4

Utilitarianism

Key terms

a priori – can be known without human experience.

a posteriori – known by logical deductions made from observation and experience of the material world.

empiricism – the idea that knowledge can only be gained through rational analysis of the observation of sensory experiences of the material world.

Introduction

Utilitarianism is the most important ethical theory to originate in Britain. While Kant developed his view that human beings were rational animals who can develop a moral society based on reason, far away in Edinburgh and London a completely different view of morality was created. Kant based his moral philosophy on what he regarded as **a priori** knowledge. In Britain, by contrast, a new moral philosophy was based on **a posteriori** knowledge; on the view that ideas are products of human experience. Utilitarianism was the most important ethical product of this **empirical** approach to knowledge.

Utilitarianism is the belief that the rightness of an action, rule or principle is to be judged by its presumed consequences. Utilitarians, in coming to a conclusion about the rightness of an action, rule or principle, are forced to answer two fundamental moral questions. These are **what is good?** and **what is right?**

The principle of Utility

Utilitarians base goodness and rightness on human experience. For them what is good is that which produces pleasure, happiness, contentment or welfare and what is right is that which maximizes one or more of these things. Utilitarians call the method for maximizing good the **principle of Utility** and they use the term **optimific** to describe the achievement of this maximization.

As John Broome puts it:

> *Utilitarianism contains a theory of good and a theory of right. It is characteristic of the utilitarian theory of right that rightness is derived from goodness. (John Broome, 'Can there be a preference-based utilitarianism?',* Justice, Political Liberalism and Utilitarianism: Proceedings of the Caen Conference in Honour of John Harsanyi and John Rawls, *ed. Maurice Salles and John Weymark, Cambridge University Press, 1998)*

Extension note

The greatest good of the greatest number

Francis Hutcheson (1694–1746) was an Ulster Protestant who studied at the University of Glasgow. There he read the works of Bishop George Berkeley (1685–1753). Hutcheson noted that Berkeley, in one of his more obscure works, argues that human experiences give rise to either pain or pleasure. Berkeley gives the illustration of a man putting his hand in front of a fire. The fire, at a distance, produces the pleasure of warmth and light. However, what was pleasure becomes pain as the hand draws closer to the source of the heat. Hutcheson notes that particular sensory experiences therefore create what he calls **simple ideas of approbation or condemnation**. Things that create pleasure you approve of, whereas experiences that cause pain make you condemn them. Hutcheson goes on to argue that people prefer a happy and contented society to constant social change and financial turmoil. Hutcheson writes:

> *The highest moral approbation, is the calm, stable, universal good will to all. (Susan M Purviance, 'Hutcheson's aesthetic realism and moral qualities',* History of Intellectual Culture, *2006, Vol 6, No 1 available from www.ucalgary.ca/hic/issues/vol6/2* [accessed 01/06/2010]*)*

The maximization of happiness would lead to a calm and stable society. This Hutcheson called:

> *The greatest good of the greatest number. (Bernhard Fabian,* Collect Works of Francis Hutcheson, *G. Olms, 1971)*

Key terms

optimific – the maximization of pleasure, happiness, welfare or whatever concept(s) a particular utilitarian thinks is essential for human fulfilment and well-being.

teleology – designed for or directed towards a final end.

consequentialism – the consequences of an action solely determine whether it is the right thing to do.

Modern utilitarians often disagree over what is good and what is right. These differences of opinion have resulted in four different strands of Utilitarianism in contemporary society, three of which are examined in this chapter. They are:

1. **Act Utilitarianism** (also called **extreme Utilitarianism**)
2. **Rule Utilitarianism** (also known as **restrictive Utilitarianism**)
3. **Preference Utilitarianism**.

Utilitarianism, in whatever form, is a **teleological** ethical theory as each action or rule is judged on whether its end (*telos*) result maximizes good. It is also **consequentialist** since the consequences of an action or rule is the sole criterion to judge whether it is right or wrong.

Key point

The highest moral approbation is the calm, stable, universal goodwill to all ... the greatest good of the greatest number. (Francis Hutcheson)

Origins

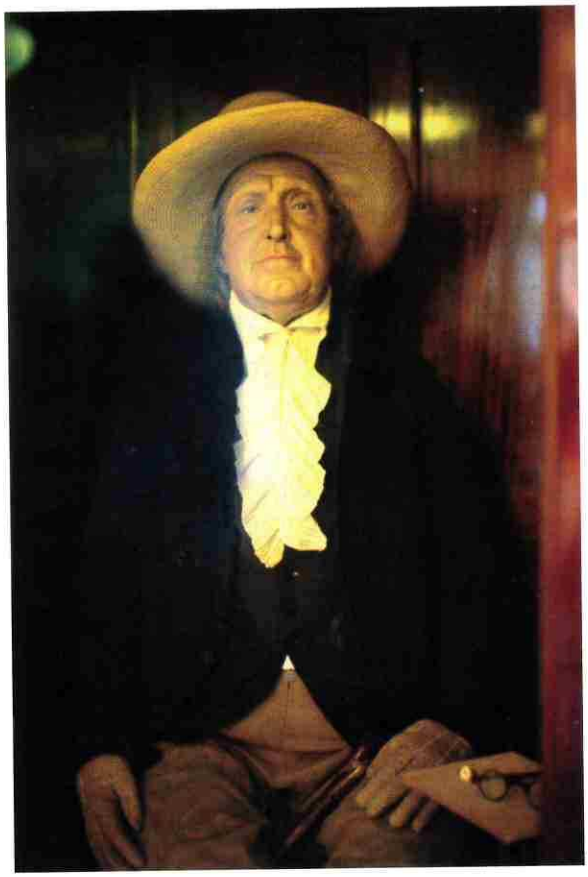
The experience of the English Civil Wars (1642–1651) demonstrated, for many people who lived through it, that human beings were often violent and immoral animals. As Thomas Hobbes (1588–1679) wrote at the time:

