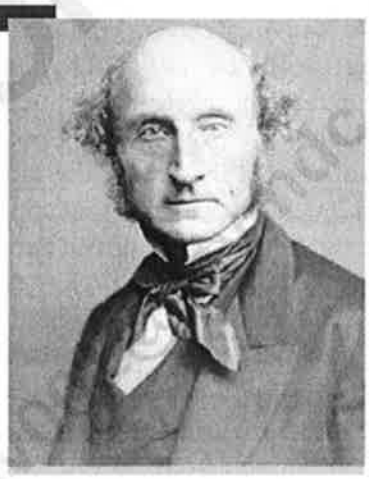
CHAPTER 3

CONSEQUENCES MATTER —UTILITARIANISM



John Stuart Mill (1806–1873)
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LEARNING OBJECTIVES

After reading this chapter, you will be able to:

- **3.1** Define "Utilitarianism" and understand the moral choices and consequences of this philosophy as they apply to real life.
- **3.2** Articulate the relation of general happiness to Utilitarian arguments according to Bentham and Mill.
- **3.3** Critically analyze whether and how one might distinguish between one happiness and another.
- **3.4** Discuss Utilitarianism as it may apply to contemporary moral questions.

3.1 UTILITARIANISM: DIFFICULT MORAL CHOICES AND CONSEQUENCES IN REAL LIFE

The scene is Poland; the time is World War II. A young woman named Sophie had been arrested for trying to smuggle food to her dying mother. She was thrown into a train bound for a concentration camp along with her own two little children and other prisoners. Upon arriving at Auschwitz,

Sophie was given a cruel choice. A Nazi doctor, perhaps bored with picking who would live and who would die that night, asked Sophie to choose between her two children: pick one to be gassed to death right then, and the other will live, at least for the present. Otherwise, presumably, all three will be gassed: the little boy, the little girl, and Sophie herself.

That is the moral nightmare at the heart of William Styron's heartbreaking 1979 novel *Sophie's Choice*, which was turned into a film by Alan J. Pakula in 1982 and earned the American actress Meryl Streep her second Academy Award. The plot is not fanciful—in fact it was based on a real story. What would you have done if you were in Sophie's place?

Clearly, choosing one of your own children to be murdered would be wrong according to Kant's categorical imperative, as discussed in the previous chapter. There would be no possible justification, and, in fact, perhaps it would be preferable to refuse to choose and let the whole family die: Choosing in such a case is something one simply could not do. And yet, what if it is not the act itself, morally repugnant though it appears, but rather the consequences of the act that could guide Sophie's actions in this case? Might it not be preferable, given two horrifying choices, to save at least one child rather than lose two? Kant's categorical imperative, as we have seen, focuses on the action and would most likely say in this case that it is immoral to choose either child over the other, so you should let both die. Alternatively, if you were to choose either child over the other, perhaps it is not that you are using one as a means to save the other: Given the situation, you cannot save both. So you have a duty to save at least one.

This case can be made more realistic (as none of us will face Nazi death squads now or in the future) by considering an alternative and horrifyingly possible scenario of a house fire. Suppose you wake up in the middle of the night to fire and smoke. You run toward the rooms of your three children, and you have three doors to choose. Which do you enter first? You might simply choose the closest. At no point are you thinking I love Sally more than Jim or Sam. Furthermore it is highly unlikely that you are doing any sort of complex moral calculation. It is also rather unlikely in this situation that you are bothering to apply the categorical imperative; you are simply using common sense and going to save whom you can save. And the driving force or motivation for your actions is no doubt the love for your children, but it is also the recognition that in bad situations you try to mitigate the bad *consequences*. It is better to save one than none, and even better to save two, and in the best circumstances you will save all three. Actions have consequences, and, according

to the utilitarians, this matters more than anything else in making a moral judgment.

Utilitarianism is a **teleological** or **consequentialist** ethical theory that determines the moral permissibility of an act on the basis of the consequences of the act. It is a forward-looking moral philosophy, looking at the consequences of an act and assessing them often before they happen. It assumes a sort of solidarity, a human community in whose general happiness we all have a stake. It concentrates on the actual or possible benefits and harms emerging from the consequences of an act.

Two of the most renowned utilitarians are **Jeremy Bentham** and his student **John Stuart Mill**. Their philosophical analyses provide the foundation for the work of recent utilitarians such as **James Rachels** and **Peter Singer**.

MORAL PHILOSOPHERS: JEREMY BENTHAM (1748–1832)

The father of modern utilitarianism, Jeremy Bentham today is remembered chiefly for his moral philosophy, particularly as refined by his follower John Stuart Mill. But Bentham's views on politics and society were at least as radical as the revolution in ethics his powerful utilitarian writings initiated. He was trained as a lawyer, and his earliest works are attacks both on legal tradition and on the notion of natural rights, a concept enshrined everywhere including the legal writings of Sir William Blackstone (1809–1898) and influentially proclaimed in the Declaration of Independence of 1776. You only have the rights you can defend, and the moral arguments Bentham first articulated for that defense eventually developed into the main impulse behind virtually every human rights struggle in the 20th and 21st centuries.

Jeremy Bentham (1748–1832). Engraved by J. Pofselwhite and published in The Gallery Of Portraits With Memoirs encyclopedia, United Kingdom, 1833.
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In his views of the law and its limits, Bentham was a champion of individual freedom of expression. He believed that progressive reform would lead to public happiness and that improved education for all citizens would lead to more informed voters and thus to a better government. He was well ahead of his time in advocating for prison reform and also for the abolition of slavery and the death penalty. Bentham argued for the separation of church and state, for divorce, and for the decriminalization of homosexuality. All but buried in his influential *Introduction to the Principles of Morals and Legislation* (1789) is a simple argument for animal rights that proved an influential revelation in the 20th and 21st centuries.

