴ We observed a consistent emphasis on the marginal value of receipt in various circumstances where the d-level varies in Feldman's discussion as well. See Feldman (1995a, p. 198).

(9, 10)}. Assigning 1 unit of welfare to the first person maximizes value initially, and subsequently allotting another unit to both the first and second persons emerges as the optimal choice. In contrast, giving one unit to the third person, for instance, generates less marginal value. CFA₂ ends up with the following:

J: If a fixed amount of welfare is to be distributed among a certain number of people, then the distribution where each person gets the same difference between her merit and receipt is better than any alternative distribution. (Arrhenius, 2007, p. 26)

Otherwise, it will never be the optimal choice as long as differences persist between the absolute distances of individuals' d-values and w-values. CFA₂, therefore, proposes that to maximize the IV of a given population, it is necessary to equalize individuals in terms of the distance between their w-values and d-values.

At this point, as noted by Arrhenius as well, a challenge arises. This interpretation of CFA₂—let's refer to it as the absolute difference CFA₂—is intuitive when the d-value is the same for everyone in a population. How about the following:

P₃: {(3, 4), (2, 8), (1, 50), (0, 2)}

Suppose we have 20 units of welfare to be distributed. Now, the absolute difference CFA₂ would recommend that, given the third person has the greatest gap between w and d, we allocate all available units to them until we achieve the following situation:

P_{3a}: {(3, 4), (2, 8), (44, 50), (0, 2)}

Then, we may prioritize the second person along with the third, as the absolute difference between both people's d and w values will be the same. We can only prioritize the fourth person after we observe the following:

P_{3b}: {(3, 4), (6, 8), (48, 50), (0, 2)}

And finally, we allocate one unit of welfare to the first person after observing the following:

P_{3c}: {(3, 4), (7, 8), (49, 50), (1, 2)}

This appears counterintuitive. With only 20 units of welfare available, we cannot prioritize anyone but the third person.

Arrhenius, responding to this problem, argues that we may as well suggest a *proportional CFA₂*. Proportional CFA₂ is defined as follows:

If we can increase the fit between merit and receipt in two lives by adjusting their welfare level up or down by a fixed amount, then the life with the smallest proportion of receipt relative its merit will get the greater increase in fit value from the adjustment of its welfare level. (Arrhenius, 2007, p. 27)

Now, let's examine our sample population P₃. Proportional CFA₂ suggests that the fourth person should be prioritized for the first unit of welfare, as they receive 0% of what they deserve. Only after the following outcome shall we prioritize the third person:

P_{3d}: {(3, 4), (2, 8), (1, 50), (1, 2)}

Next, we prioritize the third person, and then the second, and finally the third again, considering their ratio of w/d . Let's roughly distribute 20 units of welfare to P₃ and observe the result:

P_{3e}: {(3, 4), (3, 8), (19, 50), (1, 2)}

The absolute difference CFA₂, on the contrary, would suggest the following:

P_{3f}: {(3, 4), (2, 8), (21, 50), (0, 2)}

Given that P_{3e} is more preferable than P_{3f}, it appears that proportional CFA₂ is intuitively more appealing. However, it is still insufficient. For instance, in P_{3e}, when the second person receives one more unit of welfare, the relative difference for them is noticeably greater compared to the difference the third person experiences. In other words, proportional CFA₂ is incapable of explaining the intuitive appeal to the following population

P_{3g}: {(3, 4), (4, 8), (18, 50), (1, 2)}

in which the third person enjoys almost the same amount of welfare, whereas the second person experiences a noticeable difference.

Arrhenius does not assert that his account is comprehensive; moreover, he acknowledges potential counterexamples (Arrhenius, 2007, pp. 27-28). His account is more akin to a toolbox for further research, and I find it quite valuable for the purposes of this work. Both Feldman and Arrhenius encounter challenges when attempting to sufficiently address expectations from consequentialist axiologies. This challenge persists in the proposal I make in the following chapter for two reasons: first, the task itself is inherently challenging, as marginal cases will always be present to challenge even the most robust version of justicized hedonism; and second, the philosophical literature on desert-adjusted axiology is still developing and requires considerable effort to explore further potential proposals.

3.3 Skow's dimensional analysis

In this section, I will briefly talk about Bradford Skow's desert adjustment. I will mostly mention points I find relevant to my project, yet his discussion is far more detailed than my depiction. Skow (2012) begins by reiterating the insufficiency of non-desertist axiology and the need for a desertist one. Then he makes the distinction between qualitative and quantitative considerations of possible desertist axiologies. He points out the multiplicity of possible contribution functions one can come up with in order to build a desert-adjusted axiology, along with the challenge of promoting one over the others. He does the same for possible ways of proving desert and welfare as two commensurable values. Such multiplicities, for him, bring along an arbitrariness when it comes to choosing which way is better than others. Then he

claims a non-arbitrary way of building this commensurability by utilizing dimensional analysis as a method commonly used in physics.

Addressing the distinction between qualitative and quantitative considerations for desert adjusted axiology is a useful way of identifying exactly what part of this study needs attention. By qualitative considerations, I mean considerations about what qualities an axiology should have in order to be sensitive to deservingness. By quantitative considerations, I mean considerations of contribution functions that will sufficiently suggest ways to commensurate desert and welfare values. The qualitative considerations that suggest it is better when one gets what they deserve are the ones that initiate this concern from the beginning, yet the quantitative considerations do seem arbitrary, as different ways to commensurate desert and welfare into a single value representing the value of a possible world could easily have several advantages and disadvantages, always leaving room to surpass the others under certain circumstances. For instance, under certain circumstances, the fit idea explained in the previous section may seem more powerful; however, under certain other circumstances, one may intuitively (and rationally) favor the merit idea. Acknowledging this issue, as Skow does, seems essential to overcome this arbitrariness.

Skow suggests dimensional analysis as a method to commensurate desert and welfare. Desert and welfare values are assumed to be measurable quantities, and there shall be a dimension for any measurable quantity. Some measurable quantities are quite simple in terms of their dimensions (such as length and time). Some, however, are more complex (such as length/time). Here, length will be the dimension of, for instance, how tall a building is. Length/time, likewise, could be the dimension of the speed of a racing car. Such dimensions are dimensions of different variables

(or, as in speed, the relation of different variables). Skow explains the use of dimensional analysis as follows:

One applies dimensional analysis to find the functional relationship between a set of quantities as follows. One starts with a quantity of interest and lists all of the other quantities on which this quantity depends. We might, for example, want to know the impact speed v of an object dropped from rest near the surface of the earth. The impact speed depends on only two other quantities: the height h from which it is dropped, and the gravitational acceleration g near the surface of the earth. We want to find the function f such that $v = f(h, g)$. To find it we use the requirement that $v = f(h, g)$ be *dimensionally consistent*. [...] An equation is dimensionally consistent when the left hand side has the same dimension as the right hand side. For example, Newton's second law $F = ma$ is dimensionally consistent, but neither $F = m$ nor $F = a$ is. (The dimension of a product of quantities is just the product of their dimensions. So the dimension of ma is the product of the dimensions of m (M) and of a (L/T^2 — “meters per second squared”). This product — ML/T^2 is also the dimension of force. So $F = ma$ is dimensionally consistent. (Skow, 2012, p. 15)

If a function is dimensionally consistent, then “it is true no matter what scales of measurement we use” (Skow, 2012: 16). This property is quite useful, as it overcomes the challenge of measuring deservingness —one shall, ideally, be able to say that no matter what scale one uses to measure deservingness, if a contribution function is dimensionally consistent, then it will work.¹⁵

Skow suggests that welfare and deservingness (as deserved welfare) share the same dimension, yet the intrinsic value of a possible world shall have a different one, as the welfare of an individual, for instance, shall not represent the intrinsic value of that possible world the individual lives in (Skow, 2012, p. 17). A contribution function of a desert adjusted axiology, then, shall include more than one dimensions and be dimensionally consistent.

Dimensional analysis, in terms of desert adjustment, is claimed to have three advantages: first, it justifies desert-welfare ratio as the proper way of understanding

¹⁵ This is not a matter of concern for Skow though. See below.

the measure of fit between deservingness and received well-being; second, it simplifies the contribution function as it reduces the number of variables to one; and, third, it (together with further argumentation) may address a specific contribution function as more preferable compared to others (thus solves the problem of arbitrariness in this sense).

The first one actually refers to a major debate within desert adjustment, as we briefly discussed when analyzing Arrhenius' account. The question is straightforward: how shall we quantify the fit between deservingness and received welfare? Skow suggests that w/d is dimensionless, meaning that regardless of the scale of measurement of welfare (both deserved and received), the value of w/d shall stay the same. $w-d$, on the other hand, heavily depends on the scale of measurement, meaning that its value changes as the scale of measurement changes. Both w and d are considered to have the same dimension (aka welfare), yet this makes $w-d$ dependent on that dimension, making it sensitive to the changes in the scale of measurement. This is not desirable within Skow's account, as we need to look for dimensional consistency and be able to talk about the ethical value (or disvalue) of someone's getting, for instance, half of what they deserve, regardless of the amounts or the scales of measuring the deserved or received welfare has.

It would be plausible to claim that there shall be other ways to formulate a relation between welfare and deservingness without making the formulation dependent on the scale of measurement, as long as we take a sort of ratio, our formula may well be dimensionless. For instance, instead of w/d , I may use $2w/d$, which shall protect the dimensional consistency within any function it is used. Thus, we shall not only look for a formula that is not dependent on scales of measurement; we also need one that represents our desert-sensitive intuitions well enough.

Anything beyond w/d , however, shall need further explanation and will most probably depend on further assumptions. w/d , on the other hand, can already appeal to certain intuitions of ours, such as the implausibility of getting only half of what is initially deserved.

I will not get into the downsides of defending w/d in detail here, as those matters are partially covered in the previous section (and shall be covered in the next chapter). We may very briefly mention that w/d does not provide us with anything useful when people deserve things but get nothing, as $x/0$ shall be undetermined. Likewise, w/d shall not recognize the possible (intuitive) difference between certain cases, such as the difference between deserving a lot but getting only half and deserving very close to nothing but still getting only half—both shall be considered ethically problematic, but the former shall intuitively bring out more discomfort at the very least, and one may reasonably argue that deserving 1000 and getting only 500 is worse than deserving 2 and getting 1.

Apart from proposing the ratio account of fit, Skow suggests that dimensional analysis shall reduce the amount of complexity (also referred to as the problem of arbitrariness). The previous section is a very good example of this: Arrhenius talks about several plausible ways of formulating the contribution function for a desert adjusted axiology. All may have equal strength in terms of explainability. One can come up with more, each having certain strengths and downsides, and may end up inconclusive.

Skow suggests that eliminating dimensionally inconsistent functions shall significantly reduce the number of candidate contribution functions. It is correct, looking at different attempts to commensurate deservingness and received welfare,

that people are attempting to formulate a function with two variables, which may be considered as one of the reasons behind certain complexities.

He suggests that any contribution function that is designed to develop a desert-adjusted axiology shall try to plausibly incorporate one's deservingness and how well the receipt of welfare fits the deservingness. Both w and d have the same dimension (let's say utility, or E as Skow does). C , as the value of the contribution function represents a different value (intrinsic or non-instrumental value in this sense), shall have a different dimension. Call it V .

The fit function $g(W/D)^{16}$ is dimensionless, as dimensions cancel each other out. If we are to look for a C that incorporates D and W/D , then we shall have something in the following form:

$$C = D \cdot g(W/D)$$

Yet C shall have a different dimension (V). So, by appealing to the Buckingham π Theorem¹⁷ Skow adds a constant k to the function whose dimension is V/E :

$$C = k \cdot D \cdot g(W/D)$$

Here both W/D and C/kD are dimensionless, as kD has the dimension V (as $E \cdot V/E = V$), which is the same as C .

Skow suggests that any contribution function that is dimensionally consistent shall follow this form. One may find different ways to formulate $g(x)$ and consequently come up with different contribution functions. However one formulates $g(x)$, that specified form shall state that deservingness functions as a fundamental variable when calculating the non-instrumental value. This way, the value of the

¹⁶ From now on, I will use W/D instead of w/d to align with Skow's notation.

¹⁷ The Buckingham Pi Theorem allows us to interpret the relation between different variables that define a physical problem in a dimensionless, so that the initially complex problem can be reformulated into a simpler and generalizable form. I will not be providing a comprehensive analysis of it, as it is far beyond the scope of this project. See Evans (1972) for further explanation.

function shall vary depending on how well the received welfare fits, regardless of the scale of measurement one uses.

After narrowing down the possible ways of formulating the contribution function, Skow defends a specific formula. Now, the question one shall focus on is much simpler: we need to find a proper way to formulate $g(x)$. Skow suggests two fundamental conditions that $g(x)$ shall satisfy: it must be an increasing function, as it is better when one gets closer to what they deserve; and, it must show the change in marginal value in case of one getting more than what they deserve –recognizing the diminishing value of surplus welfare. He evaluates possible formulations of $g(x)$ and comes up with the following suggestion that satisfies these conditions:

$$C = kD\log(e/2[1 + W/D])^{18}$$

I shall omit a detailed debate on how he justifies this contribution function. I find Skow's emphasis on the arbitrariness (and complexity) quite valuable. However, I argue throughout this project that these problems indicate a fundamental problem behind the will to find a single contribution function. There is (and has been), of course, brilliant work by brilliant philosophers showing how to reduce complexity or increase explainability within (I shall call 'invariantist') studies on desert-adjusted axiology. Yet, I argue that favoring any particular method of representing the fit between deservingness and received welfare, for instance, will always bring out counterintuitivity. Let me explain why.

