

UNIT 9

MILL'S UTILITARIANISM

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1. Introduction

In this unit, we will discuss utilitarianism, one of the two major ethical theories. Ethical theories are concerned with answering such questions as “What is the Good?”, or in other words “What makes actions morally right?” (ethicists have agreed for a long time that morally right actions are those that are undertaken to promote the Good).

Utilitarianism is based on the simple thought that we should do what brings most happiness to the greatest number of people. It is thus a kind of social version of hedonism (which we will briefly discuss in §2). There are two versions of utilitarianism – act-utilitarianism and rule-utilitarianism. Act-utilitarianism was the first version of utilitarianism proposed. Rule-utilitarianism was proposed as a response to certain problems of act-utilitarianism.

2. Hedonism

2.1. Moral vs. Psychological Hedonism

Ever since Aristotle, ethicists have asked the question “What is the Good?”, by which they meant roughly “What is valued for its own sake?” According to moral hedonism, one’s own pleasure is the ultimate end, the “Good”. What does this mean?

To understand it better, let us distinguish moral (ethical) hedonism from psychological hedonism. According to psychological hedonism, people actually act in such a way as to promote their own pleasure. According to moral hedonism, people *ought to* act in such a way as to promote their own pleasure. Moral hedonists believe that to act in such a way as to promote one’s own pleasure is to act *morally*.

Consider Jenny who applies to medical school. Why? Because she wants to become a doctor. But why does she want to become a doctor? Because she has always wanted to help other people. But why does she want to help other people? Because . . . – Psychological hedonists think that if we pursue such a chain of questions for sufficiently long, we will always eventually get the answer “Because it gives her pleasure”. Moral hedonists, on the other hand, will claim that *if* at the end of such a chain of questions we will get the answer “Because it gives her pleasure” *then* we will be able to say that her action of applying to medical school is morally right. In other words, psychological hedonists claim that one’s own pleasure is the key to the explanation of every action – we all act in such a way as to promote one’s own pleasure (ultimately – if we pursue the chain of ‘why’ questions for sufficiently long). Moral hedonists, on the other hand, do not make any claims about what the ultimate explanation of all our actions is. They only make a claim about what makes certain actions morally right. In their view, an action is morally right if it promotes the agent’s pleasure. Note that one may be a moral hedonist even if nobody ever acted in such a way as to promote his own pleasure – if that were so then moral hedonists would have to say that nobody ever acted morally.

2.2. Epicurus' Hedonism

One of the first hedonists was Epicurus (341-271 B.C.). He was both a moral and a psychological hedonist. In fact, he sought to justify moral hedonism in part by the fact that pleasure is the only thing that people actually *do* treat as the Good, i.e. it is the only thing that people actually value for its own sake. Small children instinctively pursue pleasure and avoid pain. In the case of adults it may be less clearly seen because adults have more complicated beliefs about what will give them pleasure.

Epicurus' hedonism is sometimes ridiculed by imagining that it promotes vanity. But Epicurus' view was more subtle. The key to it is the identification of the source of pleasure and the source of pain. According to Epicurus, the source of pleasure is desire satisfaction (getting what you want) while the source of pain is desire frustration (not getting what you want). One strategy of good living is to maximize one's pleasure by satisfying one's desires. Another strategy of good living is to minimize one's pain by ridding oneself of those desires that might lead to frustration. It is the latter strategy that Epicurus promoted quite frequently, as a result of which his ethics was surprisingly ascetic.

Epicurus distinguished two general kinds of desires: natural and vain desires. Natural desires have two subkinds: necessary and unnecessary.

Natural and necessary desires include the desires for food, drink, sleep, procreation etc. The desires are natural in that they are part of our nature – they “hard-wired” into us, as it were. They are necessary in that their systematic frustration endangers our very existence – they are necessary for our very survival. Given these facts, the only option, according to Epicurus, is to strive to fulfill those desires. They are not easily eliminated (since they are part of our nature) and they should not be eliminated (for that would be a risk to our survival). Moreover, Epicurus notes that natural and necessary desires have a natural limit to them. For example, the desire for food is always a desire for a limited amount of food. It is not the case that a person will eat and eat and eat and never have enough.