MORAL PHILOSOPHERS: JEREMY BENTHAM (1748–1832) *continued*

It was in that book that Bentham famously explained his **greatest happiness principle**, a guide to morals based on the utility of an action and its consequences. To achieve that happiness, everything from an individual's personal morals to larger issues of political philosophy and the law could be illuminated by what he called the **principle of utility**—a term he borrowed from David Hume, whose views on human nature Bentham admired. With a nod to Aristotle, Bentham made happiness the primary concern of a moral decision, defining happiness as the triumph of pleasure over pain. The goal of life as well as of society, then, is to maximize a greater general happiness and minimize its opposite.

That Bentham made little effort to distinguish happiness from pleasure led to criticisms that was addressed by John Stuart Mill (1806–1873), the son of Bentham's secretary James Mill and the most influential utilitarian philosopher. Not every happiness is the same, Mill argued, transforming the utilitarian tradition into a major force for social change.

Bentham is very much still with us, and not just metaphorically.

Considered the spiritual founder of University College London, Bentham left his body to the school, with specific instructions on how to display it. Stuffed, waxed, but still with his own hair, Jeremy Bentham has been sitting around the halls of the school since he was permanently installed there in 1850, a dead body in a glass case. He remains active in school affairs, however, and he is included in special occasions. The smiling corpse was most recently moved out of his display case to attend a school board meeting in honor of the retirement of the University College London' provost Sir Malcolm Grant in 2013. He surely was the most distinguished member of the faculty at the meeting.

3.2 BENTHAM: UTILITY AND HAPPINESS

Bentham argues that "Nature has placed mankind under two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as determine what we shall do." In his view, human beings are put together in such a way that we respond primarily to two forces, pain and pleasure. Thus we engage in actions and activities that will lead to pleasure and we avoid actions and activities that will lead to pain or suffering. In this quotation, Bentham claims that, as a matter of ethics, we ought to live by this principle and also that, as a matter of human psychology we will, in fact, live by this principle.

By the principle of utility Bentham means that "principle which approves and disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish happiness." In other words, ethical actions augment or increase net happiness and unethical or bad actions diminish or reduce net happiness. As John Stuart Mill later notes, the happiness involved is not solely individual happiness but the happiness of all affected directly by an action. Mill adds that "the happiness which forms the Utilitarian standard of what is right conduct, is not the agent's own happiness, but that of all concerned." In this way, the rightness or wrongness of an act is not based upon the consequences of pain and pleasure for yourself alone, but also those consequences for others who are directly affected by the act. The general good in the long run coincides with your own.

For Bentham, when one is faced with an ethical dilemma for which one is unsure of right course of action, then one must employ what he calls the **hedonic calculus**.

The following considerations are made regarding acts and pleasure: intensity, duration, certainty, and nearness in time. The following considerations are made regarding the consequences of actions: fecundity (the chances that it will be followed by more of the same), purity (the chances that the pleasure will not be followed by pain), and extent (the number of people it affects).

> *"Nature has placed mankind under the governance of two sovereign masters,* **pain** *and* **pleasure**. *It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it."*
>
> Jeremy Bentham

3.3 MILL: NOT EVERY HAPPINESS IS THE SAME

Bentham argues that pleasure is pleasure and it does not matter if one engages in base, animal pleasure or more robust intellectual activities. Morality then is a simple matter of calculation, much as you might make a list of the pluses and minuses of a prospective law school or of a possible boyfriend. John Stuart Mill, on the other hand, argues that humanity can aim higher and ought to seek out higher, intellectual pleasure.

Some pleasures—or the happiness brought about by the consequences of an action—are demonstrably better than others. As Mill says, "It is better to be Socrates dissatisfied than a fool satisfied. … It is better to be a human being dissatisfied than a pig satisfied." Mill goes on to argue that there are higher and lower pleasures. As he says, "If one of the two [pleasures] is, by those who are competently acquainted with both, placed so far above the other that they … would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account."

> ***"It is better to be a human being dissatisfied than a pig satisfied, better to be Socrates dissatisfied than a fool satisfied."***
>
> John Stuart Mill

The Aristotelian echoes are clear. "The utilitarian doctrine is that happiness is desirable, and the only thing desirable, as an end," writes Mill. "All other things being only desirable as means to that end." Like Aristotle's, Mill's standard of moral worth sets the bar high. But what is new in Mill's *Utilitarianism* (1861), and what is also a refinement of Bentham's moral philosophy is the exquisitely simple notion that what matters most in making a moral judgment should be the extent and quality to which the consequences of an act lead to the creation of happiness or the elimination of unhappiness. And Mill is clear that the "happiness which forms the utilitarian standard is not the agent's own happiness, but that of all concerned."

MORAL PHILOSOPHERS: JOHN STUART MILL (1806–1873)

A child prodigy, John Stuart Mill was not allowed to have any formal schooling, but rather was tutored by his father James Mill and his utilitarian mentor—Jeremy Bentham. His education focused on classics, mathematics, scientific empiricism, and utilitarianism. He was studying Greek at age 3 and Latin by age 8. By his teens, young Mill helped his father in writing pamphlets on political economy. Although he had a very rigorous and thorough education, the subjects of metaphysics and religion were ignored. In 1823 he began working at the East India Company and like his father eventually worked his way up to the position of chief examiner.