Desert-adjusted axiology should have the power of explanation in any matter that is loaded in terms of deservingness. This would especially include undeserved welfare, as it is a significant part of the inequality in terms of distribution, which is the exact phenomenon we want our axiology to be sensitive about. It is problematic

¹⁸ See Skow (2012, pp. 22-24) for further justification.

and loaded in terms of deservingness when undeserving people (aka. people with zero deservingness value) receive welfare, albeit only in worlds in which there are other people who deserve more than what they get. w/d , therefore, does not explain situations in which people deserve nothing and get something. One way to avoid this is to appeal to the classical welfarism in such cases, but then the contribution function desert adjusted axiology claims to be useful in general (such as Skow's) loses strength, as theoretically there is no room here for conditional acceptance of a certain contribution function. This is the main reason why I find Skow's suggestion problematic, even if the parts I omitted here prove his contribution function works properly in many different cases. The following chapter will argue that both w/d and $w-d$ may appear to be useful, and axiology does not have to totally disregard one to favor the other.

CHAPTER 4

CONTEXTUALISM IN AXIOLOGY

Contextualism about final (or non-instrumental) value should reasonably be distinguished from ethical or metaethical contextualism. Arguing that the truth conditions of *ought* statements, moral rightness or wrongness, or normativity in general are context-dependent does not necessarily imply that our judgments about non-instrumental value, or its nature, must also be context-dependent.

For instance, one might adopt a Sidgwickian view of pleasure, holding that pleasure is non-instrumentally valuable because it is desired to be prolonged, while simultaneously arguing that the rightness or wrongness of an action—or moral obligations—are context-dependent. However, there are different ways to conceptualize contextualism in terms of value, and these approaches may share certain features with mainstream accounts of contextualism in ethics or metaethics. Let us now explore different ways to formulate contextualism about value.

Consider the statement *John getting 10 units of welfare is non-instrumentally valuable*. If the context is not desert-neutral, then (from a desertist perspective) the truth of this statement will depend on the context. If John deserves 10 units, the statement is more likely to be true. If he deserves -10, it is much less likely to be true. However, one could define a context in which either scenario holds. This means the statement could correspond to multiple distinct propositions, expressed as *John getting 10 units of welfare in context C is valuable*, where *C* specifies the variables of that context, such as John's deservingness or the situations of other relevant individuals. For example, if *C* indicates that John deserves 10 units and receives them at the expense of others' suffering, one might instead argue that *John getting 10*

units of welfare is disvaluable. Let this formulation represent semantic contextualism as applied in axiology.

One could further argue that the truth value of such a statement depends on what one believes to be true about both the value of receiving welfare and John's deservingness. Now, consider Andrew (the philanthropist and murderer). To claim that there is positive value in Andrew receiving more happiness, one must believe that Andrew deserves it.

A contextualist might argue that this belief—or set of beliefs—about Andrew's deservingness constitutes the context that determines the truth value of the statement *Andrew getting more happiness is non-instrumentally valuable*. In a different context, where we believe Andrew's moral worth is low, the statement might instead be false. Let this formulation represent epistemic contextualism as applied in axiology.

One might also propose that it is the social context that determines the truth value of such statements. In different social settings, Andrew may or may not be considered worthy of additional happiness. For instance, within a society of the richest individuals in the US, the context might suggest that Andrew deserves much more, rendering the statement true. Conversely, a group of socialists might (and likely will) strongly disagree. Let this approach be social contextualism as applied in axiology.

The ideas sketched here (and possibly several more variations) point to a form of *total contextualism*, where each context dictates its own value assessment. However, it could be challenging to argue that our evaluations of the goodness of pleasure—or the impact of deservingness on it—should change with every shift in context. After all, contexts may constantly change.

Moreover, a single state of affairs can often be defined within multiple contexts simultaneously. This poses a problem for desert-adjusted axiology, as it highlights the need for precise definitions of relevant contexts. Without such precision, we might be forced to say that Andrew deserves more in one context and less in another, leading to an anything-goes scenario. Such ambiguity would undermine the goal of developing a coherent and robust value theory.

The fundamental issue with hedonism that initiated this discussion is its lack of sensitivity to distribution. In other words, hedonism does not account for certain inequalities in the world. If desert-adjusted axiology is intended to support a more justicized form of consequentialism, it must address this concern. Specifically, it should be able to assert that, irrespective of what a group of America's wealthiest individuals believes or infers, in a world characterized by significant social, political, and financial inequality, further promoting the gains of the advantaged will only exacerbate that inequality. Thus, the problem will persist.

My suggestion is to distinguish between contexts that are supervened by other contexts and those that are not, with respect to desert, so that we will be able to rely on contexts that are not supervened, and may define a more useful form of contextualism.

4.1 Context-supervenience

Let's revisit Mary, the drinker. Mary goes out for a night, misses a deadline, and ends up getting fired. If we assume a theory of final value that is sensitive to deservingness—meaning it accommodates the intuition that it is better when people get what they deserve and worse when they do not—this theory would evaluate the value or disvalue of the state of affairs Mary finds herself in.

If this theory appeals to Olson's definition of final value, it might suggest that this state of affairs is supervened by certain contexts. From a professional context, one might argue that Mary deserves to be fired because she failed to honor her agreement with her employer. Conversely, if Mary has been a responsible employee up to this point, one might argue that she does not deserve to be fired.

In a social context (referring here to Mary's non-work-related social life), one could argue that Mary does not deserve to suffer for an occasional night out, as her social environment contributes significantly to her well-being, and she deserves to enjoy it. Alternatively, one might argue that, as an adult, Mary has not adequately invested in balancing her responsibilities, and therefore, she deserves to suffer the consequences.

In yet another context, one might consider that Mary has been supporting her family and has been overwhelmed. In this case, her getting fired could result in undeserved suffering for both her and her family.

The concepts of *desert* and *context* have been used somewhat loosely here. Let us leave the concept of desert as it is for now. One could define even more contexts if we take it to mean the sum of events, facts, or beliefs surrounding a focal state of affairs. Some of these contexts would indicate positive or negative deservingness.

What, then, is the shared property of such contexts? Contexts that suggest Mary's suffering is disvaluable—because she does not deserve it—would share the property of Mary getting less than what she deserves. Conversely, contexts that suggest Mary's suffering is less disvaluable, value-neutral, or even valuable would share the property of Mary getting more than what she deserves.

I argue that this shared property indicates a *metacontext*. If $C = \{C_1, C_2, \dots, C_n\}$ indicates a set of relevant contexts in which Mary gets less than what she deserves, then M shall be the metacontext of Mary getting less than what she deserves. M supervenes C . I use the term metacontext to refer to the context one finds $\{C_1, C_2, \dots, C_n\}$ in. Any group of contexts may have at least one property in common, yet my focus is on common properties that are related to deservingness. In other words, a metacontext is a context of a bunch of other contexts, and the kind I am interested in is a purely desert-relevant one. Any context in which Mary gets less than what she deserves is, therefore, an indication of M . This way, regardless of infinitely many other variables a specific context may bring in, we may isolate the desert-relevant aspect of that specific context by defining a single metacontext indicated by each and every context in which Mary gets less than what she deserves.

A contextualist desert-adjusted axiology that appeals to metacontexts should be able to assert that if we have a set of beliefs indicating that Mary does not deserve to be fired, then we would find disvalue in that state of affairs. Of course, this idea raises at least two immediate questions. First, we often hold different sets of beliefs that indicate different contexts, which could be supervened by different (and potentially exclusive) metacontexts. How are we to weigh these (desert-relevant) beliefs to favor one metacontext over another? Second, doesn't appealing to metacontexts bring us closer to the invariantist (or non-contextualist) axiology defended by philosophers such as Feldman or Arrhenius?

Starting with the latter question: the response is no. Invariantists propose a general framework for desert adjustment that is not sensitive to how context modifies the way deservingness influences the value or disvalue of a state of affairs. My suggestion, by contrast, involves defining specific metacontexts and assigning a

distinct contribution function to each. Invariantist axiologies, by their nature, inevitably rely on a single, universal contribution function.

To the former: If we can define possible metacontexts and identify intuitively appealing ways to understand how the relationship between pleasure and deservingness operates within each, we can develop a toolbox that allows us to compare and contrast the relative strength of one metacontext against another. Now, we can define a list of metacontexts that cover all possible sets of contexts regarding particular states of affairs.

M1: P gets exactly what they deserve.

M2: P gets more than what they deserve.

M3: P gets less than what they deserve.

M4: P deserves something but gets nothing.

M5: P does not deserve anything, but still gets something.

Any particular state of affairs (an individual finds herself in) involving either desert or the receipt of pleasure or pain should fall under one of these forms of metacontexts. However, there is a significant issue concerning the commensurability of pleasure and pain in this framework. If we assume that the way deservingness influences the final value of states of affairs under any metacontext is the same for both the receipt of pleasure and the receipt of pain, then problems arise. Take M2. Now, compare the following states:

C₁: Mary deserves 10 units of pleasure and gets 11 units of pleasure.

C₂: Mary deserves 10 units of pain and gets 11 units of pain.

There is an intuitive challenge in suggesting that the loss of value due to undeserved receipt is similar in C₁ and C₂. One could simply argue that undeserved pain is more undesirable than undeserved pleasure. A simple test could be as follows:

Suppose one must choose between experiencing undeserved pain or undeserved pleasure. Further, suppose that everyone firmly believes in the basic principles of a desert-adjusted axiology, which states that one should get what they deserve. If the amount of undeserved pain is identical to the amount of undeserved pleasure, would it be intuitively or rationally plausible to expect that person to flip a coin to decide? I strongly believe that no one would flip a coin. Instead, it is highly probable that everyone would opt for the undeserved pleasure.

Further consider that

C_{3a}: Mary deserves 10 units of pleasure and gets 20 units of pain at t_1 .

C_{3b}: Mary gets 40 units of pleasure at t_2 .

C₃: Mary, with an initial deservingness of 10 units of pleasure, receives 20 units of pleasure at t .

To claim that C_{3a} and C_{3b} together constitute C, one must assume that pleasures and pains are commensurable and can simply cancel each other out. However, this is not the case. Experiences of pain can be considered to exist on a separate dimension and are not necessarily neutralized by the receipt of additional pleasure or happiness.

The idea of desert adjustment is one step forward toward a fundamental separation from hedonism. The appeal to metacontexts seems to be another step. A third step, which would decisively sever ties, would be to suggest that pleasures and pains are -at least sometimes- incommensurable. If one takes this step, then I see two possible ways forward: one could adopt a form of value pluralism (like Moore) and develop a theory accordingly, or one could abandon the concepts of pleasure and pain entirely and adopt a new concept, such as well-being or comfort.

My theoretical framework may accommodate two distinct values, such as pleasure and pain. Since the forms of metacontexts I define here merely indicate

different types of states in which deservingness influences the final value, I can claim that they operate in one way when it comes to the receipt of pleasure and in another way when it comes to the receipt of pain.

One potential problem here is that a single state of affairs could include both pleasure and pain. For instance, an individual might experience a certain amount of pain alongside a certain amount of pleasure and still have a particular level of deservingness. However, we have already argued that pleasure and pain function differently in how deservingness affects the final value.

I propose that the way forward could be to treat C_{3a} under one metacontext and C_{3b} under another, with C_3 eventually falling under whatever metacontext is appropriate for it. By explaining how the relationship between pleasure, pain, and deservingness operates under all relevant metacontexts, we can recognize the disvalue in C_{3a} , the value in C_{3b} , and the combined value in C_3 as a whole. This approach allows for two statements regarding the value of the states of affairs one finds oneself in at time t : C_{3a} is disvaluable to the extent x , and C_{3b} is valuable to the extent y . Using this framework, contexts involving both pleasure and pain (like C_3) could be represented as $C_3(x,y)$. Alternatively, C_3 could be assigned its own value, determined by the metacontext it fits into, which could then be summed with the values of C_{3a} and C_{3b} . Since C_{3a} and C_{3b} represent weighted values (e.g., the weighted disvalue of pain), this summation would be less vulnerable to criticisms related to the incommensurability of pleasures and pains. Additionally, this approach could be used to calculate the aggregated value of a world, if needed.¹⁹

¹⁹ This is the safest position for now. My axiology may incorporate commensurability after further elaboration. See the last chapter for a more detailed discussion on this matter.

I believe this matter requires further elaboration. However, before addressing it in detail, we need a plausible toolbox that illustrates how different metacontexts interact with deservingness and final value. Therefore, I will leave this debate open for now. After presenting a toolbox in the next chapter, I will be dealing with negative desert and investigating how such metacontexts may operate when desert is negative. I will also cover further debates on the problem of commensurability in the last chapter.

4.2 Developing desert-adjusted axiology

Attempts to develop a better desert-adjusted axiology have been focusing on finding a single contribution function for all kinds of situations. For instance, as demonstrated in the previous chapter, both Feldman and Arrhenius try to do this, even though Feldman's project is more about demonstrating the intuition behind the need for a desert-adjusted axiology. Such attempts are still insufficient to provide us with a fully functioning toolbox. I argued that this is because the way deservingness influences the good welfare levels bring out is *context-dependent*. Sometimes, Feldman's approach brings out quite intuitive suggestions regarding the good that comes from a certain distribution of welfare, but other times, we see counterintuitive results. To avoid this problem, I argue that we need a set of formulas that will be useful to represent the way deservingness affects the goodness or badness of received welfare by using metacontexts. Instead of developing an absolute contribution function that will calculate the expected value of a possible world based on a certain distribution, I argue that we need a toolbox that can help us *compare* which possible world is better than the other, with respect to deservingness.

Desert-adjusted axiology, at least in the scope of this project, aims to guide a better desert-adjusted consequentialism. It attempts to address the lack of desert-sensitivity in mainstream welfarist theories. These theories are often assessed (among other versions of consequentialism) to see if they produce better, more intuitive results. Even non-consequentialist theories (take a mainstream interpretation of Kantianism) are criticized because they fail to provide intuitive answers for certain morally charged situations. For instance, if Kantianism forbids lying no matter what, then, as often mentioned, one should not lie to save a human life. Many philosophers find this counterintuitive. Similarly, if a consequentialist theory does not consider who receives the welfare when assessing the overall well-being produced by a certain distribution, philosophers may find it counterintuitive. However, consequentialism has an inherent advantage: it can rely on a set of conditional functions rather than a single function for each morally loaded situation. Unlike Kantianism, consequentialism can incorporate conditionality if a set of conditionally useful functions is generally beneficial. If one can provide a toolbox for assessing certain morally loaded situations that covers all possible scenarios and introduces desert-sensitivity to the consequentialist moral evaluation processes, then the consequentialist theory using this toolbox may become stronger.