The desire for gourmet food is an example of a **natural but unnecessary** desire. Although food is needed for survival, one does not need a particular type of food to survive. Such desires are relatively easy to eliminate. Moreover, Epicurus thinks that we should seek to eliminate them. Most of us cannot count on fulfilling those desires, and if we cultivate the desire, their frustration will mean that we will be living in much pain. Of course, this is not to say that Epicurus would think that we should refrain from eating gourmet food if it becomes available to us. He only thinks that we should not seek such luxuries.

Vain desires include desires to have power, to be wealthy, to be famous, to be beautiful, to be slim, etc. These desires are not natural – they are instilled in humans by society. These are bad desires, according to Epicurus. They are very hard to satisfy (think of the desire for fame, for instance). Moreover, they are “dangerous” in that unlike natural desires they do not have any natural limits. Even the desire for gourmet food has a natural limit: it is not the case that one cannot stop eating gourmet food – at one point or another one will be full and not want to eat. But this is not the case for vain desires. No matter how much power or money one has, one will always want more. Because these desires are so hard to satisfy, Epicurus thinks that rather than trying to satisfy them we should rather eliminate them. Again, this is not to say that someone who happens to get famous, and who draws pleasure from it, should do all in her power to stop being famous. She can enjoy it but she should curtail her desire to get more fame.

One of the interesting points in Epicurus' ethics was his attempt to dissipate the fear of dying. He argued that the anxiety we feel can only be understood as our having a belief that the afterlife will be unpleasant. Epicurus did not think that there is an afterlife. He accepted the view of the Ancient atomists according to whom the world, we and our souls are composed of atoms. After our deaths our body atoms and our soul atoms simply dissipate. If so then, according to Epicurus, we will no longer exist after we die and the fact that we are dead will not matter to us – we will not be able to experience pain or pleasure, for that matter. Epicurus also proposed another argument, called the “symmetry argument” to persuade people that they should not fear death. He argued that just like it just did not matter to us that we did not exist before we were born, so it will not matter to us that we will not exist after we die.

3. Utilitarianism as the Pursuit of General Happiness

The contemporary heir to hedonism is the view called utilitarianism. Unlike the hedonists who thought that the Good is one's own pleasure, utilitarians think that the Good is everybody's pleasure or what they call general happiness. Very roughly (as you will see there are two importantly different ways to understand this claim), utilitarians think that an action is morally right if it gives most pleasure to the greatest number of people. This thought needs to be made more precise and there are two different ways of making it precise (act-utilitarianism and rule-utilitarianism). First, however, we need to clarify the concept of happiness involved.

Utilitarians, like hedonists, believed that happiness is ultimately pleasure and the absence of pain. But the utilitarian view differs from the hedonistic view at least in two respects. First, as already suggested, the utilitarians believe that we should promote everybody's happiness not just one's own. Second, ever since J.S. Mill, utilitarians have accepted the view that some pleasures are higher than others.

3.1. Bentham's Egalitarianism

There is an old debate concerning the question just how to compare happiness. Utilitarians ever since Bentham have accepted the *rule of egalitarianism*. They thought that each person's happiness and unhappiness is worth just as much in the overall calculation of general happiness.