At the age of 20 he suffered a nervous breakdown, the result of which was a reevaluation of the teachings he had been given by his mentors. Although he never broke completely with Bentham, he reformulated these notions and became a staunch proponent of individual autonomy, freedom of thought, and liberty. He challenged Bentham's hedonic calculus as unreasonable, highlighting the difficulties in quantifying pleasure and happiness. Mill's enhancement of Bentham's moral philosophy is at the heart of most of today's classic utilitarian arguments.

An atheist and always a nonconformist, Mill refused to accept the Thirty-Nine Articles of the Church of England, so he was refused entry into Oxford or Cambridge. After leaving his post at the East India Company, Mill continued his studies at University College London—founded by Jeremy Bentham and later the permanent home of that philosopher's dead body. In the early 1830s, Mill met and fell in love with Harriet Taylor, but at the time she was married with two children. In 1833 she separated from her husband John Taylor—the two lived in separate homes—but remained married to him until his death in 1849. Two years later, in 1851, Mill and Harriet Taylor were married. Taylor was an accomplished author in her own right and wrote *The Enfranchisement of Women* (1851), which served as the basis for Mill's essay *The Subjection of Women*.

Mill was a prolific writer on many subjects. Some of his most notable works include *A System of Logic* (1843), *On Liberty* (1859), *Utilitarianism* (1863), and *The Subjection of Women* (1869). His political essays were often aimed at social reform. His revealing, beautifully written *Autobiography* is a model of that genre. In 1865 he was elected as a member of parliament. At the same time he was also rector at the University of St. Andrews. He was the godfather of the future philosopher Bertrand Russell. John Stuart Mill died on May 8, 1873, in Avignon, France.

"As between his own happiness and that of others," Mill continues, "utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator." Each person's happiness counts, and it counts the same as everyone else's. This is a radical, liberal position that has gained supporters beyond philosophy into the disciplines of economics and politics.

Mill himself, arguing for women's rights in his landmark *The Subjection of Women* (1869), points out that allowing women the same access as men to education and jobs will in the long run increase the general happiness of all by doubling the number of possibilities for, say, a leading professional or political position. The unhappiness of those men who might not be pleased by women having those rights is real, but it is not as significant, because the men's rights would not be affected. Think, for example, of how many more presidential candidates there might have been in the last 200 years of American history if women had been in the mix. A more recent example, made more than once by the contemporary utilitarian Peter Singer (1946–), is that developed and relatively wealthy nations have a duty to help the poor and hungry in underdeveloped countries, because whatever unhappiness is occasioned by this help in the wealthier country is not comparable to the unhappiness caused in the poor country if it is not helped.

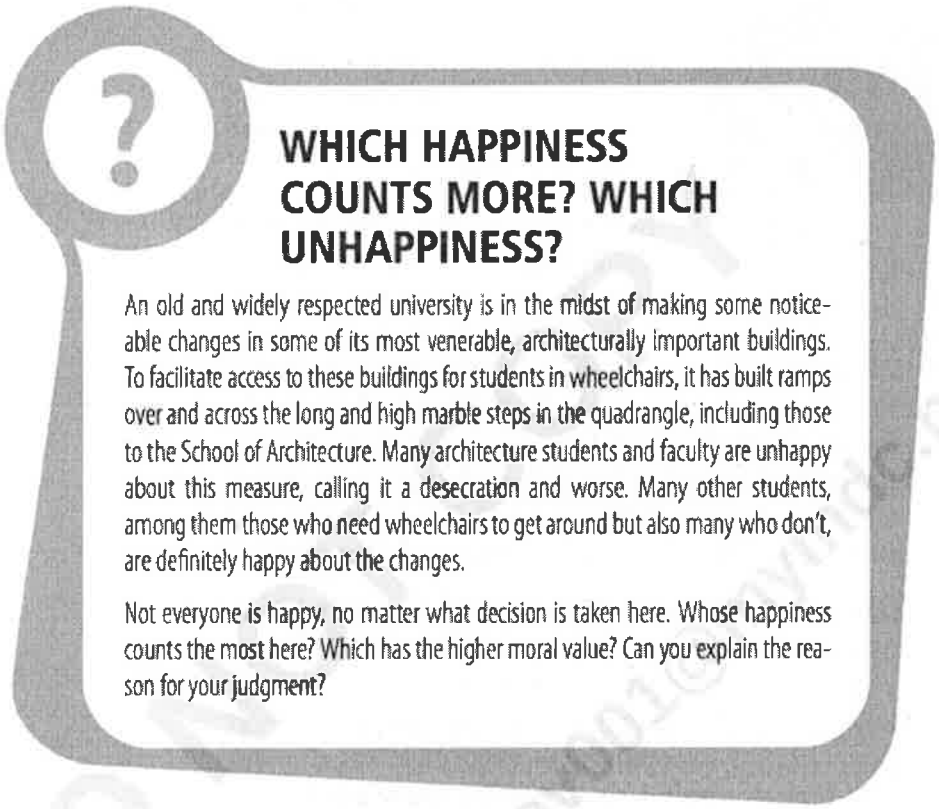
QUICK LOOK: MAKING A UTILITARIAN ARGUMENT

For the utilitarians—from Bentham and Mill to this day—who you are and what you are doing are beside the point in moral decisions. What matters in deciding whether something is right or wrong is simply the consequences of your actions. To make that judgment, you follow these steps:

- Consider the consequences of the act, not the act itself and not the moral agent. Only the consequences matter.
- Consider the amount of happiness or the elimination of unhappiness those consequences bring. Nothing else matters.
- Consider the happiness and unhappiness caused by those consequences to all persons affected by the action in the same way.
- Everyone counts the same, if the consequences affect them directly in the same way.