The toolbox I will present in this section will allow us to compare the goodness of different distributions of welfare. It will cover simple cases, such as the difference between a non-deserving person receiving a certain welfare and a deserving person receiving it. It will also cover more complicated cases, as will be demonstrated in the following pages. It suggests

- i. A formula for when people get exactly what they deserve,

- ii. A formula for when people deserve things but get nothing: from the perspective of classical welfarism, this situation will bring no value, positive or negative, as no welfare is taken away from anyone and no welfare is distributed. Yet, this situation is intuitively bad compared to when no one deserves anything and no one gets anything.
- iii. Another formula for when people get more than what they deserve: when people get what they deserve, it brings about good. However, when they start getting more than what they deserve, it will not bring the same amount of good. Depending on the context, it may result in less good, no good at all, or even become a very undesired situation.
- iv. A formula for when no one deserves anything but gets something, and
- v. A formula for when people get less than what they deserve: this one captures the differences between, for instance, when people get just a little bit less than what they deserve and when they get a lot less than what they deserve, without ignoring the fact that getting something is better than getting nothing.

The following section explains the formulas that constitute the toolbox I suggest.

After defining each formula, I will demonstrate how they function and why they are useful through thought experiments. However, before moving on to the next section, I need to explain two crucial points for this project.

The first point is about the representation of desert levels. This toolbox, for now, only considers positive desert. Desert values represented in several formulas will always be considered positive. Negative desert is a significant concept that can be linked to discussions on punishment or retributive justice. I will say more about negative desert after dealing with proposing my toolbox for positive desert.

The second point concerns the method I use. I will be suggesting conditional formulas for calculating the Comparative Value (CV) of a given situation.²⁰ I will assign desert and welfare levels to people, who will be the agents in my thought experiments. These values will represent certain levels of deservingness and welfare that need to be compared to other possible scenarios. In other words, they are representative. When I use these values along with the suggested formulas, I end up with numbers that represent the Comparative Value of a specific situation. These values are useful only for comparing different scenarios. They indicate that one scenario is, from the perspective of this desert-adjusted axiology, more desirable than another. That is why I call them Comparative Value instead of Final Value for now. Comparative values are useful for building a hierarchy among different possible ways of distributing welfare based on different desert levels. This hierarchy will indicate that one outcome is finally more valuable than another in a certain context.

4.3 The toolbox

In this section, I will suggest several formulas for different kinds of situations, or metacontexts I defined earlier. My purpose will be to state and explain them and to have a set of formulas ready for use. I will leave the testing and comparing of this set of formulas to other possible axiologies to the next sections.

When people get exactly what they deserve: I initiate my inquiry by assuming that it is the best when people get exactly what they deserve.²¹ Following Feldman's

²⁰ This may remind Kagan's comparative desert (2003). However, I only use it the way it is described here.

²¹ (1) Unless everyone already gets what they deserve – in such a world, it would be challenging to argue that extra welfare, even if undeserved, would bring out less good. (2) Feldman, too, argues for such cases as the most desirable ones. He says (and I quote for the second time) "An outstandingly good sort of case is the one in which desert and receipt match precisely. If a person fully deserves a certain good, and receives that good, then the value of the world is substantially increased. Two factors work in concert. In the first place, there is the fact that someone has received some good. In the

account, let's assume that when one deserves 10 and gets 10, there will be 20 units of value produced as a result. Thus,

$$F_1: CV = \text{Desert value } (d) + \text{Welfare value } (w)$$

just as Feldman's axiology assumes to some extent. Since we assume that it is best when one gets what they deserve, a useful axiology should ensure that no other possible way of distributing welfare will bring about a greater good. I take this formula as the basis for my upcoming arguments. I assume that it works when people get exactly what they deserve. I will investigate if it works under different conditions. When it does not, I will propose further suggestions. But, at this stage, F_1 is taken for granted.

When people deserve things but get nothing: Suppose that John deserves 10 units of welfare. If he gets it, then F_1 suggests that 20 units of value will be produced as a result. If he does not get it, then F_1 will still suggest that the outcome will be good, as it will produce positive value. Compared to the scenario in which John deserves nothing and gets nothing, F_1 would say that it is still better when John deserves things but does not get them. This seems counterintuitive because the idea that it is better when people get what they deserve also implies that it is worse when people do not get what they deserve, and it is worse than when there is neither desert nor receipt. If so, then we need a different formula for this situation. We need to demonstrate that people getting nothing when they deserve something brings about negative value. For instance, instead of F_1 , the following may be more intuitive:

$$F_2: CV = -d$$

second place, there is the fact that justice has been done—the recipient deserved precisely the good that he received.” (Feldman, 1995a, p. 197). Also, see page 56.

Abandoning F_1 and employing F_2 for situations where people deserve something but get nothing will more visibly show the badness in such situations and make our toolbox more effective.

When people get more than what they deserve: I stated that it is more desirable when people get exactly what they deserve. However, this statement is conditional: in a world where everyone gets what they deserve, what happens if there still remains a certain amount of welfare awaiting distribution? If, for instance, everyone shares it, will it result in a worse world? It would be far-fetched to argue that it would.²² Undeserved welfare, if no one is deserving of it, should not have a negative value. However, in our actual world, this is not the case. Therefore, the axiology should recognize the bad (or less good) in such situations.²³

Suppose that John deserves 10 and gets 15, while Alice also deserves 10 but gets 5. F_1 would suggest that John getting 15 units of welfare will bring about 25 units of good, while Alice getting 5 will bring about 15 units of good, totaling 40 units of value in that world. This way, if both John and Alice get 10 each, the overall value will be the same. F_1 does not grasp the injustice of the first scenario, as according to F_1 , the overall value will be the same in both scenarios. Our axiology should be able to show that the extra 5 units John gets in the first scenario mitigate the overall good we have in the end. So, if it is ideal when people get exactly what they deserve, then we may define an F_3 such that the overall value is mitigated according to the amount of undeserved welfare received. If, for instance, John

²² I say more about the problem of surplus welfare in the last chapter.

²³ Feldman also agrees. He writes “A less good case is the one in which a person receives a certain good, but does not deserve it. Brentano's remarks suggest that in this case, the good is valuable for the person, but not for the world. The world is not made better by this person's receipt of that good, since he does not deserve to be having it. Thus, lack of desert mitigates the value of a good.” (Feldman, 1995a, p. 198)

deserves 10 but gets 15, F_3 may state that the overall value is reduced by 5. In other words,

$$F_3: CV = d - (w - d)$$

so that the undeserved amount of received welfare will bring about negative value in the end. However, F_3 may also turn out to be counterintuitive under certain conditions. Suppose that, along with John, there is Zach, who deserves 6 and gets 7 units of welfare. F_3 will suggest that the positive value of John deserving 10 and getting 15 is 5 units, the same value as when Zach deserves 6 and gets 7. There seems to be a difference in terms of goodness between these two situations. It is good when both get what they deserve, but the extra amounts make a visible difference. There is also a strong intuition that the injustice is greater as the gap between deserved welfare and received welfare gets bigger. We need an axiology that recognizes (1) these two situations are not equally valuable, and (2) the gap between desert and received welfare mitigates the overall value as it grows.

As we have seen so far, the desert-adjusted axiology will prioritize one's getting exactly what they deserve first. After that, it will prioritize deserving people getting something, to some extent. If it does not recognize the negative value of undeserved welfare, then it will fail to incorporate sensitivity to desert. To maintain the value of one's getting what they deserve even when they get more than what they deserve (compared to when they deserve nothing, of course), and still be able to say that getting exactly what one deserves is more preferable, we may adjust the formula and suggest an F_{3a} :

$$F_{3a}: CV = 1 - w/d$$

F_{3a} would suggest that John deserving 10 and receiving 15 will bring about -0.5 units of value, which is less than 20 (the value of him getting exactly what he deserves).

F_{3a} would also reduce the value more as the gap between the welfare level and desert level increases. For instance, if John still deserves 10 but gets 100, the overall value of this situation will be -9, which is less than -0.5. It also recognizes the gap between desert and received welfare regardless of the nominal amounts of desert or welfare.

This way, one may use it to compare both minimal amounts of desert and receipt and excessive amounts of desert and receipt. On the other hand, one may as well propose, instead of F_{3a} , the following:

$$F_{3b}: CV = d - w/d$$

The graph of F_{3b} would approximate F_{3a} as d approaches to 1. However, one shall observe a significant difference between those two graphs as d value goes up:

For $w = 5$ and $d = 4$,

$$F_{3a}: CV = -1/4,$$

$$F_{3b}: CV = 11/4$$

Followingly, for $w = 1000$ and $d = 999$,

$$F_{3a}: CV = -1/999$$

$$F_{3b}: CV = \approx 997.99$$

As the d goes up, F_{3b} will bring out enormous values that may potentially be less intuitive to use when comparing two different values. F_{3b} may also bring out less intuitive results when we compare quite similar cases. For instance,

For $w = 2$ and $d = 1$,

$$F_{3a}: CV = -1$$

$$F_{3b}: CV = -1$$

For $w = 4$ and $d = 2$,

$$F_{3a}: CV = -1$$

$$F_{3b}: CV = 0, \text{ and}$$

For $w = 8$ and $d = 4$,

$$F_{3a}: CV = -1$$

$$F_{3b}: CV = 2$$

One may argue that there must be, albeit tiny, a difference between these three cases; however, it seems less intuitive to argue that the comparative value increases as the amount of undeserved value goes up. It may be argued that it should go down, though. F_{3a} succeeds in showing the badness of, in this example, receiving twice as much as one deserves. Moreover, F_{3a} will always turn a negative value as getting more than what one deserves shall always bring negative values within our axiology. It is true that these values are comparative²⁴ and the axiology may still argue for the badness of undeserved welfare even if the value itself is not negative. Yet F_{3a} leaves some space for other formulas to turn positive values even if those values are diminished for some reason related to another kind of misfit between deservingness and received welfare. That is why I favor F_{3a} . Now, I will move on and hold on to F_{3a} for situations in which people get more than what they deserve.

When people deserve nothing but still get something: Situations where no one involved has any desert value are not loaded in terms of desert. Thus, the classical welfarist understanding should suffice. In other words, F_1 will still work as the desert value will always be zero. However, in a context where we need to compare people with no desert value to deserving people, F_1 does not suffice.

²⁴ One point to remind is that these values only serve as comparative values, meaning they represent a comparable level of goodness (or badness) depending on the context. They are not absolute, but they aim to build a hierarchy between possible scenarios within the same context. Thus, when we say that the value of a certain result is -9, it does not necessarily mean that the result is bad because the value is negative. Rather, it means that this outcome is less than -0.5, which indicates it is comparably less desirable.

For instance, assume that Bob deserves nothing but still gets 10 units of welfare. Meanwhile, John gets 15 units of welfare but deserves at least 10 of it. F_1 would suggest that John's receiving 15 units is more valuable, as in that scenario, the overall value will rise to 25. However, if John receives almost nothing while still deserving 10, F_1 would suggest that Bob's undeserved receipt of 10 units is almost equally good compared to the scenario where John receives nothing. F_1 would still recognize the desirability of giving John 10 units and Bob nothing, as the overall value will be maximized then. Yet, F_1 also has to recognize that giving 5 to John and 5 to Bob will also bring about an equally desirable world, as the overall value will be the same. But in this case, one may argue that F_1 may not be useful for situations in which someone gets less than what they deserve as well. F_2 is not applicable to situations in which people deserve nothing but still get something. F_{3a} is also not applicable, as a number divided by zero is undefined.

In a world where someone gets something without deserving it while others do not even get what they deserve, a desert-adjusted axiology is expected to prioritize deserving people. Otherwise, it will fail to be desert-sensitive. To prioritize deserving people, it needs to address the badness of undeserved welfare. F_3 failed to address our concerns and was replaced by F_{3a} , but we may try F_3 again to see if it helps:

$$F_3: CV = d - (w - d)$$

As the desert value is by definition zero, F_3 in such situations will function identically to the following:

$$F_4: CV = -w$$

In the previous part, I stated that desert-adjusted axiology will prioritize getting exactly what one deserves first. Afterwards, it will recognize the good in

one's getting at least what they deserve, yet address the bad that comes as a result of the undeserved, excessive amount of welfare. Parallel to that, we may deduce that undeserved welfare is simply undesirable. If so, then it will be represented as a negative value, a value that is, when the amount of received welfare is the same, always less than what F_{3a} would give in a situation where someone deserves at least something.

For instance, when Bob deserves nothing but gets 10 units of welfare, F_4 would suggest that the comparative value of the outcome will be -10. If Bob deserved 1 unit and got 10 again, then F_{3a} would suggest that the value is -9, which means it is more preferable. This way, the least desirable scenario is when Bob deserves nothing but gets something, followed by the scenario in which he deserves some but gets more than he deserves, and it gets more desirable as the gap between what he deserves and what he receives shrinks. There remains the scenario in which Bob deserves more than he gets.

When people get less than what they deserve: Now, suppose that Bob deserves 10 and gets 5. Our beloved John, however, also deserves 10 and gets 15. As I have argued earlier, the badness of undeserved welfare is considered only when we are in a world where there are people who get less than what they deserve. If so, then the lack of welfare in Bob's situation makes that scenario less desirable, just as John's undeserved welfare does. However, the lack of welfare in Bob's case makes that world less valuable only when John gets more than what he deserves. In that world, welfare is not distributed fairly. If the resources were too limited and it was only possible to give 5 each, then the outcome would not be as intuitively bad as the one where John gets 15. I take this intuitive judgment as sufficient to assume that one's getting more than what they deserve is less desirable compared to one's getting

less than what they deserve. This is because undeserved welfare brings about negative value, and beyond that, it causes injustice in a world where not everyone gets what they deserve. This time we need a formula that is simple and good enough to show that getting less than what one deserves is worse than getting exactly what one deserves, but more desirable than getting more than what one deserves.