The rule of egalitarianism is meant to preclude special treatment of the privileged in moral matters. Whether one is born a slave or an aristocrat, one's happiness and unhappiness weigh just the same when *morality* is concerned. Consider the following scenario. Suppose that a certain “ordinary” person, call her Mary, has a wooden sculpture, the possession of which gives that Mary 5 units of pleasure. An “important” person, like the CEO of the company for which Mary works, also likes the sculpture very much. Were he to possess the sculpture it would give him 5 units of pleasure as well. On an “elitist” kind of view, one could argue that the pleasures and pains of “important” people are worth more than the pleasures and pains of “ordinary” people. So in particular because the CEO is so much more important than Mary (let's say at least 10 times more important), we should multiply the pleasure that the sculpture gives him by 10, thus getting the “weighted” pleasure equal to $10 \cdot 5 = 50$ units of pleasure. On this kind of view, we could then reason that because the sculpture gives the President 50 units of pleasure while it gives Mary only 5 units of pleasure, she should give the sculpture to the CEO, or at least that the world would be better if the CEO had the sculpture not Mary.

In adhering to the rule of egalitarianism Bentham is opposed to such an elitist view. He argues that each and every person's pleasure and pain are equally important. There is no weighing of pleasure or pain. His view is egalitarian (Palmer calls it "democratic," but it is not a good choice of words).

3.2. Mill's Distinction between Higher and Lower Pleasures

Mill does not challenge the rule of egalitarianism thus phrased. He also thinks that the "importance" of people is not a factor that should be taken into account to weigh pleasures.

However, Mill does not think that all pleasures are on a par. In particular he thinks of intellectual, spiritual, religious, moral pleasures as carrying a greater value than bodily or animal pleasures. Such a distinction is necessary (Mill believes) to defend the utilitarian view from the charge that it is a "doctrine worthy only of swine." One way to make the charge vivid is to consider the life of a person who sits in front of a computer all day addicted to a game. Such activity might give the person a lot of pleasure, in fact it gives him so much pleasure that he does not want to stop. It might in fact turn out that if we compared the life of the computer-game addict the life of a creative poet (artist or scientist), say, the amount of happiness produced in both cases (in the case of the computer addict, on the one hand, and the case of the creative poet, on the other) would be approximately the same. But we intuitively feel that the life of the computer-game addict is by far less worthwhile than the life of the creative poet. If we distinguish higher and lower pleasures explicitly then we will be able to understand our intuitions about the cases.

☯ Do you think that there would be a similar danger of our not being able to distinguish, in terms of happiness, of course, the life of an addicted computer-game player and the life of a doctor who saves people's lives every day? Why?

Mill rightly worries about another problem: *Who* is to say which pleasure is "higher"? If the computer-game addict were asked, he would probably claim that game playing gives a greater pleasure than writing poetry or doing science. If the poet or scientist were asked, they would vote for writing poetry or doing science over game playing. You can see that this is really coming very close to the problem of elitism. If Mill says that we should listen to the poet and the scientist but not to the computer-game addict, is he not simply abandoning the rule of egalitarianism?

Mill thinks that he can give a principled reason why we should listen to the poet rather than the computer-game addict. He argues that when comparing two kinds of pleasures, only those who have experienced both kinds of pleasures, are competent to judge between them. So far this sounds like a reasonable general principle concerning how to distinguish the value of two kinds of pleasure.

He needs a further argument to the effect that the pleasures he considers to be higher would indeed *be chosen* by all or most competent judges. This argument is an empirical one. Mill does try to make it in the passage *Utilitarianism*, which you have been assigned to read. When you read it, ask yourself how successful he is in his argument.

☯ Suppose that we accept Mill's claim that some pleasures are more valuable than others. Suppose that *X* does not experience the higher pleasures, while *Y* does. In such a case, *Y*'s overall pleasure will in effect count more toward the general utility than *X*'s. Is this a violation of the rule of egalitarianism? Why?

3.3. Animals as Moral Agents

In claiming that pleasure and pain are at the foundation of morality, utilitarians admit that animals are moral agents since they are also capable of experiencing pleasure and pain. It is therefore morally wrong to tear the wings of a butterfly since it causes the animal pain. All sentient creatures are moral creatures.