One problem with a utilitarian justification for the ethical permissibility of an action is that a utilitarian analysis could be used to systematically violate the rights of individual persons if such a violation would result in a net benefit to all involved. This vulgarized notion of the greatest good for the greatest number can emerge from the fact that Bentham's original theory—his "hedonic calculus"—says nothing about the distribution of the good effects, of happiness. So long as the number of people who will

benefit from an unethical action and the benefit generated to them outweighs the harm caused to the few, then the action is justified.



WHICH HAPPINESS COUNTS MORE? WHICH UNHAPPINESS?

An old and widely respected university is in the midst of making some noticeable changes in some of its most venerable, architecturally important buildings. To facilitate access to these buildings for students in wheelchairs, it has built ramps over and across the long and high marble steps in the quadrangle, including those to the School of Architecture. Many architecture students and faculty are unhappy about this measure, calling it a desecration and worse. Many other students, among them those who need wheelchairs to get around but also many who don't, are definitely happy about the changes.

Not everyone is happy, no matter what decision is taken here. Whose happiness counts the most here? Which has the higher moral value? Can you explain the reason for your judgment?

BENEFIT AND HARM—WHO COUNTS?

The Nazi regime elected in Germany in 1933 articulated flawed utilitarian justifications for some of their biological experiments conducted on unwilling prisoners during World War II, arguing that the appalling pain and unhappiness they were causing to their prisoners could save lives in the long run—German lives. In their view, no number of Jewish lives was equal to that of a single Nazi. These appalling arguments were actually given by some Nazi doctors in their defense when they were on trial for war crimes in Nuremberg IN 1944 after the war. In this particular case, the utilitarian analysis is flawed because of the extreme prejudice of the Nazis and their failure to recognize the rights of all people. If they had recognized the rights of their prisoners, then a utilitarian analysis of the

Prisoners in the concentration camp at Sachsenhausen, Germany, Dec. 19, 1938. Located 22 miles north of Berlin, it was near administrative center of all the Nazi concentration camps in Oranienburg.
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circumstances would have shown that their actions were wrong. In other words, the happiness or unhappiness of all those affected directly by the consequences of an act must count the same. In utilitarian moral reasoning, everyone counts the same.

In other cases when there is a great need, especially where there is an epidemic or another disaster, utilitarian justifications are often employed to justify infringing upon or violating the rights of persons in the name of benefiting the greater good. Mill's finessing of Bentham's original theory—his noticing that it is not the quantity of happiness or unhappiness but rather the quality of those things that counts—does take care of much of this chink in the utilitarian armor, but some problems remain.

The utilitarians endeavor to block the objection by appealing to "the long run." One may ask what is the long run? Is it 10 years, 40 years, or even 100 years? Whatever time period is picked will be arbitrary. The case against President Harry Truman's decision to drop the atomic bomb on Hiroshima and Nagasaki in 1945—something that some feel was an indefensible decision to kill innocent people that has been condemned in no uncertain terms by Kantian moral philosophers as nothing less than mass murder—could, under utilitarian analysis, appear to be the right thing to do if one could prove that Truman saved more lives than he killed. If it had been the case that the war with Japan would go on for another year, for instance, then a defense of Truman might be possible. Recently uncovered facts, such as Japan's documented willingness to surrender before the bomb was dropped, or the subsequent number of people dead from radiation poisoning, would of course affect the calculations. But a utilitarian argument would appear to be Truman's only possible defense. The meaning of "in the long run" in this particular case has changed over the years, as the number of those who have died from cancer directly caused by atomic radiation increased exponentially. A related problem is that there is often no way of knowing whether in the distant future the bad effects of an ethically objectionable action will swamp the good effects.

As will be seen in Part III, the damage human society is perpetrating on the Earth and its atmosphere may have initially been justified by short-term bits of happiness such as profits, better transportation, and cheaper energy but it is in the last half-century that the long-term damage to the atmosphere and the oceans has come to light. With a better grasp of the consequences, humanity can now work to balance human progress with environmental responsibility—although some believe that how this is actually supposed to be done is unclear.

Utilitarians are equipped to deal with a myriad of issues in a thoughtful and easily applicable way. Bentham led the way, and Mill revolutionized the argument in his analysis of happiness: It is not quantity but quality that counts, and it counts for everyone. The quest for happiness as the goal of life is not new, and millennia earlier Aristotle and Epicurus built their moral philosophies on this firm foundation. What is new and revolutionary about the utilitarians is this: Your own happiness counts the same as someone else's and—as is the case for Kant, for decidedly different reasons—no one is special. There lies the universality of the utilitarian argument. To maximize general happiness and minimize unhappiness has been the groundwork of the various struggles for human rights in the last 150 years.

3.4 READINGS IN UTILITARIANISM

READINGS: JEREMY BENTHAM (1784–1832): THE PRINCIPLE OF UTILITY

Jeremy Bentham (1748–1832), the father of utilitarianism, summarizes his principle of utility and explains how a new moral philosophy can be founded on the valuing of the consequences of our actions according to how they help create happiness or eliminate unhappiness.

Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure.* It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we

From An Introduction to the *Principles of Morals and Legislation* by Jeremy Bentham, 1780.

think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while. The *principle of utility* recognizes this subjection, and assumes it for the foundation of that system.

By the principle of utility is meant that principle which approves or disapproves of every action whatsoever according to the tendency it appears to have to augment or diminish the happiness of the persons whose interest is in question: or, what is the same thing in other words to promote or to oppose that happiness. I say of every action whatsoever, and therefore not only of every action of a private individual, but of every measure of government.