Let's see if F_1 , the initial formula we built relying on Feldman's axiology, will help. In the last case where Bob deserves 10 and gets 5, and John also deserves 10 but gets 15, if we apply F_1 to Bob's situation, we get 15 as our comparative value. We use F_{3a} for John's situation and get -0.5 as our comparative value, coming to an overall value of 14.5. If both Bob and John got exactly what they deserve, then F_1 would suggest that the overall value is 40. In the end, we would be able to say that both getting exactly what they deserve is more preferable. As we have proposed several formulas for different situations, we may go one step further and see if using F_1 for situations in which people get less than what they deserve works in different scenarios. Table 4 provides us with an application of F_1 , F_2 , F_{3a} , and F_4 for relevant situations, assuming that we distribute some welfare among Bob and John, both deserving 10..

Table 4. Application of Feldman's Formula to Different Levels of Welfare

Welfare	0	2	4	6	8	10	12	14	16	18	20
0	-20	2	4	6	8	10	-10.2	-10.4	-10.6	-10.8	-11
2	2	24	26	28	30	32	11.8	11.6	11.4	11.2	11
4	4	26	28	30	32	34	13.8	13.6	13.4	13.2	13
6	6	28	30	32	34	36	15.8	15.6	15.4	15.2	15
8	8	30	32	34	36	38	17.8	17.6	17.4	17.2	17
10	10	32	34	36	38	40	19.8	19.6	19.4	19.2	19
12	-10.2	11.8	13.8	15.8	17.8	19.8	-0.4	-0.6	-0.8	-1	-1.2
14	-10.4	11.6	13.6	15.6	17.6	19.6	-0.6	-0.8	-1	-1.2	-1.4
16	-10.6	11.4	13.4	15.4	17.4	19.4	-0.8	-1	-1.2	-1.4	-1.6
18	-10.8	11.2	13.2	15.2	17.2	19.2	-1	-1.2	-1.4	-1.6	-1.8
20	-11	11	13	15	17	19	-1.2	-1.4	-1.6	-1.8	-2

Table 4 shows that giving 10 each brings out the greatest amount of overall value. For each pair, the relevant formula is used depending on the situation. For instance, in the situation where one gets 10 and the other gets 12 (or simply (10, 12)), F_1 and F_{3a} are used, as in one situation the person gets what they deserve (F_1), and in the other, they get more than what they deserve (F_{3a}). Likewise, for instance, for (0, 8), F_2 and F_1 are used, as F_2 is suggested for when a person deserves something and gets nothing, and F_1 is for when people get less than what they deserve but still get something.

As can be seen in the table, F_1 seems useful for this context as well. By using F_1 along with other formulas, we can see that any pair that does not indicate undeserved welfare turns out to be more valuable compared to those with undeserved welfare. Likewise, the most desirable distribution remains (10, 10), where the least desirable situation is (0, 0). Let's move on to the next section and check how functional this set of formulas is.

4.4 Application of the toolbox

Table 4 demonstrates a case in which two people have the same desert levels. Let's begin by checking if this toolbox in general works the way it is aimed to, compared to Feldman's suggestions, where possible. I will first list the formulas I suggest, which constitute the toolbox. Then move on to its application.

The Toolbox of the Desert-Adjusted Axiology (for $d \geq 0$):

If desert value = 0 and welfare value $\neq 0$, then

$$CV = -w$$

If desert value $\neq 0$ and welfare value = 0, then

$$CV = -d$$

If desert value < welfare value, and desert value or welfare value $\neq 0$, then

$$CV = w + d$$

If desert value > welfare value, and desert value or welfare value $\neq 0$, then

$$CV = 1 - w/d$$

If desert value = welfare value, and desert value or welfare value $\neq 0$, then

$$CV = w + d$$

Below you will find Table 5, the colored version of Table 4, which highlights weighted values of different distributions of welfare.

Table 5. Colored Version of Table 4

Welfare	0	2	4	6	8	10	12	14	16	18	20
0	-20	2	4	6	8	10	-10.2	-10.4	-10.6	-10.8	-11
2	2	24	26	28	30	32	11.8	11.6	11.4	11.2	11
4	4	26	28	30	32	34	13.8	13.6	13.4	13.2	13
6	6	28	30	32	34	36	15.8	15.6	15.4	15.2	15
8	8	30	32	34	36	38	17.8	17.6	17.4	17.2	17
10	10	32	34	36	38	40	19.8	19.6	19.4	19.2	19
12	-10.2	11.8	13.8	15.8	17.8	19.8	-0.4	-0.6	-0.8	-1	-1.2
14	-10.4	11.6	13.6	15.6	17.6	19.6	-0.6	-0.8	-1	-1.2	-1.4
16	-10.6	11.4	13.4	15.4	17.4	19.4	-0.8	-1	-1.2	-1.4	-1.6
18	-10.8	11.2	13.2	15.2	17.2	19.2	-1	-1.2	-1.4	-1.6	-1.8
20	-11	11	13	15	17	19	-1.2	-1.4	-1.6	-1.8	-2

The green highlighted values stand for the least undesirable ways of distributing welfare among two equally deserving people. They are the least undesirable, even if not ideal, as they do not indicate any undeserved receipt of welfare. The ones in which one party does not get anything even though they deserve something have significantly lower comparative value, as the badness of not being able to get anything while deserving something outweighs the goodness of at least partially getting what one deserves. The ones with partial receipt for both parties have significantly higher value, approximating the ideal scenario.

The yellow highlighted ones are suboptimal in terms of their comparative value, as they represent at least one party getting what they deserve along with a certain amount of undeserved welfare. The blue highlighted ones represent cases where both people get more than they deserve. Here, the combined badness of getting more than what one deserves significantly reduces the comparative value of each situation, but they are still better than the cases in which no one gets anything, or one party gets nothing while the other gets more than what they deserve.

This brings us to the red highlighted values, which represent the most undesirable distributions. Such situations, along with the one in which no one gets anything, have the lowest amount of comparative value.

In the previous chapter, I argued that Feldman's theory (1) fails to establish a consistent axiology and (2) lacks precision. He does not give precise formulas as I do, yet his work on the effect of positive desert on the goodness of received welfare corresponds to a simple formula that is represented by F_1 in the previous section. Let's see Table 6 that shows how F_1 works when it is applied to all possible combinations demonstrated in Table 4:

Table 6. Application of Feldman's Formula to Different Welfare Distributions

Welfare	0	2	4	6	8	10	12	14	16	18	20
0	20	22	24	26	28	30	32	34	36	38	40
2	22	24	26	28	30	32	34	36	38	40	42
4	24	26	28	30	32	34	36	38	40	42	44
6	26	28	30	32	34	36	38	40	42	44	46
8	28	30	32	34	36	38	40	42	44	46	48
10	30	32	34	36	38	40	42	44	46	48	50
12	32	34	36	38	40	42	44	46	48	50	52
14	34	36	38	40	42	44	46	48	50	52	54
16	36	38	40	42	44	46	48	50	52	54	56
18	38	40	42	44	46	48	50	52	54	56	58
20	40	42	44	46	48	50	52	54	56	58	60

Table 6 represents F_1 applied to each case. However, Feldman argues that undeserved amounts of welfare do not enhance the overall good of that outcome. He also argues that excessive amounts of undeserved welfare may transvaluate the good in the welfare itself (Feldman, 1995). To do justice to Feldman's account, let's adjust Table 6 in the way represented by Table 7:

Table 7. Application of Feldman's Formula with Further Adjustments

Welfare	0	2	4	6	8	10	12	14	16	18	20
0	20	22	24	26	28	30	30	30	30	-30	-30
2	22	24	26	28	30	32	32	32	32	-32	-32
4	24	26	28	30	32	34	34	34	34	-34	-34
6	26	28	30	32	34	36	36	36	36	-36	-36
8	28	30	32	34	36	38	38	38	38	-38	-38
10	30	32	34	36	38	40	40	40	40	-40	-40
12	30	32	34	36	38	40	40	40	40	-40	-40
14	30	32	34	36	38	40	40	40	40	-40	-40
16	30	32	34	36	38	40	40	40	40	-40	-40
18	-30	-32	-34	-36	-38	-40	-40	-40	-40	-40	-40
20	-30	-32	-34	-36	-38	-40	-40	-40	-40	-40	-40

In Table 7, we see a demonstration of F_1 for all cases, yet the received undeserved welfare levels do not enhance the overall value of the outcome, and excessive receipt of undeserved welfare (arbitrarily chosen as 18 and 20 for the sake of representation) transvaluates the value of that outcome (there I turned them into negative values). The green ones are the cases for which F_1 works normally. The yellow highlighted ones are the cases in which F_1 works partially, but when one party receives more than what they deserve, the undeserved amount is not effective in the overall value. The blue highlighted ones are also not affected by the undeserved welfare, but this time both parties receive more than what they deserve. Finally, the red ones represent excessive amounts of undeserved welfare, where this undeserved amount is so great that it cancels out the goodness of them getting what they deserve.

Assuming that the way Table 7 represents Feldman's axiology sufficiently, I argue that my toolbox does a better job in terms of implementing the value of desert into the theory. For instance, when Feldman argues that undeserved welfare does not increase the good that comes from that outcome, his account fails to recognize the

bad that comes from undeserved welfare.²⁵ Intuitively, there needs to be a difference between getting 2 units more than what one deserves and 4 units. If the axiology does not recognize such differences, and, moreover, if it does not recognize the negative value that such undeserved welfare brings to the outcome, then desert will only be partially included in the axiology. All the blue highlighted areas in Table 2a represent the same amount of good, but when compared to the same pairs in Table 1a, it is visible that my toolbox can identify such differences and tell us which one is more preferable. Furthermore, when we look at the excessive amounts of undeserved welfare (the ones that are transvaluated), we see an arbitrariness. It is not only because the values are chosen arbitrarily in this work, but also because Feldman does not provide us with a detailed toolbox that will reduce the arbitrariness.

4.5 Negative desert

Earlier, I stated that the toolbox I propose is concerned with positive desert. The examples I use, therefore, are always about either deserving something good (even if it is received along with some surplus welfare) or deserving nothing. However, if this project is to make sense of the very intuition that *it is better when people get what they deserve*, it must also be able to account for the other side of that intuition—namely, the idea that some people may deserve punishment. In this section, I provide an insight into how desert-adjusted axiology may address negative desert. I argue that some things cannot be deserved, as desert always requires a desert base, and

²⁵ To do justice to Feldman, I must add that he does recognize the badness of not being able to get what one deserves. He states the following: “In this case, the experience (or lack of experience) has no value for the person. However, in virtue of its injustice, it has negative value for the world. The world is made worse when a deserving person fails to receive what he deserves.” (Feldman, 1995a, p. 199) However, he does not go further and suggest a solid toolbox. Thus, even if my assumptions in Table 2a do not represent Feldman’s theory, I will still be able to argue that my toolbox is better off, as it suggests a more precise set of functions.

certain forms of punishment, for instance, lack that base and are therefore *undeservable*.

Let's set aside contextualism for a moment and consider a simple desert-adjusted axiology suggesting that received welfare should be proportionate to deservingness. Such an axiology would, for instance, imply that if a person somehow received more than they deserved, they should get the opposite of welfare—that is, they should lose welfare. If Andrew, the wealthy philanthropist, turns out to have received more than he deserves, then for this axiology to favor one possible world over another, Andrew should have reduced welfare in that world. If Andrew's wealth results from the undeserved suffering of others, then Peter Pan-ning that wealth would lead to a better world.

I may consider this one of the safest ways to discuss the matter, as losing wealth proportionate to undeserved gains may seem intuitively acceptable to many. But what about negative desert that arises from inflicting pain on others? Further, what about negative desert that stems from committing murder? If such an axiology aims to promote proportionate compensation to achieve a better world, then what would be proportionate to the murder of an innocent? This question immediately points toward the idea of capital punishment, as the straightforward answer from such an axiology could be just that.

I will not argue against capital punishment. Instead, I will simply assume that it is not morally permissible. In this case, the simple axiology must be further refined to account for the idea that not all seemingly proportionate fits between desert and received welfare are morally preferable. Alternatively, one might suggest that taking a life is not, in fact, the proportionate response to murder.

However one approaches the discussion of reducing someone's welfare to achieve a fit between desert and welfare, the issue seems closely related to the broader debate on retributivism. Retributivism, or retributive justice, essentially holds that justice is served when retributive measures are taken. The idea of punishment here is justified by the wrongdoer's deservingness. This view is commonly referred to as positive retributivism.²⁶ A more radical form of this view might suggest that capital punishment is required to achieve justice, as it would be proportionate to the murderer's deservingness.²⁷

Alternatively, one might argue that justified punishment requires negative desert, but that desert functions only as a necessary condition for it.²⁸ This approach is broadly referred to as negative retributivism, as it treats wrongdoing as a forfeiture of the right not to be punished. There is much more to be said about retributivism, but for the sake of argument, I will now consider only these two positions.

Positive retributivism may well be balanced by certain consequentialist restrictions. However, desert-adjusted axiology is itself intended to ground a better form of consequentialism, and thus limiting it by arguments—for instance, by showing that capital punishment does not lead to a better-off society—would not be appropriate. Instead, if we wish to avoid promoting capital punishment (or state-induced violence, or any other form of harsh physical violence), we may attempt to adopt a position similar to negative retributivism. The problem, however, is that negative retributivism, as referred to here, does not promote a fit between desert and welfare. Rather, it treats desert merely as a necessary condition for a certain

²⁶ See M. S. Moore (2010) and Murphy (2007) for a detailed explanation of this sort of retributivism.

²⁷ See Lempert (1981) for a more comprehensive review of the link between retributive justice and capital punishment.

²⁸ See Mabbott (1939) and Quinton (1954), also Brooks (2021) for a more recent discussion.

reduction in welfare. If we aim to promote a genuine fit between desert and welfare, we may ultimately have to approximate positive retributivism.