Mill's distinction between higher and lower pleasures helps utilitarians to distinguish between human and animal utility. However, there is an on-going controversy over just where the boundary should be drawn. One of the most prominent (though also very controversial) contemporary advocates of utilitarianism, Peter Singer, claims that we are simply guilty of speciesism (discrimination based on the fact of belonging to a species) in allowing animal meat in our diets, in keeping animals captive, in performing often extremely cruel experiments on animals, etc.

3.4. Mill's Proof of the Utility Principle

Mill actually thought that one could prove the utility principle in the following way:

The only proof capable of being given that an object is visible, is that people actually see it. The only proof that a sound is audible, is that people hear it: and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it. If the end which the utilitarian doctrine proposes to itself were not, in theory and in practice, acknowledged to be an end, nothing could ever convince any person that it was so. No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons. Happiness has made out its title as one of the ends of conduct, and consequently one of the criteria of morality. (*Utilitarianism*, pp. 435-436)

His reasoning can be represented in the following fashion, where the numbered statements represent the premises, while the last statement the conclusion of the proof, which, according to Mill, follows from the premises.

- (1) Seeing something means that it is visible.
- (2) Desiring something means that it is desirable.
- (3) Each person ultimately desires is his/her happiness.
- (4) For each person, his/her happiness is ultimately desirable.
- (5) For the aggregate of all persons, general happiness is ultimately desirable.
- (6) Each person should promote what is ultimately desirable for the aggregate of all persons.

So: Each person should promote general happiness.

But the proof is not unproblematic. Consider premise (2). Mill's claim here is that we should accept that the fact that someone desires x establishes that x is desirable just like we accept that the fact that someone sees x establishes that x is visible. Note, however, that the concept of visibility and the concept of desirability are really disanalogous in a fundamental way. To say that x is visible is to say that it is *possible to see* x . However, to say that x is desirable is not to say that it is *possible to desire* x but rather that x *should be* desired. While seeing x suffices to establish that it is

possible to see x (that x is visible), desiring x *is not* sufficient to show that x should be desired (that x is desirable) – after all, we sometimes desire what we should not desire (e.g., junk food, cigarettes, cheap mindless films, etc.).

But if we don't accept premise (2), claim (4) will not follow from (3) – from the fact that everyone ultimately desires happiness it does not follow that happiness is desirable. (Note that the problem here concerns whether or not (4) follows from (3), not whether (4) is true or not. Mill claimed that we could know that (4) is true because it follows from claims that are true. The problem with premise (2) shows that the truth of (4) cannot be established in this way. Claim (4) may still be true, but Mill has not established its truth.)

There is also some question whether claim (6) should be accepted. Should each person promote what is ultimately desirable for the aggregate of all persons? We might agree with the claim that each person should promote what is ultimately desirable for that person. But it would require some argument why each person should promote what is ultimately desirable for the aggregate of all persons. It is at this point that the social contract theorists (like Hobbes and Rousseau) have claimed to have an answer.

4. Act- and Rule-Utilitarianism

Utilitarianism is based on two fundamental principles but it admits of two formulations: act-utilitarianism and rule-utilitarianism.

4.1. Two Principles

Utilitarianism is based on two fundamental principles: the consequentialist principle and the utility principle.

Consequentialist Principle: What determines whether an action is right or wrong?

Actions are to be judged right or wrong solely in virtue of their consequences. Nothing else matters. Right actions are, simply, those that have the **best consequences**. In particular it does not matter for the moral evaluation of an action with what intention an act was carried out – all that matters is the outcome.

Utility Principle: What determines which consequences are the best? In assessing consequences, the only thing that matters is the amount of overall **happiness or unhappiness** that is caused. Everything else is irrelevant.

In Mill's words:

Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.
(*Utilitarianism*, p. 431)

4.2. Act-Utilitarianism

One of the simplest ways to apply the utilitarian way of thinking is to think that the action that maximizes general happiness is the morally right action.

An act is morally right if and only if it maximizes total utility, i.e. if and only if it results in a greater amount of good for the greater number of people than any available alternative.

You can to apply this reasoning to a couple of examples.