> *The life of man [is] solitary, poore, nasty, brutish, and short. (Thomas Hobbes,* Leviathan, *Penguin Classics, 1985)*

Hobbes' analysis of the human condition was bleak. Christians saw it as a threat to their understanding that man is made in the image of God. A growing number of non-believers saw it as an overly pessimistic view of human nature. In the century that followed the publication of Hobbes' *Leviathan* both Christians and non-believers tried to create a new moral system based not on the Bible, but on the laws of nature. Some of these were Christians who believed that the laws of nature were products of the divine hand at work in the universe. Among this group, known today as the **theological utilitarians**, was the writer John Gay (1685–1732) as well as William Paley (1743–1805), who developed the teleological argument for the existence of God. The others were a growing band of sceptical non-believers, known collectively as the **classical utilitarians**. Jeremy Bentham (1748–1832) and John Stuart Mill (1806–1873) are the most important of these. Both groups, through observation, agreed that:

- in nature things and actions either cause pleasure or pain
- pleasure is good and pain is bad
- the utility (meaning usefulness) of an action or thing is to be judged solely on the basis of whether it maximizes pleasure (happiness)
- an action or thing should either directly or indirectly lead to the pleasure or happiness of the maximal number of people in society
- all human beings prefer pleasure to pain and this preference is built into nature's laws.

Jeremy Bentham



Jeremy Bentham (1748–1832) ordered in his will that his mortal remains should be stuffed and kept within the precincts of University College London, where they can be seen today. The face is a replica. He is wearing his favourite hat and sitting on his writing chair.

Jeremy Bentham is regarded as the father of classical Utilitarianism. Bentham developed an ethical philosophy grounded in individualism. Each human being was free to create his or her own morality based not on God but on nature.

Bentham called himself a **non-theist**. He rejected the term atheist, as he thought it was impossible for any human being to know whether God exists or not. As a non-theist Bentham rejected morality based on divine authority. He believed that there is one single basis for ethics and that is nature. Nature replaces God as the sole higher authority to which human beings must turn in order to understand themselves, the world and moral life. Bentham, however, never attempted to explain what he meant by nature. He assumed that no explanation was required. Bentham developed from this view the idea that morality is the maximization of pleasure in society. He wrote:

> *Nature has placed mankind under the governance of two sovereign masters,* pain *and* pleasure. *(Jeremy Bentham,* An Introduction to the Principles of Morals and Legislation, *W. Pickering, 1823)*

Bentham believed that not only is humanity under these twin masters, but that every human should prefer pleasure to pain. Bentham gives no reason for this preference. He argues that it is *fundamental* and needs no evidence. However, he does explain that pleasure and pain are not just physical sensations; they are also the psychological state that comes from feeling pain or pleasure. It might be argued that some people prefer

Key terms

sentient – able to experience sense or feeling.

Hedonic Calculus – system of calculating whether an action will maximize pleasure and minimize pain.

pain, whether physical or psychological. The answer to this is that such people do not see pain as pain but rather as pleasure. For example, a hermit might suffer hardship by living in a cave all his life, but he regards suffering as a stepping-stone to the pleasure of a heavenly reward. For the hermit, the physical pain is psychological pleasure.

Key point

Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. (Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*)

Bentham follows up his view that human beings are under the mastery of pain and pleasure by arguing that what is good for the individual is right for human society and for all **sentient** creatures, that is animals as well as humans.

Utilitarian theory was not enough for Bentham. He believed that theories are worthless unless they have practical application.

The Hedonic Calculus

Bentham's application of his moral theory led to the construction of a method. All actions are to be calculated in terms of the **maximization of happiness** and the **minimization of pain**. This method is known as the **Hedonic Calculus** or **felicific calculus**. Bentham states that there are seven basic tests for calculating whether an action will maximize pleasure and minimize pain. They are **PRICED F**:

1. **Purity** of the sensation, meaning that it is not followed by sensations of pain.
2. **Remoteness** or nearness of the sensation.
3. **Intensity** of the sensation.
4. **Certainty** of the sensation.
5. **Extent** of the sensation, meaning the number of people affected.
6. **Duration** of the sensation.
7. **Fecundity** of the sensation, meaning the chance it will produce other pleasurable experiences.

Bentham uses the word **sensation** instead of experience or action. By this he means that pain and pleasure are products of the senses: seeing, hearing, touching, tasting and smelling. It is for each person to sit down and calculate whether a particular action will maximize pleasure. The Hedonic Calculus is the test for all practical decisions.

To think about

What do we mean by 'happiness'? Can it be defined? How can you test happiness?

Criticisms of Bentham

Bentham's ideas are not without their problems:

1. He views **all pleasures as being of equal value**. It follows that the happiness of a person clubbing on a Thursday night is the same as that of a carer doing unpaid social work for the elderly. A Benthamite approach maintains that both get pleasure from what they do. They are either happy or they are not. Their activities either give pleasure or not. For him it is impossible to speak of higher or lower pleasures.