By utility is meant that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness, (all this in the present case comes to the same thing) or (what comes again to the same thing) to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered: if that party be the community in general, then the happiness of the community: if a particular individual, then the happiness of that individual.

The interest of the community is one of the most general expressions that can occur in the phraseology of morals: no wonder that the meaning of it is often lost. When it has a meaning, it is this. The community is a fictitious *body*, composed of the individual persons who are considered as constituting as it were its *members*. The interest of the community then is, what is it?—the sum of the interests of the several members who compose it.

It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be *for* the interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

An action then may be said to be conformable to the principle of utility with respect to the community at large when the tendency it has to augment the happiness of the community is greater than any it has to diminish it.

A measure of government (which is but a particular kind of action, performed by a particular person or persons) may be said to be conformable

to or dictated by the principle of utility, when in like manner the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it.

When an action, or in particular a measure of government, is supposed by a man to be conformable to the principle of utility, it may be convenient, for the purposes of discourse, to imagine a kind of law or dictate, called a law or dictate of utility: and to speak of the action in question, as being conformable to such law or dictate.

A man may be said to be a partisan of the principle of utility, when the approbation or disapprobation he gives up to any action, or to any measure, is determined by and proportioned to the tendency which he conceives it to have to augment or to diminish the happiness of the community: or in other words, to its conformity or unconformity to the laws or dictates of utility.

Of an action that is conformable to the principle of utility one may always say either that it is one that ought to be done, or at least that it is not one that ought not to be done. One may say also, that it is right it should be done; at least that it is not wrong it should be done: that it is a right action; at least that it is not a wrong action. When thus interpreted, the words *ought*, and *right* and *wrong* and others of that stamp, have a meaning: when otherwise, they have none.

Has the rectitude of this principle been ever formally contested? It should seem that it had, by those who have not known what they have been meaning. Is it susceptible of any direct proof? it should seem not: for that which is used to prove everything else, cannot itself be proved: a chain of proofs must have their commencement somewhere. To give such proof is as impossible as it is needless.

> ***"Is it possible for a man to move the earth? Yes; but he must first find out another earth to stand upon."***
> Jeremy Bentham

Not that there is or ever has been that human creature at breathing, however stupid or perverse, who has not on many, perhaps on most occasions of his life, deferred to it. By the natural constitution of the human frame, on most occasions of their lives men in general embrace this principle, without thinking of it: if not for the ordering of their own actions, yet for the trying of their own actions, as well as of those of other men. There have

been, at the same time, not many perhaps, even of the most intelligent, who have been disposed to embrace it purely and without reserve. There are even few who have not taken some occasion or other to quarrel with it, either on account of their not understanding always how to apply it, or on account of some prejudice or other which they were afraid to examine into, or could not bear to part with. For such is the stuff that man is made of: in principle and in practice, in a right track and in a wrong one, the rarest of all human qualities is consistency.

When a man attempts to combat the principle of utility, it is with reasons drawn, without his being aware of it, from that very principle itself. His arguments, if they prove anything, prove not that the principle is *wrong*, but that, according to the applications he supposes to be made of it, it is *misapplied*. Is it possible for a man to move the earth? Yes; but he must first find out another earth to stand upon.

To disprove the propriety of it by arguments is impossible; but, from the causes that have been mentioned, or from some confused or partial view of it, a man may happen to be disposed not to relish it. Where this is the case, if he thinks the settling of his opinions on such a subject worth the trouble, let him take the following steps, and at length, perhaps, he may come to reconcile himself to it.

READINGS: JOHN STUART MILL: UTILITARIANISM

John Stuart Mill (1806–1873) in this crucial manifesto makes his case that actions are right in proportion to their creation of happiness and wrong if they produce its opposite. He also refines Bentham's utilitarianism by analyzing how not every happiness is the same and also how everyone's happiness counts.

There are few circumstances among those which make up the present condition of human knowledge, more unlike what might have been expected, or more significant of the backward state in which speculation on the most important subjects still lingers, than the little progress which has been made in the decision of the controversy respecting the criterion of right and wrong. From the dawn of philosophy, the question concerning the summum bonum, or, what is the same thing, concerning the foundation

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From *Utilitarianism* by John Stuart Mill, 1861.

of morality, has been accounted the main problem in speculative thought, has occupied the most gifted intellects, and divided them into sects and schools, carrying on a vigorous warfare against one another. And after more than two thousand years the same discussions continue, philosophers are still ranged under the same contending banners, and neither thinkers nor mankind at large seem nearer to being unanimous on the subject, than when the youth Socrates listened to the old Protagoras, and asserted (if Plato's dialogue be grounded on a real conversation) the theory of utilitarianism against the popular morality of the so-called sophist.

It is true that similar confusion and uncertainty, and in some cases similar discordance, exist respecting the first principles of all the sciences, not excepting that which is deemed the most certain of them, mathematics; without much impairing, generally indeed without impairing at all, the trustworthiness of the conclusions of those sciences. An apparent anomaly, the explanation of which is, that the detailed doctrines of a science are not usually deduced from, nor depend for their evidence upon, what are called its first principles. Were it not so, there would be no science more precarious, or whose conclusions were more insufficiently made out, than algebra; which derives none of its certainty from what are commonly taught to learners as its elements, since these, as laid down by some of its most eminent teachers, are as full of fictions as English law, and of mysteries as theology. The truths which are ultimately accepted as the first principles of a science, are really the last results of metaphysical analysis, practiced on the elementary notions with which the science is conversant; and their relation to the science is not that of foundations to an edifice, but of roots to a tree, which may perform their office equally well though they be never dug down to and exposed to light. But though in science the particular truths precede the general theory, the contrary might be expected to be the case with a practical art, such as morals or legislation. All action is for the sake of some end, and rules of action, it seems natural to suppose, must take their whole character and color from the end to which they are subservient. When we engage in a pursuit, a clear and precise conception of what we are pursuing would seem to be the first thing we need, instead of the last we are to look forward to. A test of right and wrong must be the means, one would think, of ascertaining what is right or wrong, and not a consequence of having already ascertained it.