Is killing the morally right thing to do? It will depend on the consequences, utilitarians will say. It will certainly lead to a lot of unhappiness (on the part of the person killed, on the part of people who knew and were close to the person, even on the part of strangers who might feel threatened by such an act). Ordinarily the unhappiness brought about by such an action will outweigh any happiness that such an act might bring about (perhaps the killer has a lot to gain by the murder). However, there might be situations where killing is the morally right thing to do. For there might be cases where the unhappiness brought about by an action of killing a person will be outweighed by the happiness it brings about. Consider, for example, the case of a serial killer, who not only kills innocent people systematically but is notorious for running away from even high-security prisons. In such a case, the act-utilitarian might consider it morally right to kill the serial killer.

Is treating others with respect the morally right thing to do? People in general like being treated with respect, which means that everyone's pleasure index will be increased if they will be so treated. Of course, there might be some persons who will dislike the fact that people whom they deem unworthy of being treated respectfully are so treated. However, such minor displeasures should not have a great impact on the overall happiness that will result.

Is it morally right to give money to famine victims? It costs us (living in wealthy countries) little, but it gives a lot (life) to the famine victims. Since the total happiness (utility) will rise if we give to money to famine victims, it is morally right to do so.

And so on.

☯ Explain what utilitarians would say about lying, stealing, helping other people in need, gift-giving. Note that the ultimate judgment will depend on the particulars of a case.

4.3. A Serious Problem with Act Utilitarianism

Here is a case where our intuitions seem not to agree with the verdict that the act-utilitarian would render. We will call it the "Tramp Case."

A rape and murder is committed in a racially volatile community. As the sheriff of the town, you have spent a lifetime working for racial harmony. Now, just when your goal is being realized, this incident occurs. The crime is thought to be racially motivated, and a riot is about to break out that will very likely result in the death of several people and create long-lasting racial antagonism. You know who the killer is, you could sentence and execute him. The problem is that nobody will believe you and the riot will break out nonetheless. You see that you could frame a tramp for the crime so that a trial will find him guilty and he will be executed. There is every reason to believe that a speedy trial and execution will head off the riot and save community harmony.

Only you (and the real criminal, who will keep quiet about it) will know that an innocent man has been tried and executed.

According to the act-utilitarian, you should frame the tramp because this act carries the greatest amount of happiness for the greatest numbers (the whole community will be happy, only the tramp will be unhappy). The problem is that this is in flagrant violation of our sense of what the right thing to do is. This is one reason why a different version of utilitarianism was proposed: rule-utilitarianism.

4.4. Rule-Utilitarianism

In essence, according to rule-utilitarians, the act-utilitarians err because they apply the utility principle in the wrong way. What we should evaluate with respect to how much utility is brought about is not particular acts (as act-utilitarians do) but general rules of conduct. According to rule-utilitarians, we should choose those rules of conduct that promote general utility. Such rules are thereby deemed to be morally right. (Remember that utilitarianism is a doctrine about what is morally right – according to them what makes a rule morally right is the fact that it promotes greater general happiness than alternative rules.) Acts, on the other hand, are considered to be morally right as long as they are required by a morally right rule.

For instance, we might consider the following rules:

- (1) Never kill anybody.
- (2) Any time kill somebody.

The rule-utilitarian considers first the question which of such rules would promote the greatest happiness. If as a society we adopted rule (2), we would be all very unhappy, for we could never feel safe. At any moment a person could barge in and kill us (and this would be licensed by the accepted rule in our society!). It seems clear that the adoption of rule (1) would promote the most general happiness. This is why rule-utilitarians argue that killing in general is wrong (because the adoption of the rule not to kill promotes the greatest general happiness) and that therefore every single act of killing is morally wrong as well.

An act is morally right iff ¹ it is required by a morally right rule.
A rule is morally right iff its acceptance maximizes total utility (leads to the greater amount of good for the greater number of people than any alternative rules).

Consider the Tramp Case again. Two rules are in question:

- (R1) Frame the innocents when convenient
- (R2) Never frame the innocents.