To think about

Are all pleasures of equal value?

2. Bentham rejects the idea of **human rights** or, as they were called at the time, **natural rights**. He describes human rights as 'nonsense upon stilts'. Rights lead to conflict and not harmony. It would be wrong to allow the rights of an individual or group to frustrate actions that might lead to the general happiness of society.

3. His theory has the **logical consequence of allowing what common sense might regard as evil as a good**, if the purpose of that action maximizes happiness. Bentham supported William Wilberforce and others in their opposition to slavery and the slave trade. Yet Bentham's view of the maximization of happiness would make voluntary slavery a moral good. This could even apply to involuntary slavery if the slaves were significantly in the minority. An unemployed person might become a slave as a means of survival. His action would benefit himself and, by increasing productivity, society. All would therefore be happy as a consequence of this slave economy.

4. Bentham's theory is based on **nature**. It is argued that this application of the **eighteenth-century concept of nature** to morality is outdated. Scientists today

Key term

naturalistic fallacy – the idea that just because nature acts in a certain way it does not follow that this is how things ought to be.

have a different understanding of the natural world, which is a product of Darwinian evolutionary theory and quantum mechanics.

The use of nature as the basis of morality is, as Mill states:

Irrational because all human action whatever, consists in altering, and . . . improving, the spontaneous course of nature. (John Stuart Mill, Nature; The Utility of Religion; and Theism, *Kessinger Publishing Co., 2004)*

Mill argues that what benefits human beings get from the natural world are a result of how we harness nature, and not from following nature's laws.

5. Utilitarianism commits the so-called **naturalistic fallacy**.

This suggests that just because nature has x it does not follow that a person ought to do x, whatever x is. In the case of Bentham x is the principle of Utility, of pain and pleasure. Therefore, just because in nature people prefer pleasure to pain it does not follow that people ought to do that which is preferred.

6. Bentham's theory requires a **great deal of knowledge** in order to make a moral decision. It is argued that, because Bentham is concerned with long-term happiness in society for the maximal number of people, such knowledge is impossible. Few, for example, foresaw the credit crunch of 2008 yet an understanding of the future of the global economy is a necessity in calculating what decision would lead to the maximization of pleasure in society. Is it possible for ordinary people to make judgements if so-called experts could not see the impending financial disaster three weeks before it happened?

7. Bentham's theory requires a **great deal of time**. Bentham was a gentleman, which in the nineteenth century meant someone rich enough not to have to work. It can be argued that only the rich have time to sit down and calculate the general good in every situation or for every decision. The Victorian factory worker, by comparison, was not in any position to look at every action in a utilitarian way, even if he or she had the freedom and education necessary so to do.

8. There is a **lack of humanity** in Bentham's Utilitarianism. Mill, following his mental breakdown at the age of 20, used this criticism. Mill suggested that Bentham was a cold person who only understood one half of human nature, the calculating side. Critics have pointed to Bentham's development of the model prison and the workhouse system as examples of Bentham's lack of humanity and compassion. Both were designed to bring order to the penal and welfare systems, based on the principle of Utility. Today both are seen as cruel and degrading institutions that caused suffering to minorities for the benefit of the majority.

9. The American philosopher Robert Nozick (1938–2002) criticized Bentham's **hedonism**. Do pleasurable experiences lead to human contentment? Nozick believes not and he gives an illustration to prove his point; those who know the film *The Matrix* will be familiar with this analogy. Nozick states 'suppose there were an experience machine that would give you any experience you desired' whilst you were 'floating in a tank, with electrodes attached to your brain' (Robert Nozick, *Anarchy, State and Utopia*, Blackwell, 1974). Nozick questions whether you would want to be plugged in to such a machine. He is convinced that most people would not want to be. This, for Nozick, raises the question of whether pleasure rules human nature. As in the film *The Matrix*, it may be that qualities such as self-worth, freedom, personal identity and integrity are more important to human beings.

Extension note

The panopticon

Bentham was a practical philosopher. The principle of Utility was not important unless it was put into practice. During the last two decades of his life he wrote a number of books on practical issues. These reveal his view that human beings have no natural rights and that the interests of the individual must be limited for the benefit of the general happiness of the majority. In the words of Gertrude Himmelfarb:

> *The greatest happiness of the greatest number might thus require the greatest misery of the few. (Gertrude Himmelfarb,* Victorian Minds, *Ivan R. Dee, Inc., 1995)*

Bentham designed the **panopticon** (meaning 'all-seeing') prison with cells arranged around a central well with a control centre, from which prisoners could be observed at all times. No prisoner was ever out of sight of a prison officer and, through a system of hard labour, silence and harsh physical punishment, every inmate would be on their best behaviour. The lack of privacy was crucial. The old prisons allowed inmates to do what they liked as long as they were locked away from the general public. The new system of total control was designed to educate the prisoner, through fear, to behave for the good of the population at large. The prison control centre might be left unmanned and still the prisoner would behave, as they would not know if someone was watching them or not. Prisoners would learn to behave for fear of returning to prison again. Crime would thereby be reduced and the principle of Utility served.

General happiness was created at the expense of freedom.

To think about

Do you think prisons should be designed for the benefit of society or for the prisoner? How is this question related to Utilitarianism?

John Stuart Mill

John Stuart Mill (1806–1873) was a leading figure in Utilitarianism.