A potential solution could be to propose a constraint that overrides what our desert-adjusted axiology suggests when it approximates positive retributivism. One possible constraint could be a distinction between what can be deserved and what cannot, regardless of the circumstances. For instance, one might argue that it is impossible for anyone to deserve full control over another individual's life, appealing to some conception of the right to autonomy. Likewise, one might argue that no one can deserve to be killed. By ruling out certain outcomes as things that can never be deserved, we may move closer to an axiology that does not overlook negative desert. Yet this idea may bring arbitrariness: how should one determine whether something can be deserved?

One way to address this issue could be to make certain assumptions based on carefully considered and widely accepted principles, such as human rights, and appeal to them. In this way, no outcome that violates such principles would be considered proportionate. However, axiology is generally expected not to rely on such assumptions, because otherwise principles like human rights would still lack justification in terms of their value, and the theory would lose significant explanatory power.

Another approach could be to argue that the death penalty, for instance, is not the receipt a murderer deserves. When a thief steals, one might say that justice is done when the thief repays what was stolen and deserves, let's say, to be imprisoned for a while—or at least does not deserve to live freely, as they are a potential source of undeserved harm. When a murderer kills, however, capital punishment does not seem to restore anything to the victim or to society. The key difference between these

two kinds of wrongdoing appears to be reversibility. Theft is reversible: the thief can return what was stolen, and the undeserved harm inflicted on the victim can, at least partially, be repaired. Imprisoning the thief can also be justified as a precaution to prevent further undeserved harm. In contrast, murder is irreversible: the murderer cannot bring the victim back to life. When the murderer is executed by the state, nothing is restored, and the world loses yet another life. Thus, if we were to suggest that the death penalty is what a murderer deserves, we would also have to acknowledge that this fit between desert and received welfare does not, in fact, make the world any better—in terms of overall welfare—than, say, a world in which the murderer is sentenced to life in prison. This argument could potentially be further developed and strengthened against the idea that the death penalty is a proportionate (deserved) response to murder. However, within this radical positive retributivist framework, there remain many other kinds of suffering that one might still deserve. Moreover, the argument itself could be overruled by further considerations.

I would therefore prefer to turn to an analysis of the concept of negative desert. One useful starting point is to question whether there is a limit to what can possibly be deserved. It seems that certain outcomes are so repugnant that a value theory promoting possible worlds in which such outcomes occur becomes dubious.²⁹ Thus, if we can define a limit to what can be deserved and argue that certain repugnant outcomes cannot be deserved by anyone, we may remain consistent with positive retributivism without having to endorse such unwanted results.

²⁹ See M. S. Moore (2010, pp. 110-127) for a detailed discussion on the possible reasons why retributivism based on desert is generally considered less appealing.

In order to talk about desert, we need (1) a deserver, (2) something to be deserved, and (3) a desert base.³⁰ When we say that someone deserves to be praised on the basis of their helpfulness to society, the praiseworthy act of being helpful renders the individual worthy of receiving praise as a moral agent. Likewise, if we say that someone deserves to be killed on the basis that they have committed murder, the act of murder would have to render the killing of that person rightful—again, treating them as a moral agent with moral standing³¹. It is better when people get what they deserve—if this statement is assumed to be true, it must be understood as true within the limits of morality. In a world that does not recognize moral judgments or ethical values, the statement would be meaningless—and that world would be disregarded only by those committed to the moral realm. If we count ourselves among them, and if we aim to propose a theory of value, then I argue that there must be a limit on how individuals may be treated, regardless of the severity of their wrongdoings. Only under such a limit can one remain within the bounds of morality and still be held blameworthy. The reason is straightforward: if there were no limit to how a person may be treated, then when a murderer kills someone who supposedly deserves death, the act of murder would itself become praiseworthy. This would reduce the matter to adopting the *right* theory of desert through which murder could be justified.

I stated earlier that this project is not intended to provide a full theory of desert. One reason for this limited scope is that developing the idea of contextualism in axiology is already complex enough to constitute an independent project. Another

³⁰ Napoletano (2022) argues that desert is a dyadic relation between the subject and the object, and desert base is just the ground we found this relation on. I adopt the mainstream (triadic) understanding of desert, yet I trust that my argument will still be meaningful if desert is not taken as a triadic relation.

³¹ I use ‘moral standing’ the way T. M. Scanlon uses it: a person has a moral standing if there is a limit on how they may be treated (Scanlon, 2000, p. 76).

reason is the fact that claiming a proper, enduring, and near-infallible theory of desert would be far-fetched, if not impossible, given the evident fallibility of human judgment. Thus, unless philosophers eventually succeed in formulating an infallible theory of desert, I argue that there must be a limit to what can be deserved when addressing desert-related matters. This limit may serve as a constraint on how individuals may be treated, thereby reaffirming their moral standing.

The fallibility of human judgment, as well as of any possible theory of desert, does not mean that philosophers should abandon the defense of desert-adjusted ethical theories. Rather, it means that such theories must acknowledge the possibility of failure. Referring back to the notion of reversibility, I find it plausible to suggest that desert-adjusted axiology, remaining in line with positive retributivism, may value reversible forms of punishment in response to negative desert. For instance, when someone steals and thereby incurs negative desert, a proportionate punishment could involve reclaiming what was stolen or requiring the person to atone for their wrongdoing. Isolation through imprisonment could also be justified by reference to the potential undeserved harm the person may inflict on society—though I am aware of the superficiality of this part of the discussion, as it is not my present focus. Whatever the correct response may be, it should be, to some degree, reversible.

This is not the case, however, for capital punishment, torture, or other inhuman forms of punishment. Therefore, such responses must lie beyond the limits of what can be deserved—or at least beyond what can be considered appropriate responses to any wrongdoing. This argument does not introduce a metaphysical constraint on what can be deserved; rather, it delineates the limits of desert by reference to the desert base. In other words, certain outcomes may become

undeservable precisely because the desert base itself is undermined once those outcomes are assumed to be deserved.

One potential downside of this argument is that there are forms of punishment we may still find plausible when someone commits murder. A life sentence, for instance, can be considered appropriate, yet it might also be seen as irreversible. In fact, not only life sentences but also any form of imprisonment could be regarded as irreversible. It is plausible to concede that one cannot travel back in time and undo imprisonment; however, an individual can eventually regain their freedom, whereas no one can be brought back to life after death. Thus, there remains a meaningful difference in the degree of irreversibility between these two kinds of punishment. I find this difference sufficient to support my argument.

Now, after excluding irreversible outcomes, we may talk about how desert-adjusted axiology will work for negative desert. At this point I do not hesitate to claim that the toolbox should work with negative desert values. We may need to go for minor adjustments, such as, for instance, when desert value is less than welfare value, meaning that one gets more than what they deserve, instead of using

$$CV = w + d$$

we may use

$$CV = d - w$$

so that when someone with negative deserving gets negative welfare, the comparative value shall increase. Also for situations in which one has negative deservingness but does not receive anything (positive or negative welfare, or no reward or punishment one may say) instead of using

$$CV = -d$$

we may use

$$CV = d$$

to address the badness of deserving worse things but not getting them. Also, to show the goodness of them getting exactly what they deserve (for $w = d$), instead of

$$CV = w + d$$

we may use

$$CV = |w + d|$$

The rest of the toolbox seems to be still useful. To summarize, our axiology may suggest that, if desert level is negative, then

For $w = 0$,

$$CV = d$$

For $w = d$,

$$CV = |w + d|$$

For $d < w$ and $w \neq 0$,

$$CV = d - w$$

For $w < d$ and $w \neq 0$,

$$CV = 1 - w/d$$

Let's exemplify. Suppose that both Bob and John deserve -6. Let's see in Table 8 how this toolbox works when comparing a variety of different ways of distributing welfare among them.

Table 8. Application of the Toolbox to Bob and John's Example

W	-10	-8	-6	-4	-2	0	2	4	6	8	10
-10	-1,32	-1	11,33	-2,66	-4,66	-6,66	-8,66	-10,66	-12,66	-14,66	-16,66
-8	-1	-0,66	11,66	-2,33	-4,33	-6,33	-8,33	-10,33	-12,33	-14,33	-16,33
-6	11,33	11,66	24	10	8	6	4	2	0	-2	-4
-4	-2,66	-2,33	10	-4	-6	-8	-10	-12	-14	-16	-18
-2	-4,66	-4,33	8	-6	-8	-10	-12	-14	-16	-18	-20
0	-6,66	-6,33	6	-8	-10	-12	-14	-16	-18	-20	-22
2	-8,66	-8,33	4	-10	-12	-14	-16	-18	-20	-22	-24
4	-10,66	-10,33	2	-12	-14	-16	-18	-20	-22	-24	-26
6	-12,66	-12,33	0	-14	-16	-18	-20	-22	-24	-26	-28
8	-14,66	-14,33	-2	-16	-18	-20	-22	-24	-26	-28	-30
10	-16,66	-16,33	-4	-18	-20	-22	-24	-26	-28	-30	-32

Table 8 shows different ways of distributing welfare among Bob and John. It shows that the best possible distribution is when both gets -6 units of welfare. The worst possible distribution is when they are rewarded with +10 welfare each. There are several options that appear to be second best, just as when one of them gets exactly what he deserves and the other gets even less. This table is useful to show that this axiology prioritizes fair distribution of negative welfare among people with similar negative deserving –so it is not possible to punish one less and the other more to reach a satisfactory overall value.

Let's suppose that Bob deserves -6 and John deserves +6. This example will be more useful to show how this axiology favors a just distribution of welfare. I will be using the following functions:

When $d > 0$

For $w = 0$,

$$CV = -d$$

For $w = d$ and $w > d$,

$$CV = w + d$$

For $w < d$,

$$CV = 1 - w/d$$

When $d < 0$,

For $w = 0$,

$$CV = d$$

For $w = d$,

$$CV = |w + d|$$

For $w > d$,

$$CV = d - w$$

For $w < d$,

$$CV = 1 - w/d$$

From a desertist perspective, justice is done when John gets +6 and Bob gets -6.

Referring to the formulas above, the comparative value of such distribution shall be 24. A good example of injustice could be that John gets -6 and Bob gets +6. In that case, the comparative value of such distribution shall be -10. If both get +6 each, then the comparative value is calculated as zero. If both get -6, then it comes to 14.

This last step seems troublesome, as it shows that this set of formulas values proportionate punishment more than proportionate reward, as the comparative value of both getting +6 is lower than the comparative value of both getting -6. Is undeserved welfare worse than undeserved suffering? This axiology seems to say so. On the other hand, a world in which there is no undeserved pain seems obviously more appealing than a world in which there is no undeserved welfare.

This matter may require further elaboration.³² One advantage of this axiology shall be that it can be adjusted depending on certain kinds of contexts. One may

³² There will be a more comprehensive discussion on this matter in the last chapter.

define two more metacontexts based on receiving welfare or suffering, and adjust the formulas accordingly. Or, alternatively, one may argue for the lack of undeserved welfare over undeserved pain. Further, one may argue that it is not fully the axiology that shall eliminate all unwanted or counterintuitive ethical judgments. After all, classical welfarism says one thing, yet different welfarist theories of normative ethics, such as rule consequentialism and classical act utilitarianism, make very different uses of it. What I present here as the toolbox is just one example of how a contextualist axiology may look. It has both advantages and disadvantages, but it is open to further development. The main purpose is to incorporate the flexibility of contextualism within desert-adjusted axiology and show that it is useful compared to the existing alternatives. Further argumentation will prove it even more useful.

CHAPTER 5

FURTHER DEBATES ON DESERT-ADJUSTED AXIOLOGY

This chapter focuses on various debates in ethics that can be relevant to desert-adjusted axiology. It explores the advantages and disadvantages of desert-adjusted axiology within those debates. The first section deals with the aggregation problem through Parfit's famous repugnant conclusion. The second section is on Nozick's thought experiment, *The Experience Machine*. There, I deal with the question of surplus welfare. The third section is concerned with the question of partiality and the demandingness objection to consequentialism. The fourth section explores issues related to the commensurability of pleasures and pains, arbitrariness in choosing contribution functions, quantification, and eventually 'biting the bullet'. In the biting the bullet part, I argue that desert-adjusted axiology should be defended despite the challenges I have been mentioning. The last section deals with some fundamental points on developing an ethical theory based on my axiology. This chapter aims to show that desert-adjusted axiology (and the contextualist perspective I propose) may bring insight to the relevant debates. Furthermore, it may suggest solutions—or lead the way towards better solutions.

5.1 The repugnant conclusion and problem of aggregation

Parfit explains the repugnant conclusion as follows:

For any possible population of at least ten billion people, all with a very high quality of life, there must be some much larger imaginable population whose existence, if other things are equal, would be better, even though its members have lives that are barely worth living. (Parfit, 1984, p. 388)

Parfit's problem is straightforward: any mainstream welfarist ethical theory that relies on the Impersonal Total Principle (ITP) should suggest that the world with greater

total welfare, even though its members experience very little welfare individually, is ethically preferable. ITP is defined as follows: “If other things are equal, the best outcome is the one in which there would be the greatest quantity of whatever makes life worth living³³” (Parfit, 1984, p. 387). If the world A has 10 billion people each experiencing, let’s say, 10 units of welfare on average, and the world B has 100 billion people each experiencing 2 units of welfare, again, on average, then the theory should promote the world B. This is the repugnant part of the conclusion one gets from the ITP. This is considered a significant challenge for utilitarianism, primarily in population ethics, but the problem directly addresses the theoretical reliability of totalism.

ITP itself is challenged by many.³⁴ It is especially challenged when merged with classical welfarism, as it leads to the repugnant conclusion. The most prominent alternative to ITP is the Impersonal Average Principle (IAP): “If other things are equal, the best outcome is the one in which people's lives go, on average, best” (Parfit, 1984, p. 386). IAP has an obvious downside, though: If in the world C there are 1 million people, each having 10 units of welfare, and in the world D there are 5 people each having 11 units of welfare, then IAP shall promote world D over world C. This is counterintuitive.