¹ Reminder: Philosophers often use 'iff' as a shorthand for 'if and only if'.

According to (R1), the tramp should be framed; according to (R2), the real murderer should be executed. Which is the morally right rule?

According to the rule-utilitarian, the rule that maximizes utility should be adopted. It is arguable that the acceptance of (R2) would lead to a greater general happiness. Think for instance what would happen if we, as a society, accepted rule (R1). Think what we would feel if we learned that the police force in the U.S. frames innocent people *as a rule*. (Suppose the Congress passed such a law.) We would all feel in danger of being framed! We would be dismayed and so unhappy that we would . . . (I'll give your imagination the reign).

So, the rule-utilitarian argues that rule (R2) is far better than rule (R1) because it promotes greater general happiness – this is in fact the morally right rule. If so, then we can explain our intuitions about the tramp case. We said that the adoption of rule (R1) would require the tramp should be framed while the adoption of rule (R2) would require the real murderer to be executed. Since according to the rule-utilitarian it is rule (R2) that maximizes general utility and is thus the morally right rule to adopt, the morally right action is that required by the rule – to execute the real murder.

Note that this verdict of the rule-utilitarian will not be shaken by pointing out that, in this case, framing the tramp would lead to greater happiness than executing the real murderer. This is because, unlike the act-utilitarian, the rule-utilitarian applies the utilitarian calculation not to particular acts (the act of framing a tramp in the above case) but to general rules (“Frame the innocents when convenient”) or kinds of acts (acts of framing innocent people in general).

4.5. Summary

Both act-utilitarianism and rule-utilitarianism provide an answer to the question what makes a particular action morally right. According to act-utilitarianism, the morally right action is the one that maximizes general happiness. In other words, act-utilitarians evaluate each and every action with the view of whether they promote general happiness. According to rule-utilitarianism, on the other hand, the morally right action is the one that exemplifies a rule the acceptance of which maximizes general happiness. Rule-utilitarians do not evaluate each concrete action with respect to how much general happiness they would bring, they only consider rules that society might accept and how much happiness the acceptance of such rules would bring. The actions are then morally right insofar as they follow the rules that are morally right, i.e. that promote general happiness.

5. Some Objections to Utilitarianism

5.1. Justice Objection

The justice objection is well illustrated by the tramp case. This is a case where *justice* requires us not to frame the tramp. Yet, (act-)utilitarians think that it would be right to frame him. So they are unable to accommodate our basic intuitions concerning what is just.

On the other hand, of course, rule-utilitarians do seem to accommodate the objection – they do accommodate our intuition that it would be wrong to frame the tramp even if in this particular

case, framing the tramp would increase general happiness. This is because rule-utilitarians do not think that the fact that a particular action increases general happiness is any indication of its moral value.

5.2. Integrity Objection

You have fallen into enemy's hands. As one of the ways to break you, they command you to execute ten innocent people. (Those people are going to be executed whether or not you do it.) The striking and objectionable thing is that – according to utilitarianism – it does not make any moral difference what you do. If you don't do it – somebody else will kill them, so those people will be dead and the global utility will suffer by n amount of units of happiness. If you do it, those people will be dead and the global utility will suffer by n amount of units of happiness. In other words, your showing moral integrity (and not committing the act of killing those people) does not have any moral value according to the utilitarians.

☯ Do you think that this objection applies to both act- and rule-utilitarianism? Why?

5.3. Tolerance Objection

Utilitarianism is a form of “majority rules” rule. The problem is that sometimes people's preferences (even in the majority) are objectionable (religious fanaticism, political totalitarianism, etc.). It could turn out that if the minority is small enough, the majority's subordination of it would maximize total utility.

Mill was actually very aware of this problem and famously claimed in *On Liberty* that people should be free to do what they want as long as it does not violate others' rights.

☯ Do you think that this objection applies to both act- and rule-utilitarianism? Why?