John Stuart Mill is probably the most important of the classical utilitarians. Influenced by Bentham and by his father, James Mill, he rejected the simplistic view of pleasure that the Benthamites put forward. His early affection for Bentham turned into contempt. He wrote that Bentham remained 'a child all his life' and that his views were both infantile and cold.

Mill did not reject everything that Bentham and his father, James Mill, taught. The young Mill wanted to improve Utilitarianism and not destroy it. Mill rejected the idea of the individual's application of the Hedonic Calculus. He put forward the idea that what each individual wants, in terms of happiness, is what all human beings truly desire for themselves and for others. This creates what Mill called the aggregate of individual happiness. Mill believed that this aggregate creates the possibility of a system that can maximize happiness in society. Bentham's simple rule of applying the Hedonic Calculus to each individual action is replaced by what Mill called the logic of practice. To explain this Mill compared the roles of a judge and a legislator.

A judge sticks rigidly to the law in coming to a moral decision. For example, a driver is involved in an accident on the motorway and kills a family of five in the collision. He is jailed for five years because this is the maximum sentence allowed for causing death by careless driving. This may not seem fair or just but it is the law. Mill sees Bentham's Hedonic Calculus in the same way. The rigid application of this calculus

inevitably leads to the creation of the model prison and the workhouse; systems that Mill found degrading and immoral.

Mill, who was an MP for many years, compared the role of a judge with that of a legislator. An MP does not stick rigidly to the law. He or she bases decisions on the logical application of general principles that are grounded in experience. This is what Mill means by the logic of practice. A legislator might, for example, believe that CCTV cameras should be in every street so that crime would be dramatically reduced for the common good, but would it be right to do this? Would general principles of privacy and liberty be infringed by having a police camera outside every front door?

The different roles of the judge and the legislator illustrate for Mill the fundamental divide between his application of Utilitarianism and that of the Benthamites. Mill was a legislator and Bentham was a judge.

Here, four main points should be noted. They are:

1. Mill rejected **Bentham's simplistic view of the causes of human happiness**. Mill argued that actions themselves do not make people happy; it is necessary to have the right conditions as well. For example, you might be a wealthy family man or woman living in a prosperous suburb in an emerging economy but when you go out you are afraid of speaking your mind for fear of the national secret police. On the face of it you should be happy as you have a loving family, wealth and security, but you live under the cloud of a dictatorship. Happiness is therefore causally complex.

2. This led Mill to develop basic principles that must be upheld to ensure that the **conditions for happiness** are met. The most important of these principles is **liberty**. Freedom or liberty comprises three elements. They are: a limit to the power of society over the individual, freedom of thought and speech, and the right to be an individual. The individual should be free to do whatever they want providing they do not cause harm to another person. Mill notes that those who stood out from the general opinions of their contemporaries have often been proved correct, for example Galileo and Socrates. Progress would not have been made if their views had been totally suppressed.

3. Mill believed that forcing the minority to accept the decisions of the majority does not produce the greatest good for the greatest number. What is good for society is overall **individual happiness** not the suppression of minorities. Society should have the self-confidence to allow individuals to flourish. The result, when it does, is the combined total of individual happiness to create 'the greatest good of the greatest number'. This is known as the **principle of universalizability**; meaning

Key term

Golden Rule – the Golden Rule of Jesus is 'do to others as you would have them do to you' (Matthew 7:12). It can also be expressed as 'love your neighbour as yourself' (Mark 12:31).

what is good for one person is good for all people. This does not mean that wha makes you happy should be the same as everyone else. It is rather that society i content when all are happy in their different ways. Mill illustrates this theory b the so-called **Golden Rule** of Jesus: 'In everything do to others as you would hav them do to you' (Matthew 7:12).

4. Individual happiness goes hand in hand with human equality. Mill was a leadin campaigner for women's rights and for **universal suffrage** (the idea of one person, on vote). Mill's belief in individual happiness led him to reject Bentham's denial of natura rights. Bentham considered human rights to be 'simple nonsense... nonsense upo stilts' (Jeremy Bentham, *Rights, Representation and Reform: Nonsense on Stilts an Other Writings on the French Revolution*, Ed. Philip Schofield, Catherine Pease-Watki and Cyprian Blamires, Oxford University Press, 2002); whereas for Mill, **human right** create the conditions in which happiness can be maximized.

Key point

The principle of universalizability is expressed in the Golden Rule: 'In everything do to others as you would have them do to you' (Matthew 7:12).

Mill's Utilitarianism is very different from that of Bentham. He regards happiness as state of mind resulting from the application of a series of basic principles in societ Denial of these basic principles, such as liberty, will result in the absence of what Mi calls the **aggregate of individual happiness**. Human progress is guaranteed whe these basic principles are applied.

Utilitarianism is **teleological**. The idea of human progress is central to the application o the principle of Utility. Mill was a Victorian; he lived in a fast-changing world of huma progress in industry, technology and in democratic government. He was convince that human nature is not static but progressive. Human beings are not satisfied wit remaining still but constantly desire a better tomorrow in order to be truly happy.