Now I will argue that ITP does not lead to the repugnant conclusion when merged with desert-adjusted axiology instead of classical welfarism. ITP with classical welfarism may lead to the following:

World = (Population, Aggregated Welfare, Average Welfare)

³³ This is the non-hedonistic definition he uses. I am only referring to this one for the sake of argument. ITP is usually equivalent to what is commonly referred to as total or aggregated utility principle.

³⁴ See Pressman (2015) for a more recent example, also Temkin (2012) for a more detailed analysis.

$$W_1 = (1m, 100m, 100)$$

$$W_2 = (10m, 200m, 20)$$

$$W_3 = (100m, 400m, 4)$$

$$W_4 = (1b, 1b, 1)$$

ITP with classical welfarism would suggest that the non-instrumental value of $W_4 > W_3 > W_2 > W_1$. W_4 is usually considered repugnant, as an average member of W_4 just barely survives. There are two ways desert-adjusted axiology can be regarded as useful at this point. The first would suggest that W_4 cannot be the best world among others if the average person does not deserve to live that way. This argument is already made by Feldman, but challenged as Parfit relies on the concept of justice as fairness instead of justice as desert, and W_4 seems to be just as the welfare is distributed fairly (Feldman, 1995a, p. 203). Further, even if the average person deserves it, it does not mean people in general are getting what they deserve. So, suppose 1 unit of welfare represents a life barely worth living. In that case, the only way desert-adjusted axiology may accept the value of W_4 is that in W_4 , everyone deserves to live a life that is barely worth living. This scenario is also mentioned by Feldman (1995a, p. 204).

Let's suppose that the average quality of life in W_1 is just perfect; so, W_2 is a fine line, W_3 has only a little joy in it, and W_4 is bare survival. The second way desert-adjusted axiology may contribute to the problem (and this is what I find more useful) could be to suggest that life in W_4 cannot be deserved by anyone, as there are some things that cannot be deserved, such as starvation or bare survival. So, even though W_4 contains 1b units of welfare, and even if one shows that all of those 1b people are morally extremely evil, that quality of life cannot be deserved, and therefore W_4 cannot be the best among other worlds. However, one may suggest that

if the population consists of extremely evil people, then W_3 (along with W_2 and W_1) would be the worlds in which they get more than what they deserve. After all, even W_3 has a little bit of joy in it, and if people do not even deserve that, even though they do not deserve starvation either, we end up with a misfit between what they deserve and what they get. In response, one may suggest that everyone deserves a little bit of joy, just as there are things that cannot be deserved, there may be things that cannot be undeserved. This could be a potential reply. All in all, this argument seems to let us argue that W_4 is not the best world.

For now, my desert-adjusted axiology will not succeed in suggesting a quantitative way to measure at what point the slope ends and which possible world shall be best among all; yet, it will define a qualitative limit that prevents the repugnant conclusion, or the conclusion will not be that repugnant at the very least. If not given within the thought experiment, it is almost impossible to assume a certain desert level for an average individual in those worlds. One may, of course, adjust the example and add a variety of different desert levels. Then, the desert-adjusted axiology will be able to show which world is better than the others –that is, the world in which everyone gets what they deserve, or any world that is closest to that one. However, without making such assumptions, one may rely on the idea that some things cannot be deserved, and then argue against the repugnant conclusion. When assumed to be a world in which only morally evil people live, the repugnant conclusion may not be as intuitively repugnant as it is. So, either way, desert considerations may turn out to be promising here.

One downside of my desert-adjusted axiology is that it only suggests a comparative quantitative toolbox that can be used to compare and contrast different particular distributions of welfare within certain contexts. The reason is, as explained

in the previous chapters, that the way deservingness and welfare relate is context-dependent, and a quantitative tool that can be used in order to identify which possible world is better than the other, regardless of the context, seems either too shallow or impossible. A context-independent thought experiment, such as the one Parfit and others use to explain the repugnant conclusion, cannot be fully addressed in this way.

Even so, the qualitative constraint desert-adjusted axiology may bring (that some lives cannot be deserved by anyone) does make ITP less vulnerable to this criticism. A normative theory, such as a version of utilitarianism that relies on desert-adjusted axiology, may provide an account in which ITP is useful without leading to the repugnant conclusion. I will discuss possible ways of formulating such theories later.

5.2 The experience machine and the issue of surplus welfare

Nozick explains the thought experiment as follows:

Suppose there were an experience machine that would give you any experience you desired. Superduper neuropsychologists could stimulate your brain so that you would think and feel you were writing a great novel, or making a friend, or reading an interesting book. All the time, you would be floating in a tank, with electrodes attached to your brain. Should you plug into this machine for life, preprogramming your life's experiences? (Nozick & Nagel, 1974, p. 42)

Nozick's famous thought experiment, The Experience Machine, is aimed at challenging hedonism. The point is that people shall have good reasons not to plug in, and those reasons will not favor hedonism, which is expected to value plugging in more. There are possible ways to work around the experience machine without giving up the classical hedonist principle, such as suggesting that knowing that you are in a simulation will reduce the pleasure one gets when plugged in, or the too-good-to-be-true environment of the simulation may turn everything unpleasurable.

Nozick furthers the thought experiment to eliminate such possibilities, so let's assume there is no way to save classical hedonism without promoting plugging in.

I argue that desert-adjusted axiology is immune to such criticism. First of all, regardless of whether that is a simulation, it will promote the experience of full pleasure only if that person deserves it. So, unless the person who is asked to plug in is an extremely good person who deserves all the pleasure they can imagine, the desert-adjusted axiology will find less value in plugging in –there are exceptional situations, though.

What if, for instance, this person deserves a decent life, yet lives a terrible one for years? So, it is either going to be that they will keep living this terrible life, or they will get plugged in and won't suffer anymore. At some point, if the badness of undeserved pain in their actual life surpasses the badness of the undeserved pleasure they will receive when plugged in, then the axiology may promote plugging in.

However, at least two points may cause trouble for desert-adjusted axiology in terms of this thought experiment. The first one is that it will find less value in plugging in most of the time, yet assuming that plugging in will not damage anything else in the world, some may find it counterintuitive. Its strength will be that it won't argue for the ethical betterness of plugging in, but it won't find it permissible either. Hedonism fails in this thought experiment, as it suggests that it is good to plug in, and many find it counterintuitive. But, considering plugging in as the bad choice, meaning that plugging in will bring out a worse world, may seem counterintuitive to many, too.

The second point is that, assuming that the life experience this experience machine gives is the best life possible, desert-adjusted axiology may suggest that no one can deserve it. In the previous chapter, I argued that some bad things cannot be

deserved, as there shall be no desert base for them. Likewise, one may argue that there is no desert basis to claim that someone may deserve the best life possible. After all, it would be challenging to argue that there is no limit to what one may deserve—for instance, it is challenging to argue that one may deserve to have the ownership of the whole world, or other people, or to commit murder whenever they want and get away with it. The latter example here could be because allowing anyone to do things such as committing murder whenever one likes would result in some other person getting something that no one can deserve. On the other hand, the former could be so good that no one can have the merit to deserve it.

The second point can be challenged by suggesting that if everyone shall get what they deserve, then a theory of desert may suggest that the morally best person should get the best thing in the world, which can be the life that Nozick's experience machine gives. Even in a world where no one is a saint, one may argue that the best of us shall have the best possible life. I am not arguing for or against this response, but it has some merit, at least to the extent that it may lead to stronger argumentation. The first point seems more challenging, though: suppose that we have some extra welfare, and we will either give it to this person who already got what they deserve or burn it. Of course, the best distribution comes from giving it to someone who could not get what they deserve. But, among these two options, it seems challenging to intuitively defend burning the welfare instead of giving it to that person. Desert-adjusted axiology is suggested to grasp out desert-sensitive intuitions in value theory, but when it comes to certain places where desert-sensitivity is not the priority, it seems to be failing. I accept this as a disadvantage.³⁵

³⁵ Another way to respond to the experience machine argument could be that if one deserves pleasant experiences such as enjoying good friendships or good achievements, those experiences need to be real. If it is only the pleasantness of such experiences that are considered valuable, then the reality of

5.3 Partiality and the demandingness objection

The problem of partiality and the demandingness objection are two of the several major points at which consequentialism is challenged. This section argues that desert-adjusted axiology may bring a better perspective for both issues in favor of consequentialism.

Consequentialism in general, and mainstream versions of utilitarianism in particular, are expected to be impartial, meaning they are expected to suggest agent-neutral moral justifications. Critiques accuse consequentialism of being impartial and therefore reducing human beings to mere quantities. On the other hand, impartiality is also considered one of the strongest features of consequentialism, as it allows consequentialists to defend general ethical judgments that eventually guide a variety of practical matters.

Partiality is also one of the issues critics point out when arguing that consequentialism can be too demanding. After all, impartiality may force us to ignore certain (quite intuitive) partial attitudes. For instance, a person is either going to save their own child and let two others die, or will sacrifice their own child in order to save two. A mainstream utilitarian may easily suggest that they need to sacrifice their own child, but this is too demanding. Of course, there can be ways to avoid such clearly demanding results without abandoning utilitarianism. However, the core of the theory depends on a sort of felicific calculus, and it will defend saving two instead of one most of the time, including the times when it is too demanding.

such experiences may not turn out to be valuable, as the experience machine gives the pleasure itself. However, if it is the reality of those experiences that makes them pleasant, and if we argue that one deserves real friendships or achievements, then we need to argue for the non-instrumental value of the reality of such experiences. Objective list theory does that. See Parfit (1984) and Hurka (1993) for famous examples of the objective list theory, and also Fletcher (2013) for a good summary and further discussion on variations of it.

Considering this example, one way to avoid forcing the parent to sacrifice their own child could be to suggest that the parent will suffer so much that it will bring out more pain to the world, compared to the loss of one more life. This is trivial, though, as any assumption one may make to value a human life or the suffering the parent will go through can be challenged. It is easier to take the utilitarian response as too demanding when the morally loaded choice is made between one and two lives. How about one and a billion? Would expecting the parent to sacrifice their child to save a billion people be too demanding? Some may say yes, but I believe it is at least more challenging to hold the same position when the numbers change.

This is not an easy puzzle for a consequentialist, and I do not argue that desert-adjusted axiology may solve it. I would rather argue that it may bring a better perspective by including desert considerations in the evaluation process. Desert-adjusted axiology will suggest that it is not only about how many people die, but also about who deserves what. Of course, in accordance with the previous parts, I will keep death outside the set of deservables. So, no need to assume anything about the children's moral worth –but it may be meaningful to bring it back to the table in the future when we deal with trolley cases. After all, children have yet to be proven as deserving or not.

So, what does desert-adjusted axiology bring to the table? It may, for instance, suggest that the parent who is forced to make such a decision does not deserve to be held accountable when they choose their child over others. The intuitive issue with utilitarianism mandating that the parent should sacrifice their child is indeed about the inherent claim of blameworthiness of not sacrificing. The utilitarian will suggest that the world in which the parent sacrifices their child is

more valuable than its alternative. Not making the world better, when possible, is blameworthy. Desert-adjusted axiology may suggest that regardless of the parent's choice, the world in which the parent is held accountable and consequently blamed for not sacrificing their child may bear less value compared to its alternative in which they are not held accountable.

This suggestion brings more complications, though, as the usual understanding of wrongness of an action will require accountability. After all, if someone cannot be held accountable for the wrongdoing, how shall the theory claim that it is blameworthy? It may suggest that the action (meaning, the choice the parent makes) is either praiseworthy or at least permissible, but it needs further argumentation to do that. Act consequentialism in general may fail to do that, as it is not easy to show that that action is at least permissible for the reasons I have explained before, even within desert-adjusted axiology. It may not be impossible, though, but I suggest a relatively easier path here.

Instead of arguing for the permissibility of the parent's choice, we may question the supposedly conditional relation between blameworthiness and wrongness. This relation is built on the *principle of blameworthiness, which implies ought not*.³⁶ From now on, I am not discussing whether the parents' non-sacrifice is blameworthy. Instead, I am investigating if blameworthiness should entail ought not –if so, then a theory is justified to prescribe sacrificing the child. If not, a moral theory may suggest that not sacrificing can be blameworthy without holding the parent responsible for the choice. This would eliminate the relevant part of the demandingness objection and allow partiality without suggesting that letting two others die is right or permissible.

³⁶ See Smith (1983; 1991) for a more detailed discussion.

Chevarie-Cossette defines the blameworthiness implies ought not (BION) principle as follows:

BION: If S is blameworthy for having Φ ed, S ought not to have Φ ed (where Φ is an act or an omission). (Chevarie-Cossette, 2024, p. 2004)

Chevarie-Cossette suggests that “blameworthiness implies obligation, but obligation implies leeway, so blameworthiness implies leeway.”³⁷ (2024, p. 2004) In order for us to talk about responsibility, we need to be able to say that the parent is free to make that choice. Our example suffices this criterion, as the parent has two choices and there is no necessity to save the child. So, BION seems to imply that the father ought to sacrifice their child.

One objection against BION Chevarie-Cossette mentions is the objection from conscience. The objection from conscience is summarized as follows:

(1) It is possible that S Φ s while falsely believing that she ought not to Φ .

(2) But if S Φ s while (falsely) believing that she ought not to Φ , she is blameworthy for Φ ing.

(3) Therefore, it is possible that S is blameworthy for Φ ing even though it's false that S ought not to Φ . (Chevarie-Cossette, 2024, p. 2009)

The second premise can be challenged by suggesting that S may not be blameworthy for doing the right thing while falsely believing it is not right.³⁸ To avoid this challenge, Chevarie-Cossette revises the argument as follows:

(1*) It is possible that S Φ s while falsely believing that she ought not to Φ ,
and *truly believing that another permissible option is available*.

³⁷ Also see Widerker (1991), Copp (2003; 2008), and Nelkin (2011).

³⁸ “If someone believes falsely that she is doing something wrong in lying to the Nazi to protect a fugitive, but sees no other way around it, she is not blameworthy for it.” (Chevarie-Cossette, 2024, p. 2009) See Capes (2012, pp. 424-28) for the original argument.