The difficulty is not avoided by having recourse to the popular theory of a natural faculty, a sense or instinct, informing us of right and wrong. For- besides that the existence of such- a moral instinct is itself one of

the matters in dispute- those believers in it who have any pretensions to philosophy, have been obliged to abandon the idea that it discerns what is right or wrong in the particular case in hand, as our other senses discern the sight or sound actually present. Our moral faculty, according to all those of its interpreters who are entitled to the name of thinkers, supplies us only with the general principles of moral judgments; it is a branch of our reason, not of our sensitive faculty; and must be looked to for the abstract doctrines of morality, not for perception of it in the concrete. The intuitive, no less than what may be termed the inductive, school of ethics, insists on the necessity of general laws. They both agree that the morality of an individual action is not a question of direct perception, but of the application of a law to an individual case. They recognize also, to a great extent, the same moral laws; but differ as to their evidence, and the source from which they derive their authority. According to the one opinion, the principles of morals are evident a priori, requiring nothing to command assent, except that the meaning of the terms be understood. According to the other doctrine, right and wrong, as well as truth and falsehood, are questions of observation and experience. But both hold equally that morality must be deduced from principles; and the intuitive school affirms as strongly as the inductive, that there is a science of morals. Yet they seldom attempt to make out a list of the a priori principles which are to serve as the premises of the science; still more rarely do they make any effort to reduce those various principles to one first principle, or common ground of obligation. They either assume the ordinary precepts of morals as of a priori authority, or they lay down as the common groundwork of those maxims, some generality much less obviously authoritative than the maxims themselves, and which has never succeeded in gaining popular acceptance. Yet to support their pretensions there ought either to be someone fundamental principle or law, at the root of all morality, or if there be several, there should be a determinate order of precedence among them; and the one principle, or the rule for deciding between the various principles when they conflict, ought to be self-evident.

Although the non-existence of an acknowledged first principle has made ethics not so much a guide as a consecration of men's actual sentiments, still, as men's sentiments, both of favor and of aversion, are greatly influenced by what they suppose to be the effects of things upon their happiness, the principle of utility, or as Bentham latterly called it, the greatest happiness principle, has had a large share in forming the moral doctrines even of those who most scornfully reject its authority. I might go much

further, and say that to all those a priori moralists who deem it necessary to argue at all, utilitarian arguments are indispensable. It is not my present purpose to criticize these thinkers; but I cannot help referring, for illustration, to a systematic treatise by one of the most illustrious of them, the Metaphysics of Ethics, by Kant. This remarkable man, whose system of thought will long remain one of the landmarks in the history of philosophical speculation, does, in the treatise in question, lay down a universal first principle as the origin and ground of moral obligation; it is this: "So act as if according to a maxi that you would willingly admit of being adopted as a law by all rational beings." But when he begins to deduce from this precept any of the actual duties of morality, he fails, almost grotesquely, to show that there would be any contradiction, any logical (not to say physical) impossibility, in the adoption by all rational beings of the most outrageously immoral rules of conduct. All he shows is that the consequences of their universal adoption would be such as no one would choose to incur.

On the present occasion, I shall, without further discussion of the other theories, attempt to contribute something towards the understanding and appreciation of the Utilitarian or Happiness theory, and towards such proof as it is susceptible of. It is evident that this cannot be proof in the ordinary and popular meaning of the term. Questions of ultimate ends are not amenable to direct proof. Whatever can be proved to be good must be so by being shown to be a means to something admitted to be good without proof. The medical art is proved to be good by its conducing to health; but how is it possible to prove that health is good? The art of music is good, for the reason, among others, that it produces pleasure; but what proof is it possible to give that pleasure is good? If, then, it is asserted that there is a comprehensive formula, including all things which are in themselves good, and that whatever else is good, is not so as an end, but as a mean,

LONDON, UK - MAY 9, 2006: A statue of the British philosopher and economist John Stuart Mill buried away amongst the foliage of Victoria Embankment Gardens, a public park close to Westminster Bridge.

the formula may be accepted or rejected, but is not a subject of what is commonly understood by proof. We are not, however, to infer that its acceptance or rejection must depend on blind impulse, or arbitrary choice. There is a larger meaning of the word proof, in which this question is as amenable to it as any other of the disputed questions of philosophy. The subject is within the cognizance of the rational faculty; and neither does that faculty deal with it solely in the way of intuition. Considerations may be presented capable of determining the intellect either to give or withhold its assent to the doctrine; and this is equivalent to proof.

We shall examine presently of what nature are these considerations; in what manner they apply to the case, and what rational grounds, therefore, can be given for accepting or rejecting the utilitarian formula. But it is a preliminary condition of rational acceptance or rejection, that the formula should be correctly understood. I believe that the very imperfect notion ordinarily formed of its meaning, is the chief obstacle which impedes its reception; and that could it be cleared, even from only the grosser misconceptions, the question would be greatly simplified, and a large proportion of its difficulties removed. Having thus prepared the ground, I shall afterwards endeavor to throw such light as I can upon the question, considered as one of philosophical theory.