Key point

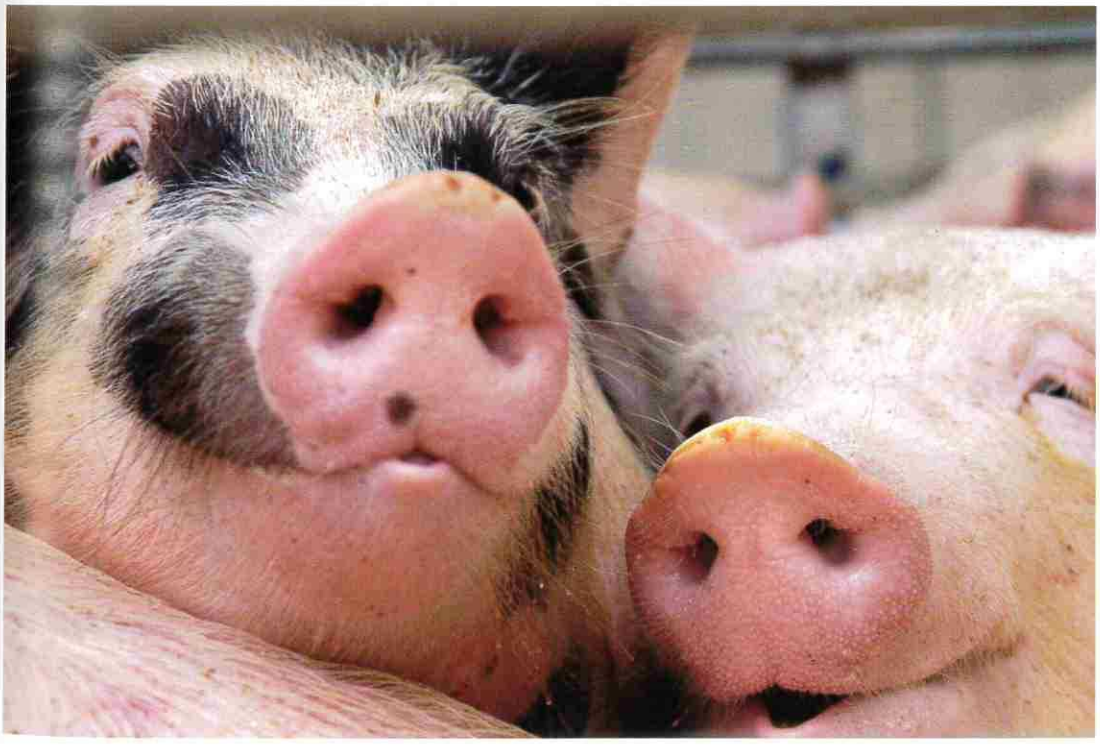
The promotion of happiness is the ultimate principle of Teleology. (John Stuart Mill, *A System of Logic, Ratiocinative and Inductive, Being a Connected View of the Principles of Evidence, and the Methods of Scientific Investigation*, Parker, Son & Bourn, 1862)

Higher and lower pleasures

This idea of human progress affects Mill's attitude to Bentham's Utilitarianism. Mill rejects the idea that all pleasures are the same. Human progress is the key. Some pleasures are satisfying but do they improve the person? A person who goes to the pub on a Saturday night may be enjoying themselves but is he or she improving his or her Quality of Life? Is progress being made?

Mill argues that some pleasures make people happy because they are progressive. These are the **higher pleasures**. Mill does not list what he considers to be higher and lower pleasures but he makes it clear that philosophers understand both types of pleasure. Higher pleasures therefore include such things as philosophical insight, educational development, self-improvement, empathy towards others, listening to music, generosity and even reading this book!

Lower pleasures include eating a meal, drinking, sexual intercourse and so on. They make the individual happy but the pleasure gained does nothing for the person's progressive nature. They are fleeting: here today and gone tomorrow. They are, as Mill puts it, '**worthy only of swine**' (John Stuart Mill, *Utilitarianism*, Longmans, Green, Reader and Dyer, 1867). Continuing his swine analogy, Mill wrote:



Is it better to be a happy pig or an unhappy philosopher?

> *It is* ***better to be a human being dissatisfied than a pig satisfied****; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, is of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides. (John Stuart Mill,* Utilitarianism*)*

This famous quote is an attack on Bentham's simple hedonism but it is also an assault on all those who look to lower pleasures as their source of happiness. These fools, as Mill sees it, are in all sectors of society, from the wealthy banker interested only in making money to the impoverished poor, who spend life creating ever-larger families. All are fools because they live in a world in which there is 'the absence of high feelings. . . the absence of interest' (John Stuart Mill, *Autobiography*, Elibron Classics, 2005). These though are the minority of the human race.

Mill differed from Bentham who believed that all pleasures are of equal value. Bentham, for example, regarded reading poetry and playing music as less important than playing the child's game of push-pin. Why? A child's game can be played by anyone. Poetry and music are understood by a few. The utilitarian principle of 'the greatest good of the greatest number' means that a child's game is much more useful (utilitarian) than the arts of poetry or music. Mill, on the other hand, regarded reading poetry as one of the higher pleasures. Push-pin was a trivial game that was a lower pleasure.

Criticisms of Mill

Mill's Utilitarianism has been criticized on a number of levels. The main criticisms are:

1. Mill's psychological approach is a product of nineteenth-century attitudes about human nature, which are discredited today. Mill has a very optimistic view of human nature and believes in individual autonomy. These views are in marked contrast to the ideas of contemporary scientist Richard Dawkins, who asserts that human behaviour is heavily determined by our genes.
2. Mill's higher and lower pleasures are meaningless terms. People either get pleasure from something or they do not.
3. Mill's notion of the teleology of happiness, which suggests that higher pleasures lead to human progress, is weak. Progress can be made equally by lower pleasures as by higher pleasures.
4. There is an arrogance in Mill's ideas of higher and lower pleasures. His comment that lower pleasures are 'worthy only of swine' suggests intellectual arrogance.