(2*) But if S Φ s while (falsely) believing that she ought not Φ and *truly believing that another permissible option is available, she is blameworthy for Φ ing.*

(3) Therefore, it is possible that S is blameworthy for Φ ing even though it's false that S ought not to Φ . (Chevarie-Cosette, 2024, p. 2009)

This argument is based on a sort of ignorance. It could be ignorance about possible courses of action or further evidence, or simply moral ignorance –not knowing what the right thing to do is. Chevarie-Cosette calls this the distinction between factual ignorance and moral ignorance:

By 'factual ignorance', I mean ignorance about properties of actions or their consequences expressed in non-moral terms. This includes ignorance about whether we will cause pain, whether we will poison or cure someone, or whether our killing will be intentional or not. By 'moral ignorance', I mean ignorance about fundamental axiological truths (related to value), deontic truths (related to duty, the right, etc.), aretaic truths (related to virtues and vices), and hypological truths (related to moral responsibility, culpability, etc.). (Chevarie-Cosette, 2024, p. 2010)

He then furthers his argument and claims that the objection from conscience does not invalidate BION. He claims that factual ignorance may entail blameworthiness about having unreasonable beliefs about facts, but not the result of the careless act itself; and, moral ignorance (that leads to obtain false beliefs about what one ought to do) does not entail blameworthiness at all, as otherwise we would be expecting the agent to follow a false belief.

For instance, suppose that there is a bomb that is most likely to explode in an hour and destroy the city. Jim believes he knows which cable to disconnect to defuse it. Further, suppose that Jim is mistaken about the cable, as he has no training in defusing a bomb and only relies on what he saw on social media. He will either try to defuse the bomb or run away with as many people as possible. He believes that, as he trusts he can defuse the bomb, he is morally obliged to cut that cable. If Jim does not

touch the bomb, the argument says he is blameworthy. This does not make sense. So, I agree with Chevarie-Cosette. After all, Jim holds the false belief that he knows how to defuse the bomb. Based on this belief, he hold a moral belief that he is obliged to defuse it. Not acting upon these beliefs should not be considered blameworthy.

However, I argue that suspending the objection from conscience at this point is not ideal, as this argument only considers epistemic constraints. Let me suggest another argument:

- (1) Ought implies can.
- (2) Can implies the ability to Φ .
- (3) If not- Φ is blameworthy, then S ought to Φ if and only if S is able to Φ .
- (4) It may be true that not- Φ is blameworthy and S is not able to Φ .
- (5) Therefore, S may not ought to Φ even though not- Φ is blameworthy.

If this argument holds, then BION is false.

I find premise (4) the weakest among all, so I will handle it first. To do that, I will focus on the possible meanings of S is able to Φ '. Once I establish a proper understanding of being able to do something, I will move on to the other premises.

Blameworthiness is about actions and the conditions under which such actions are performed. When one says something is blameworthy, they won't be talking about the subject –the subject is instead wrong to do that. So, the common use is that S ought not to do any action that is blameworthy. Suppose that a person is crushed under a truck. Another person is witnessing, trying to save the victim. One thing that a witness cannot do is pull up the truck and save the victim with bare hands, as this is impossible. The witness is not able to do that, so here not pulling up the truck cannot be blameworthy. This is quite intuitive, just as claiming that if the

witness has the strength to pull the truck up, not doing it will be blameworthy. The only thing is that almost no people can do that.

So there is indeed an ability constraint that works well with BION. It is blameworthy for Superman not to pull the truck up, so he ought to do it. When we understand the ability constraint near the limits of physical possibility, premise (3) is also equivalent to BION. So, what if Superman is depressed and cannot find the psychological strength to act upon? What if he lacks the psychological resources required to do the right thing? He then might not be able to help out. Hence, the difference between physical possibilities and abilities.

Let's go back to the parent's choice. To hold BION, one shall either say that not sacrificing one child to save two is not blameworthy, or it is blameworthy, and the parent ought to sacrifice. The action itself—not saving two instead of one—seems hard not to regard as blameworthy for an impartial utilitarian. On the other hand, the parent may emotionally not be able to do that, so the ability condition, if it is taken as I just presented, is not satisfied. If it holds, this example seems to support the premise (4).

The claim is that there can be blameworthiness without moral responsibility. Another example—this time excluding the ability constraint—could support the idea: Suppose that the person S, who is a security guard, sees a mass shooter who is about to kill tens of people. S has a gun, and the only way to stop the mass shooter is to shoot them. S aims for the mass shooter, but misses, as the shooter bends milliseconds before S pulls the trigger; instead, he shoots and kills an innocent pedestrian. What S did was to try to prevent great harm. What happened is that S accidentally killed an innocent person. Killing an innocent is blameworthy—that's why, even if it happens by accident, killing is punishable in most legal systems.

However, shall we say 'S ought not try to prevent the mass shooter'? That would not be reasonable. We shall instead say that 'S ought not kill an innocent'. Yet the killing was by accident, and unless S is proven to be careless or malevolent, it does not seem fair to derive moral responsibility. After all, if S did everything right when attempting to save people, there would be nothing they could have done otherwise.

One may still claim that what happened to the innocent pedestrian is bad and the world is a worse place after S's action, but if we are not to say that S ought not have shot the innocent pedestrian, we may as well say that the action is not blameworthy. But then, how shall we address the decrease in overall value in that world? Loss of an innocent certainly means that, and that has happened not because of a natural disaster, but of S's action.

I believe this is the right point to kick off the advantage of desert-adjusted axiology. The innocent pedestrian is shot, and the world is a worse place now. S, however, does not deserve to be held morally accountable for what they did, as they did nothing wrong. We may, then, say that S's killing an innocent is blameworthy, but holding S morally accountable for this accident brings out a worse outcome, as they don't deserve to be held accountable. This can be an example of blameworthiness without responsibility.

Going back to the parent: if we make a value assessment from within desert-adjusted axiology, we may say that the parent does not deserve to be held accountable for not doing something that is emotionally/ practically impossible for them. Sacrificing their child, which can be possible for some, but not necessarily, can be beyond their abilities. Supposing that letting two die instead of one is blameworthy, premise (4) seems to hold in this case.

This is just an attempt to further the argument Chevarie-Cosette makes use of. I do not claim that it is strong enough to favor desert-adjusted axiology (or a moral theory based on it) to solve the demandingness objection or the problem of partiality. I would rather say that it brings a new perspective to this decades-old debate, and possibly advances it. A normative theory that may not exclude partial moral judgments (such as the one the parent does) will be less vulnerable to this objection. Suppose my argument from ability, which advances to the idea that no one deserves to be held accountable for something they are not able to do, brings out better insight into the discussion on blameworthiness and moral responsibility. In that case, I consider it another point in the desert-adjusted axiology.

5.4 Commensurability, arbitrariness, and biting the bullet

In the first chapter, I talk about the heterogeneity of pleasures. Now I will focus more on the commensurability of pleasures and pains. In the previous chapter, under the section on negative desert, I assumed that pleasure and pain are commensurable, meaning they can be measured in the same hedonistic scale. This assumption brings great ease: we get to question, for instance, the value of proportional punishment, the goodness or badness of saving two lives instead of one, or accepting a certain amount of pain in exchange for greater welfare. If pleasure and pain are not commensurable, then we get to talk about much less. If they are not commensurable, then we only get to talk about the receipt of welfare and the better ways of distributing it. Or, alternatively, we get to talk about the receipt of pleasure and pain separately. This is what I did in the first chapter in order to stay on the safe side.

Commensurability is not an easy feature to assume, though. It is certainly practical and intuitive for some cases. I know that I can suffer a terrible headache for

3 hours in exchange for \$100.000 (or much less, to be honest). But, does that mean the happiness the money brings will compensate for my suffering? Will my overall happiness be a sum of the pain I experienced during those 3 hours and the pleasure I get from the money? There is certainly a threshold, as I know that I will not endure the same pain for \$5. On the other hand, I cannot imagine any compensation for the pain one experiences from the loss of a loved one. This may not be true for everyone, as our intentions vary, just as the qualities of different pleasures and pains.

Bentham suggests splitting the experience into two: on one hand, we have the feeling itself; on the other hand, we have its effect on our hedonic state. O. M. Moen explains Bentham's theory as follows:

To visualize Bentham's theory, imagine that you have an inner hedonometer. Depending on your sensory inputs, the marker on the hedonometer goes either up or down, or it stands still, giving you an experience at a certain hedonic level. The hedonometer can be bombarded with all kinds of heterogeneous information from your senses. However, it still makes a sum of these experiences, so that the hedonometer, at any given time, marks a certain hedonic level. In this respect, the hedonometer is just like a thermometer. A thermometer can also receive a lot of heterogeneous information—from, say, sunbeams, boiling water, and ice cubes—but irrespective of the heterogeneity of the input, condense all the information into a certain point on a quantitative scale. (Moen, 2013, p. 534)

This is called the *split experience theory*. It would be useful if it were held, allowing room for everything we need. It does not seem to hold, though, as the unpleasant feeling that is supposed to reduce my hedonic level does not seem separate from the headache itself. Rachel says that “[w]hen you twist your ankle or jam your finger, the experience itself seems to hurt; the unpleasantness seems to be right there in it. Don't just think about this in the abstract; examine your unpleasures” (Rachel, 2000, p. 196). I agree. Or, at least, I agree that it is not always the case. Moen suggests another argument that seems to be sufficient to abandon the split experience theory:

Try eating a chocolate bar while pinching your finger. If you do, you will (if you are like me) feel pleasure and pain simultaneously in different areas of

your experiential field. Though a sufficiently strong pain grabs one's attention and overrides other experiences, it seems that if both the pleasure and the pain in question are fairly mild, we can simultaneously feel both. This is mysterious if our pleasure and pain level is determined by an inner hedonometer. It seems that the only way Bentham could account for a plurality of hedonic tones is by positing several hedonometers or by holding that one hedonometer can record several different hedonic levels simultaneously. Such a move—although perhaps not impossible—would deprive the theory of the explanatory simplicity that makes it appealing in the first place. For these reasons, split experience theory seems unappealing. (Moen, 2013, p. 536)

Moen, instead, suggests a theory called *dimensionalism*. Dimensionalism suggests that “pleasure and pain have the ontological status of opposite ends of a hedonic dimension along which experiences vary” (Moen, 2013: 537). They use the example of sound—we may hear a variety of different sounds, but all shall have a certain volume, which is not sound itself, but rather a dimension sound has.³⁹

I find dimensionalism quite useful, as it allows for heterogeneity and commensurability without making too demanding, too abstract, or counterintuitive assumptions. However, I argue that it has at least one challenge. First, suppose that you are offered a deal in which you will experience something that will make you unpleasant to the extent x and then immediately pleasant to the extent slightly more than x . Here, x is the quantity of strength of the feeling as you experience it within the hedonic dimension. Would it be intuitive to suppose that you will take the deal? If the answer is no, then the hedonic dimension does not (at least directly) bring a scale of measurement. It theoretically makes commensurability possible, but in this case, it is either you do not want to find yourself in a better state of affairs (which is supposed to be slightly better than your initial state) or x outweighs slightly more than x , which sounds absurd. But again, this is so only if the answer is no.

³⁹ The example originally belongs to Kagan (1992). Also see Duncker (1941) for a defense of dimensionalism.

Certain points I make in this project do assume that pleasure and pain are commensurable. It does so, as (1) it is a common assumption within the literature and certain debates require it, and (2) without such an assumption, a full desert-adjusted axiology seems impossible. However, I also stay cautious by focusing on the positive desert first and then conducting a separate debate on the negative desert. After all, if the axiology only considers positive desert, then we can only deal with pleasures and how to distribute them without comparing a certain amount of pleasure to different amounts of pain. On the other hand, the debate on negative desert does require it. A person with negative desert means that the person deserves worse things, sometimes including punishment, aka pain.

Dimensionalism, even though it (at its current form) cannot explain why someone would say ‘no’ to the question I raised, seems to explain a lot. I do acknowledge that there is a gap there, and I do not make stronger claims or commitments. I prefer biting the bullet when this assumption challenges axiology. Desert-adjusted axiology should bite the bullet regarding certain gaps in theory. Beyond the question of commensurability, now I will explore the problems related to arbitrariness and ambiguity.

In the second chapter, I explain Skow’s desert-adjustment by mentioning that he proposes his dimensional analysis to eliminate the problem of arbitrariness. Briefly, the problem of arbitrariness refers to the fact that too many different contribution functions can represent our intuitions regarding desert-sensitivity. Some of them may suggest sufficient solutions for certain intuitive challenges welfarism faces, some others may do the same by addressing different challenges, and several different contribution functions may, in the end, strike as equally appealing.

For instance, I suggest, as a possible contribution function for the cases when deservingness is equal to received welfare,

$$CV = w + d$$

for when $d > 0$, and

$$CV = |w + d|$$

for when $d < 0$. This way, I argue that the possible world in which Alice deserves 10 and gets 10, all else being equal, is equally valuable as the one in which Alice deserves -10 and gets -10. At the same time, towards the end of the section on negative desert, I show that my axiology prioritizes proportionate punishment over proportionate reward. The trick my axiology does is, therefore, to suggest that proportionate punishment brings out greater overall value when $d \neq w$, yet it is equally valuable as proportionate rewarding when $d = w$. It is because our intuitions work differently within different contexts, and the axiology aims to grasp those differences. The way these contribution functions are formed is arbitrary, though: another axiology with different functions may as well grasp the same intuition, or even do a better job.

Skow (2012) is right about this aspect of desert adjustment in axiology, as it may turn out to be arbitrary in the way we favor certain contribution functions over their alternatives. There goes the other point: desert-adjusted axiology should bite the bullet. This is a challenge, and further debates may show that desert-adjusted axiology should not rely on this intuition on proportionate punishment and rewarding this way; alternatively, they may show that there are better ways to grasp it. The problem of arbitrariness does not arise from this fact, though. There shall be several equally appealing ways to formulate contribution functions.