What Utilitarianism Is. A passing remark is all that needs be given to the ignorant blunder of supposing that those who stand up for utility as the test of right and wrong, use the term in that restricted and merely colloquial sense in which utility is opposed to pleasure. An apology is due to the philosophical opponents of utilitarianism, for even the momentary appearance of confounding them with any one capable of so absurd a misconception; which is the more extraordinary, inasmuch as the contrary accusation, of referring everything to pleasure, and that too in its grossest form, is another of the common charges against utilitarianism. Those who know anything about the matter are aware that every writer, from Epicurus to Bentham, who maintained the theory of utility, meant by it, not something to be contradistinguished from pleasure, but pleasure itself, together with exemption from pain; and instead of opposing the useful to the agreeable or the ornamental, have always declared that the useful means these, among other things.

The creed which accepts as the foundation of morals, 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. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, what things it includes in the ideas of pain and pleasure; and to what extent this is left an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded- namely, that pleasure, and freedom from pain, are the only things desirable as ends; and that all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain.

Now, such a theory of life excites in many minds and among them in some of the most estimable in feeling and purpose, inveterate dislike. To suppose that life has (as they express it) no higher end than pleasure—no better and nobler object of desire and pursuit- they designate as utterly mean and groveling; as a doctrine worthy only of swine, to whom the followers of Epicurus were, at a very early period, contemptuously likened; and modern holders of the doctrine are occasionally made the subject of equally polite comparisons by its German, French, and English assailants.

When thus attacked, the Epicureans have always answered, that it is not they, but their accusers, who represent human nature in a degrading light; since the accusation supposes human beings to be capable of no pleasures except those of which swine are capable. If this supposition were true, the charge could not be gainsaid, but would then be no longer an imputation; for if the sources of pleasure were precisely the same to human beings and to swine, the rule of life which is good enough for the one would be good enough for the other. The comparison of the Epicurean life to that of beasts is felt as degrading, precisely because a beast's pleasures do not satisfy a human being's conceptions of happiness.

Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification. I do not, indeed, consider the Epicureans to have been by any means faultless in drawing out their scheme of consequences from the utilitarian principle. To do this in any sufficient manner, many Stoic, as well as Christian elements require to be included. But there is no known Epicurean theory of life which does not assign to the pleasures of the intellect, of the feelings and imagination, and

of the moral sentiments, a much higher value as pleasures than to those of mere sensation. It must be admitted, however, that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, least costly, etc., of the former- that is, in their circumstantial advantages rather than in their intrinsic nature. And on all these points utilitarians have fully proved their case; but they might have taken the other, and, as it may be called, higher ground, with entire consistency. It is quite compatible with the principle of utility to recognize the fact, that some kinds of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.

> *"The creed which accepts as the foundation of morals, 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."*
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> John Stuart Mill

If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality.

Of the Ultimate Sanction of the Principle of Utility. If the view adopted by the utilitarian philosophy of the nature of the moral sense be correct, this difficulty will always present itself, until the influences which form moral character have taken the same hold of the principle which they have taken of some of the consequences- until, by the improvement of education, the feeling of unity with our fellow-creatures shall be (what it cannot be denied that Christ intended it to be) as deeply rooted in our character, and to our own consciousness as completely a part of our nature, as the horror of crime is in an ordinarily well brought up young person. In

the meantime, however, the difficulty has no peculiar application to the doctrine of utility, but is inherent in every attempt to analyze morality and reduce it to principles; which, unless the principle is already in men's minds invested with as much sacredness as any of its applications, always seems to divest them of a part of their sanctity.

The principle of utility either has, or there is no reason why it might not have, all the sanctions which belong to any other system of morals. Those sanctions are either external or internal. Of the external sanctions it is not necessary to speak at any length. They are the hope of pleasure and the fear of displeasure. There is evidently no reason why all these motives for observance should not attach themselves to the utilitarian morality, as completely and as powerfully as to any other. Indeed, those of them which refer to our fellow creatures are sure to do so, in proportion to the amount of general intelligence; for whether there be any other ground of moral obligation than the general happiness or not, men do desire happiness; and however imperfect may be their own practice, they desire and commend all conduct in others towards themselves, by which they think their happiness is promoted. With regard to the religious motive, if men believe, as most profess to do, in the goodness of God, those who think that conduciveness to the general happiness is the essence, or even only the criterion of good, must necessarily believe that it is also that which God approves.

The internal sanction of duty, whatever our standard of duty may be, is one and the same- a feeling in our own mind; a pain, more or less intense, attendant on violation of duty, which in properly cultivated moral natures rises, in the more serious cases, into shrinking from it as an impossibility. This feeling, when disinterested, and connecting itself with the pure idea of duty, and not with some particular form of it, or with any of the merely accessory circumstances, is the essence of Conscience; though in that complex phenomenon as it actually exists, the simple fact is in general all encrusted over with collateral associations, derived from sympathy, from love, and still more from fear; from all the forms of religious feeling; from the recollections of childhood and of all our past life; from self-esteem, desire of the esteem of others, and occasionally even self-abasement. This extreme complication is, I apprehend, the origin of the sort of mystical character which, by a tendency of the human mind of which there are many other examples, is apt to be attributed to the idea of moral obligation, and which leads people to believe that the idea cannot possibly attach itself to any other objects than those which, by a supposed mysterious law, are found in our present experience to excite it.

Its binding force, however, consists in the existence of a mass of feeling which must be broken through in order to do what violates our standard of right, and which, if we do nevertheless violate that standard, will probably have to be encountered afterwards in the form of remorse. Whatever theory we have of the nature or origin of conscience, this is what essentially constitutes it.