5. Mill rejected the simplicity of Bentham's ethical theory, but produced a view of Utilitarianism that is too complex. Many consider that Mill is a Rule utilitarian but this is only partially true. There are always exceptions to any rule. Mill cites the Golden Rule of Christian thought ('In everything do to others as you would have them do to you' (Matthew 7:12)) as a rule but there are exceptions. For example, Mill rejects the right of a person to self-harm or to harm another consenting adult and asserts that a human being cannot become a slave to another person even if they wish to do so. As a result, liberty is a right but only up to a point; there are always exceptions.

6. The complexity of Mill's Utilitarianism means that the morality or otherwise of various issues cannot be easily or quickly resolved. Mill regards this as releasing human beings from the simplicity of the Hedonic Calculus. Critics of Mill argue that it prevents people from judging the merits of particular projects or situations which demand rapid solutions. The simplicity of Bentham's calculus is replaced by, what Mill calls, the **plurality of causes** and the **intermingling of effects**. The original purpose of Utilitarianism, which was to answer questions about what is good and right in a particular situation, is no longer possible.

Similarities and differences between Bentham and Mill

The tables below outline the most important similarities and differences between the views of Bentham and Mill.

1. Similarities

	Similarity between Bentham's Utilitarianism and Mill's Utilitarianism
1	Belief in the pain/pleasure calculus as inbuilt in human nature.
2	Belief that happiness is the highest goal of human beings.
3	Belief that human society exists to create happiness.
4	Belief in human progress.
5	Rejection of religion and the Divine Command theory.
6	Rejection of concept of a priori moral truths.

2. Differences

	Bentham's view	Mill's view
1	It is the **quantity** of happiness that is important.	It is the **quality** of happiness that matters.
2	All pleasures are of same value.	There are higher and lower pleasures.
3	Focused on the individual.	Emphasis on the aggregate of individual happiness.

(*continued*)

	Bentham's view	Mill's view
4	System of Hedonic Calculus based on experience.	System based on the application of logic to practical situations.
5	Considers human rights to be nonsense.	Believes that without individual liberty society's happiness is not possible.

Act Utilitarianism

Act Utilitarianism is also known as **extreme Utilitarianism**, as the value of an act is the amount it increases general utility or happiness. Rules and moral maxims are only to be kept if, in all probability, obedience to the law will lead to a net gain of utility. Human beings ought, in most situations, to obey moral rules as they are designed to maximize **expected utility**. In cases where there are no rules or the existing laws seem to be contradictory, rules can be set aside. In such cases, Act utilitarians approach what to do in different ways. The most important are:

- An action is right if, and only if, it promotes happiness.
- An action is right if, and only if, it causes pleasure and the absence of pain.
- An action is right if its utility is greater than nought.
- An action is right if, when compared to available alternatives, it maximizes utility.

Act utilitarians no longer view happiness or pleasure as the basis of their approach. They have a broader view of utility based on a variety of attributes for what makes people content.

The originator of modern **Act Utilitarianism** was the philosopher Henry Sidgwick (1838–1900). His work, *The Methods of Ethics*, is the final utilitarian work to be based on the idea that morality is the greatest happiness for the greatest number. Sidgwick addresses the same questions (**what is good?** and **what is right?**) as the earlier utilitarians. He argues that hedonism, the pursuit of pleasure, is the best of a series of alternative theories about **what is good?**

This conclusion is reached empirically by examining how human beings reach decisions about their lives. How do you imagine your life to be in 20 years' time? Surely you imagine your life being happy and successful with your dreams fulfilled. Sidgwick imagines that this dream of a better tomorrow is part of human nature. Human beings want a pleasurable existence, where the individual's psychological state of well-being is realized. Sidgwick adds that this state cannot be created by accident. It involves willpower and the ability to act on what you believe. You cannot be happy if you do not control your destiny.

Key term

Act Utilitarianism – theory that individual actions must be determined by the amount they increase general utility or happiness, based on the principle of 'the greatest good of the greatest number'.

To think about

Do you agree that dreaming of a better tomorrow is part of human nature?

The second question (**what is right?**) divides utilitarians today. Sidgwick's answer is complex and very different from previous utilitarians. He argues in favour of a sort of common-sense intuition, which forms the basis of his Act Utilitarianism. Rules are framed by a common-sense understanding of what is right or wrong, for example, the maxims 'never lie' or 'never steal'. Sidgwick maintains that if you look carefully at these rules/maxims they are really utilitarian values, as they have a basis in hedonism. Therefore, 'never lie' would be seen as 'If I lie no one would trust me and I would not be able to trust anyone else. This would be painful to me'. Again, 'never steal' would be seen by the reflective person as 'If I steal I would leave myself open to either theft or imprisonment, both of which would be painful'.

However, Sidgwick does point out that, after reflection, an individual might decide that it is best to lie or to steal. She or he will have calculated that the net effect of lying or stealing is more pleasurable. Moral rules are rules of thumb, useful indicators that in certain circumstances can be set aside.

This view of morality creates a problem. Imagine that you are walking along a canal towpath. You see a young person struggling in the water in danger of drowning. Common-sense intuition tells you to save the young person. Utilitarian reflection assures you that a rescue will produce more pleasure than pain. You dive into the cold water and save the young person; he and his family are grateful and you feel happy that you have done a good deed. As a result, pleasure is maximized. However, several years later, you discover that the person you saved became a serial killer. He is now serving a life sentence for scores of brutal murders. What was a good act, as it maximized happiness at the time, becomes an action that brought more pain than pleasure.