I argue that the desert adjustment in axiology is too complex a task in philosophy, and at least equally valuable, so one shall endure such challenges. Our intuitions are quite heterogeneous, and if the goal is to represent them accordingly, this heterogeneity inevitably affects the theory's explanatory power. I favor contextualism as a good alternative to at least partially eliminate problems arising from the heterogeneity of our intuitions.

The way philosophers quantify deservingness and welfare levels is also usually arbitrary. Would it be too mistaken if one says, for instance, instead of 10, one can as well be deserving of 10,5? There is no desertometer, just as no hedonometer, Moen mentioned earlier. My axiology does a better job here by stating that these are representative values to compare two alternative ways of distributing welfare per desert levels. That is why I use the term comparative value instead of intrinsic, non-instrumental, or final value when I propose a contribution function. Most of the time, all we know is that one deserves more, for instance, or less than the other, or whatever one received. Assigning quantitative values helps us compare different scenarios. However, it is still quite arbitrary, and to claim that they represent the exact deservingness (which is also quite challenging to assume) is far-fetched at the very least.

There appears to be another form of arbitrariness when the question of defining the fit between desert and welfare arises. Feldman's axiology mostly focuses on the absolute difference between deservingness and received welfare to measure their fit.⁴⁰ Arrhenius and Skow favor the desert-welfare ratio to represent the goodness or badness of not getting what is deserved. My axiology makes use of both,

⁴⁰ This is not a charge though, as Feldman does not provide us with a fully quantitative axiology.

depending on the context. For instance, for the cases where $d < w$ and $d > 0$, it suggests

$$CV = w + d$$

whereas, if $d > w$, then it proposes

$$CV = 1 - w/d$$

instead. My axiology presupposes that we need to consider the ratio of deserved and received welfare within the contexts in which one deserves more than what is received. Still, the same thing is not the case when one deserves less than what is received. There is, therefore, an assumption that our intuitions tend to work this way, as these functions are formulated to avoid the challenges that other suggestions, such as Feldman's and Arrhenius', face.

Relying on intuitions and quantification within axiology is common. My axiology recognizes the weakness of these practices and tries to suggest a more intuitive way of overcoming them. Yet, it can still be guilty of being too arbitrary (or too narrowed down to avoid arbitrariness). At this point, I stand by the trade-off I make and suggest that despite such challenges and weaknesses, desert-adjusted axiology in this form is better off than its alternatives and deserves further attention. The reason is straightforward: consequentialism without justice-sensitivity seems insufficient, so desert-adjustment in axiology may eventually formulate a better way. It brings further complexities too, and one appeal of consequentialism in general is its implicitness. However, a well-formulated desert-adjusted axiology may turn out to be simple enough not to threaten this appeal of consequentialism, yet still sufficient to make it more intuitive. Next section discusses what a possible consequentialist theory would look like if desert-adjusted axiology is adopted.

5.5 Developing an ethical theory based on desert-adjusted axiology

This section explores the benefits and limitations of desert-adjusted axiology in developing an ethical theory. Desert-adjusted axiology is developed for a better consequentialism, so one needs to see its positive effects to decide if it is useful or not.

If desert-adjusted axiology will be useful in developing a better consequentialism, then it shall be a form of act consequentialism. There are two reasons for that: first of all, rule consequentialism (as Brad Hooker defines it) focuses on goodness or badness of violating a certain code of rules:

Rule Consequentialism: An act is wrong if and only if it is forbidden by the code of rules whose internalization by the overwhelming majority of everyone everywhere in each new generation has maximum expected value in terms of well-being (with some priority for the worst-off). The calculation of a code's expected value includes all costs of getting the code internalized. If in terms of expected value two or more codes are better than the rest but equal to one another, the one closest to conventional morality determines what acts are wrong. (Hooker, 2000, p. 32)

My axiology, on the other hand, does not seem to provide sufficient tools to evaluate the overall value of violating a rule. Suppose that the person S will be violating the rule R if they Φ ed. According to my axiology, Φ ing should bring a possible world representing a possible distribution of welfare—for instance, S may Φ and bring out a better distribution compared to not Φ ing. What we can say about such cases will be limited to a comparison of these two possible worlds. Hooker's rule consequentialism, on the other hand, will require an axiology through which one shall evaluate the value of a world in which the majority of everyone everywhere follows R .

Second, rule consequentialism already better deals with the argument from justice-sensitivity. Hooker relies on the idea of justice as fairness and formulates rule consequentialism in accordance with it:

So rule-consequentialism can explain why rules should punish certain kinds of behavior and reward other kinds. And it can do this without presupposing that certain kinds of behavior inherently deserve to be rewarded. A moral theory is better off explaining why certain distinctions are morally important than simply assuming they are. (Hooker, 2000, p. 51)

Thus, Hooker claims that rule consequentialism does not need to make further assumptions regarding desert.⁴¹ This second point can be further elaborated and challenged, but I will not attempt that, as my axiology is insufficient to propose a better formulation for rule consequentialism anyway.

Thus, we eliminate rule consequentialism. There remains a form of consequentialism. I mentioned Feldman's axiology in the first and second chapters. That alone is his *Justicized Consequentialism*, a form of act utilitarianism that defines utility as the outcome of his axiology. I then criticized Feldman for various reasons and defended my axiology instead. One downside of my axiology is that, unlike Feldman's, it is quite complicated. It is context-dependent, and it promotes different functions to be used for different contexts. It may, however, suggest a functional decision procedure and a criterion of wrongness for particular actions. Consider the following decision procedure:

DP1:

- (1) Collect information regarding current and possible future desert and welfare levels of those affected by the action.
- (2) Determine the contexts in which the affected parties are found.
- (3) Assign comparative values to the prospective states of affairs in which the affected parties will find themselves.
- (4) Refer to the toolbox to calculate comparative values.

⁴¹ As the rules will be formulated and applied fairly. I am not explaining this in detail, as it is beyond the scope of this section.

- (5) Act in a way that maximizes the comparative value.

Two issues immediately strike as problematic in DP1. First, one needs to rely on a theory of desert to determine who deserves what. Secondly, there is an epistemic limit to what one may consider. In order to eliminate these issues, we may reformulate the decision procedure as follows:

DP2:

- (1) Collect information regarding current and possible future desert and welfare levels of those affected by the action, *considering moral worth*.
- (2) Determine the contexts in which the affected parties are found.
- (3) Assign comparative values to the prospective states of affairs that affected parties will find themselves in *by using rationally expected desert and welfare levels*.
- (4) Refer to the toolbox to calculate comparative values.
- (5) Act in a way that maximizes the comparative value.

DP2 seems more reliable, as it better informs the agent. It is not applicable for many cases, though: there are certain morally loaded decisions in which we cannot determine how many sentient beings will be affected. Further, for the most part, we practically do not know anything about the moral worth of affected parties. So, DP2 only applies to decisions regarding those whose moral worth is more or less known to the agent.

One way to make it more useful is to bring in the undeservability argument. Earlier, I argued that there are certain things that cannot be deserved by anyone. I further argued that those things are irreversible punishments. My axiology may suggest that when the agent is informed about the moral worth of affected parties,

DP2 should work; however, when this is not the case, the agent may refer to the following:

DP3:

- (1) Collect information regarding current and possible future desert and welfare levels of those affected by the action, considering moral worth, *if possible. If not, skip to (4).*
- (2) Determine the contexts in which the affected parties are found, *if possible. If not, skip to (4).*
- (3) Assign comparative values to the prospective states of affairs that affected parties will find themselves in by using rationally expected desert and welfare levels.
- (4) *Determine if a possible outcome brings out anything undeservable. If yes, then rule out those outcomes. If not, skip (5) and (6) and refer to the classical welfarism.*
- (5) Refer to the toolbox to calculate comparative values.
- (6) Act in a way that maximizes the comparative value.

DP3 suggests that if there is no desert-relevant information, the best thing to do is to refer to welfarism. Depending on the amount of information one has, it suggests a limited or full desert-sensitive evaluation. If, for instance, the agent has no information about the desert levels of affected parties, but knows that one option will bring death and the other does not, then DP3 will automatically suggest refraining from the death, as whatever happens, it supposes that no one deserves to die.

DP3 may still bring out counterintuitive results. Suppose that you are with an innocent child alone in space, and an evil alien tells you that they will subtract all the happiness from the world and make more than 8 billion people miserable, barely

surviving, if you do not murder the child. Would it not be counterintuitive to suggest that murdering the child will bring out a worse world? We may have no information regarding other people personally, but we do have a general idea that at least many of those 8 billion will not be deserving of suffering. Suffering is technically not irreversible, but still, one may argue that murdering the child will bring out a better world even for a desertist. On the other hand, it is possible to suggest that our general idea about billions not deserving suffering should be sufficient to appeal to the toolbox.

DP3, accompanied by a certain level of flexibility and trust for the agent's judgments to some extent, may turn out to be useful. It requires much more work, but I find it a good start. What, then, may we say about the criterion of wrongness? After all, an ethical theory needs it. How about the following:

Criterion of Wrongness: An act is wrong if and only if it brings out a worse outcome regarding received welfare and deservingness (when assessable) than its alternatives.

If the theory is aimed to be a more positive one, then the following criterion of rightness could be more useful:

Criterion of Rightness: An act is right if and only if it brings out a better outcome regarding received welfare and deservingness (when assessable) than its alternatives.

My axiology may not be ideal for a positive theory, given that when a theory focuses on what to do, it needs to be able to cover all morally loaded decisions, which can potentially be anything. For instance, a negative utilitarian who focuses on what *not* to do will not be vulnerable to the following criticism:

Many decisions are too insignificant to warrant consequentialist deliberation ("Which shoelace should I do up first?") or too predictable in outcome

("Should I meet my morning class today as scheduled or should I linger over the newspaper?"). A famous old conundrum for consequentialism falls into a similar category: before I deliberate about an act, it seems I must decide how much time would be optimal to allocate for this deliberation; but then I must first decide how much time would be optimal to allocate for this time-allocation decision; but before that I must decide how much time would be optimal to allocate for that decision; and so on. (Railton, 1984, pp. 153-154)

Even act utilitarians who adopt classical hedonism, which is much more straightforward than my axiology, are vulnerable to such criticisms when the theory is not limited or sophisticated. Thus, it seems that a justicised consequentialism based on desert-adjusted axiology should be negative, informing the agent what not to do.

CHAPTER 6

CONCLUSION

In this dissertation, I proposed a contextualist framework for axiology in ethics. My proposal aimed to advance the debate on desert-adjusted axiology that is developed for incorporating justice sensitivity within utilitarianism. I argued that major proposals from the literature are insufficient, as they do not recognize how context-dependent our intuitions regarding deservingness are. I acknowledged that my proposal requires further effort, as it provides a limited framework. However, I tried to show that, albeit limited in scope, my axiology suggests a novel and promising debate within the literature.

I explored several key points from the much larger debate on intrinsic value and pleasure. I decided to conduct a focused discussion on such concepts without surveying all the relevant literature, but also explaining major ideas and the way they are discussed by several major figures. I tried to build an efficient flow that leads me to the point of view I find more powerful and useful for my proposal at the same time. My aim was to show that the traditional views on the concept of intrinsic value are challenged in different ways, hence the appeal of Olson's final value, which allows me to build a contextualist axiology.

I presented three different ways of developing desert-adjusted axiology. I find each of them brilliant, as they advance the discussion fiercely. Feldman's work is essential to this literature, and this project owes its whole existence to him. I tried my best to present his desert-adjusted axiology properly. Arrhenius' work is a major step forward, as he explores the value of *desert as fit* brilliantly. I hope my interpretation of him does not fall short. Skow's proposal of using dimensional analysis is

definitely novel in ethics, and quite complicated to deal with at the same time. I did my best to show its value.

I argued that a contextualist desert-adjusted axiology will do better. I tried to build a quantitative method that shows how the theory may bring out a useful toolbox –that is why I called it *the toolbox*. I ended up with a list of functions that constitute it.

Then, I conducted several (rather brief) discussions on the advantages and disadvantages of desert-adjusted axiology. I discuss several fundamental issues in ethics. I show that desert-adjusted axiology can provide a useful framework to work on these matters. Some of them, such as the discussion on the experience machine and desert-adjusted axiology, seem to be rather novel, and some of them, such as the section on the repugnant conclusion, take up an existing debate (that Feldman initiated back in 1995) and suggest new arguments to further the discussion.

The main concern behind this project is to make utilitarianism more intuitive without fully abandoning its appeal to welfare, or well-being. Utilitarianism is useful and intuitive in many aspects. It provides moral justification for our (quite strong, I would say) intuition in favor of making the world better, or as good as possible. It carries all the appeal of consequentialist ethics, yet lacks certain appeals of non-consequentialist theories. Sensitivity to justice is one of them, and if justice is done when everyone gets what they deserve, then we need to find a way to adjust it into utilitarianism to make it stronger.

With this study, I aim to address the concept of inequality from within contemporary consequentialist ethics. Thousands of political philosophers and social scientists do that within their own areas of study by using a variety of methods and tools. Axiology, as the theoretical study of value, does not have sufficient tools to do

that. If this project succeeds in reviving the discussion on desert-adjusted axiology, the literature may develop further tools to work on the disvalue of inequality without making further assumptions or commitments to other theoretical grounds.

It is better when everyone gets what they deserve—this statement is repeated many times in this dissertation. If I am right in appealing to it, then the ethically ideal world is the one in which everyone gets what they deserve. What does a sentient being deserve? My appeal to the idea of *desert as moral worth* would indicate that a sentient being deserves good to the extent of the good it gives to the world. My argument on some things being undeservable, however, indicates that there is a limit to what one deserves. I do not further that argument here, but I believe one may. I believe my axiology may incorporate a theory of desert in which everyone deserves decent life conditions, both physically and psychologically. In that case, this ideal world of ours would be the world in which everyone has their fundamental needs satisfied, such as proper accommodation, access to healthy food, or a fair chance to prosper.

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