The ultimate sanction, therefore, of all morality (external motives apart) being a subjective feeling in our own minds, I see nothing embarrassing to those whose standard is utility, in the question, what is the sanction of that particular standard? We may answer the same as of all other moral standards- the conscientious feelings of mankind. Undoubtedly this sanction has no binding efficacy on those who do not possess the feelings it appeals to; but neither will these persons be more obedient to any other moral principle than to the utilitarian one. On them morality of any kind has no hold but through the external sanctions.

Of What Sort of Proof the Principle of Utility Is Susceptible. It has already been remarked, that questions of ultimate ends do not admit of proof, in the ordinary acceptation of the term. To be incapable of proof by reasoning is common to all first principles; to the first premises of our knowledge, as well as to those of our conduct. But the former, being matters of fact, may be the subject of a direct appeal to the faculties which judge of fact—namely, our senses, and our internal consciousness. Can an appeal be made to the same faculties on questions of practical ends? Or by what other faculty is cognizance taken of them?

Questions about ends are, in other words, questions what things are desirable. The utilitarian doctrine is that happiness is desirable, and the only thing desirable, as an end; all other things being only desirable as means to that end. What ought to be required of this doctrine- what conditions is it requisite that the doctrine should fulfill—to make good its claim to be believed?

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.

On the Connection between Justice and Utility. To recapitulate: the idea of justice supposes two things; a rule of conduct, and a sentiment which sanctions the rule. The first must be supposed common to all mankind, and intended for their good. The other (the sentiment) is a desire that punishment may be suffered by those who infringe the rule. There is involved, in addition, the conception of some definite person who suffers by the infringement; whose rights (to use the expression appropriated to the case) are violated by it. And the sentiment of justice appears to me to be, the animal desire to repel or retaliate a hurt or damage to oneself, or to those with whom one sympathizes, widened so as to include all persons, by the human capacity of enlarged sympathy, and the human conception of intelligent self-interest. From the latter elements, the feeling derives its morality; from the former, its peculiar impressiveness, and energy of self-assertion.

I have, throughout, treated the idea of a right residing in the injured person, and violated by the injury, not as a separate element in the composition of the idea and sentiment, but as one of the forms in which the other two elements clothe themselves. These elements are a hurt to some assignable person or persons on the one hand, and a demand for punishment on the other. An examination of our own minds, I think, will show that these two things include all that we mean when we speak of violation of a right. When we call anything a person's right, we mean that he has a valid claim on society to protect him in the possession of it, either by the force of law, or by that of education and opinion. If he has what we consider a sufficient claim, on whatever account, to have something guaranteed to him by society, we say that he has a right to it. If we desire to prove that anything does not belong to him by right, we think this done as soon as it is admitted that society ought not to take measures for securing it to him, but should leave him to chance, or to his own exertions.

Thus, a person is said to have a right to what he can earn in fair professional competition; because society ought not to allow any other person to hinder him from endeavoring to earn in that manner as much as he can. To have a right, then, is, I conceive, to have something which society ought to defend

me in the possession of. If the objector goes on to ask, why it ought? I can give him no other reason than general utility. If that expression does not seem to convey a sufficient feeling of the strength of the obligation, nor to account for the peculiar energy of the feeling, it is because there goes to the composition of the sentiment, not a rational only, but also an animal element, the thirst for retaliation; and this thirst derives its intensity, as well as its moral justification, from the extraordinarily important and impressive kind of utility which is concerned. The interest involved is that of security, to every one's feelings the most vital of all interests. All other earthly benefits are needed by one person, not needed by another; and many of them can, if necessary, be cheerfully foregone, or replaced by something else; but security no human being can possibly do without on it we depend for all our immunity from evil, and for the whole value of all and every good, beyond the passing moment; since nothing but the gratification of the instant could be of any worth to us, if we could be deprived of anything the next instant by whoever was momentarily stronger than ourselves.

Our notion, therefore, of the claim we have on our fellow-creatures to join in making safe for us the very groundwork of our existence, gathers feelings around it so much more intense than those concerned in any of the more common cases of utility, that the difference in degree (as is often the case in psychology) becomes a real difference in kind. The claim assumes that character of absoluteness, that apparent infinity, and incommensurability with all other considerations, which constitute the distinction between the feeling of right and wrong and that of ordinary expediency and inexpediency. The feelings concerned are so powerful, and we count so positively on finding a responsive feeling in others (all being alike interested), that "ought" and "should" grow into "must," and recognized indispensability becomes a moral necessity.

CHAPTER PHILOSOPHERS

Bentham, Jeremy (1748–1832), British philosopher considered the father of utilitarianism; active in law and politics as well as ethics, he was an early proponent of women's rights, abolition of slavery and the death penalty, and decriminalization of homosexuality.

Mill, John Stuart (1806–1873), British philosopher who perfected classical utilitarianism, an ethical theory that states it is the consequences of an act that matter most in making a moral decision.

Rachels, James (1941–2003), American moral philosopher, particularly celebrated for his utilitarian views on animal rights and on the "Death with Dignity" movement.

Singer, Peter (1946–), a native of Melbourne, Australia, one of the most influential and controversial contemporary utilitarians; he is the author of several books on moral philosophy including *Animal Liberation*, *Practical Ethics*, and *Rethinking Life and Death.*

KEY TERMS

Consequentialist ethical theory that considers the consequences of an act the primary factor in making a judgment; see also "Utilitarian" and "Teleological."

Greatest happiness principle Jeremy Bentham's guide to morals based on the utility of an action and its consequences.

Principle of utility a guiding principle of Jeremy Bentham's moral philosophy, declares that the main consideration in making a moral judgment is the utility of an act, that is, the happiness or the elimination of unhappiness its consequences promote.