The logic of Sidgwick's ethics is that the same act can be seen as both moral and immoral. How is it possible to know in advance whether an action will have a net benefit or deficit? Sidgwick's solution to this problem is that an act may be both moral and immoral at different times. When making a moral decision, you must respond to the immediate consequences of your actions. It is not possible to be certain about the long-term effects of what you decide.

This is one of the strengths of modern Act Utilitarianism. It allows exceptions to a particular rule or law if the exception appears to maximize human welfare. It also takes into account the lack of knowledge that may exist when coming to a moral decision. In these types of circumstances Act utilitarians distinguish between **objectively right**

and **subjectively right acts**. An objectively right act is one that turns out to be the right decision on the basis of net benefit. A subjectively right act is what you decide to do, on the basis of the information you have at the time.

It is also possible for an Act utilitarian to decide to do one thing in a particular situation and the exact opposite a few hours later. This has led to a charge of moral inconsistency. Sidgwick sought to counteract this criticism by adding one further element to the theory. This is the **principle of justice**. Sidgwick followed the ideas of Mill by citing the Christian Golden Rule: 'In everything do to others as you would have them do to you' (Matthew 7:12). Sidgwick's theory develops this further by making justice a central plank of Utilitarianism. Justice is about equality of action. In considering any action the individual has to take account of not only whether the deed has a net benefit (more pleasure than pain) but also whether what will be done is just to all the parties concerned. This saves Sidgwick from the earlier criticisms but it creates a new one: what is special about justice? Later Act utilitarians add further virtues to solve this problem, but in doing so, it is argued that they have stopped judging each action separately. They have created moral norms to judge acts. Rule utilitarians develop this further.

Rule Utilitarianism

Rule Utilitarianism is in marked contrast to Act Utilitarianism. While Act utilitarians regard laws and maxims as rules of thumb that can be disregarded in some circumstances, Rule utilitarians argue that moral laws must be obeyed. These rules are selected on the basis of whether they will maximize general good or welfare in society. J.O. Urmson and Richard B. Brandt in America and John Austin (1790–1859) and Stephen Edelston Toulmin (1922–2009) in the UK developed Rule Utilitarianism. They did so in response to the criticism that Utilitarianism was too complex to be useful in making moral decisions. Rule utilitarians are agreed that there is a process by which acts can be judged as immoral. They argue that this method sets the conditions by which moral decisions ought to be made and that will, they believe, lead to the condemnation of some actions and the praising of others.

The basic assumptions of Rule Utilitarianism are:

1. General moral rules exist in order to achieve benefit for the majority of people in society.
2. Rules prevent
- the selfish use of utilitarian principles
- a subjective notion of what constitutes happiness or pleasure.

Key terms

principle of justice – Sidgwick's idea that justice is as important as happiness in determining the utility of an action or moral rule.

Rule Utilitarianism – theory that life is too short to judge every action on the basis of 'the greatest good of the greatest number'. Instead rules exist, which are based on the maximization of happiness principle, that make it easier to act.

3. Rules have consequences on actions and Rule utilitarians believe that actions must always be guided by the general rules that create the maximization of pleasure or happiness.
4. Rules ensure that the motive of an action is not guided by self-interest or delusion.
5. Modern Rule Utilitarianism is largely influenced by the notion of the maximization of social benefit or welfare.
6. Rules do not always need to be acted upon. A country has, for example, the right to self-defence. It will only need to keep this rule if it is under attack. Since it is a powerful country it is never attacked. Thus the rule exists but is never needed.
7. Rule utilitarians take into account the consequences of actions and not only the good likely to be produced by a single moral decision.

Several criticisms have been made of Rule Utilitarianism. These fall into four distinct areas. They are:

- How it is possible to **universalize the concept of general benefit** or happiness? This is important since the rules within Rule Utilitarianism are universally applicable. In some societies an action might be morally beneficial to that country's system whereas in another society it would be morally harmful.

- How is it possible to create particular moral rules that maximize happiness or **social benefit throughout the world**? Can, for example, the right to personal property always be justified in a world of starving millions?

- Do not **moral laws often conflict**? The right to be free from hunger and want seems logical yet, it might be argued, destroying the rainforests to provide food for the world's population goes against other utilitarian rules about protecting the earth's resources.

- How can the benefit for the maximal number of people be deduced from following a rule if the consequences of actions are not known? **Future benefits of any action are unpredictable**.

Some scholars argue that Bentham was the forerunner of Act Utilitarianism and Mill of Rule Utilitarianism.

Preference Utilitarianism

Preference Utilitarianism is based on a belief that what is morally right is *not* actions that maximize human welfare, nor is it obedience to certain moral rules that have the same

effect. Preference utilitarians, such as Peter Singer (1946–), believe that a right action is one that maximizes the preferences that individual human beings make in life.

Key point

In deciding what is good and what is bad for an individual, the ultimate criterion can only be his own wants and his own preferences. (John C. Harsanyi, 'Morality and the theory of rational behaviour', *Utilitarianism and beyond*, Ed. Amartya Sen and Bernard Williams, Cambridge University Press, 1982)

Preference utilitarians argue that every human being wants a good life. In this Singer is regarded as a modern follower of Bentham. Singer goes so far as to argue that this desire is inbuilt into the evolutionary process and transcends societies. Preference utilitarians go on to argue that individual preferences relate to the need for a good life. John C. Harsanyi (1920–2000) argued that there is a distinction between manifest and true preferences. A manifest preference is what you prefer, which is based on immediate desires and needs. A true preference is based on reflecting on all the information known and on the likely consequences. True preferences, states Singer, are those that a person would accept if 'they were fully informed, reflective, and vividly aware of the consequences of satisfying their preferences' (Peter Singer, 2002, 'A Response to Martha Nussbaum' available from www.utilitarian.net/singer/by/20021113.htm [accessed 01/06/2010]).

Preference Utilitarianism encourages you to consider overall happiness or overall suffering of all sentient creatures. Can we balance the suffering of battery farmed animals against the loss in earnings of the farmer and the price the customer will have to pay for their eggs?

Singer believes that all ethical decisions are based on 'trade-offs dependent on empirical calculations' (Singer, 'A Response to Martha Nussbaum'). The word trade-off is important. He argues that one of the great strengths of Utilitarianism is that it does not give a clear-cut answer of what is right or wrong but provides a means of approaching ethical issues. Singer believes that society is made up of a collection of individuals, each with their own preferences. Trade-offs have to be made

for the general welfare. Some preferences have to be rejected or deferred so that the general good is maintained.

Extension note

Preference Utilitarianism, chickens and trade-offs

It is important to note here that Singer includes all sentient creatures and not just human beings in his ideas. Singer gives the following example of a trade-off. Battery farming brings a lot of suffering to hens. In return the intensive production of battery farming brings benefits to the profits of the farmer and to the consumer who buys cheap eggs. A trade-off would occur if battery farming were abolished. The consumer would suffer from higher prices for eggs while the farmer's profits would diminish.

Singer argues that Preference Utilitarianism is the best method of approaching this issue. Singer states that 'we can minimize overall suffering by calculating whether, for instance, banning battery cages for laying hens would, in the long run, save more suffering in hens than it causes in factory farm owners, and people who have to pay a little more for their eggs' (Singer, 'A Response to Martha Nussbaum'). He campaigns against battery farming, arguing that when society understands the cruelty involved, it will think that the higher cost of eggs is a price worth paying. It will have accepted the trade-off.

Preference utilitarians maximize good through the maximization of individual preferences but this raises important issues, which have led to the criticism of Preference Utilitarianism.

These issues include:

1. At what stage do you judge people's preferences? Harsanyi addresses this by arguing that there is a difference between **manifest preferences** and **true preferences.** Manifest preferences are based on what you happen to prefer due to immediate needs. True preferences are those you would have if you had all the facts and evidence to make a calculated decision on what you prefer.

2. Harsanyi's distinction between two sorts of preference raises the issue of who decides whether a preference is manifest or true. Critics have called this a **paternalistic** feature of Preference Utilitarianism; it assumes that the preferences

Key term

paternalism – the idea that a person or group in authority is qualified to make decisions in the best interests of another person or group.

of policy makers and so-called experts are true while those of non-experts like you and I are just manifest, because the experts know more.

3. Preferences are not static things. People change and therefore so do their preferences. When there were only fish and chip shops in the UK, people preferred fish and chips. Now there are Indian restaurants and takeaways some people prefer chicken tikka masala. Preference is therefore a consequence of what is available rather than what people really prefer or want.

4. The concepts of **love and relationships are absent** from Preference utility. Preference Utilitarianism is based on the maximization of preferences, on universalizability, the idea that the individual will prefer something because it is good not just for that individual but also for all individuals. Singer, in his *Practical Ethics*, calls this the **principle of equal consideration of interests**.

5. Universalizability of preferences and the principle of equal consideration of interests raise a further issue. Welfare is a central feature of Preference Utilitarianism. Preferences are formed on the basis that what you prefer will benefit everyone. Therefore, it is argued, an individual's preference for inexpensive jeans will be beneficial to those who produce the jeans in the developing economies. In the same way a personal preference for eco-friendly commodities will benefit all – it is 'the greatest good of the greatest number'. Yet critics argue that in a world of limited resources, it is not possible to accept a link between a person's preferences and the general welfare. For instance, a person may prefer expensive meals every day, which benefits those who produce them; but would that preference disadvantage those living in poverty?

6. Human beings do not live a life of preferences. Preference utilitarians believe that sentient beings are constantly making decisions. This may not be the case. Anne Maclean, in her book *The Elimination of Morality*, criticized the Preference utilitarians including Singer over this. She argues that, while some moral judgements can be made rationally, it is wrong to argue that all ethical decisions should be based on philosophical enquiry. Keith Crome puts it more clearly by arguing that there is 'a limit to the role of rationality' (Keith Crome, 'Is Peter Singer's utilitarian argument about abortion tenable?', *Richmond Journal of Philosophy* 17, Spring 2008). Perhaps life is making the best of a bad situation rather than working out preferences? Perhaps life is about going with the flow?

Singer justifies his Preference Utilitarianism by arguing that when informed preferences are fulfilled human beings enjoy a good life. This is what he desires for himself and

Key term

principle of equal consideration of interests – idea in the work of Singer that individuals' preferences must be rooted in the notion that what I prefer must consider other people's interests and that what other people prefer must have regard to my interests. This is applicable to all sentient beings.

therefore, he argues, this must be logically true for all human beings, other things being equal.

To think about

'In the end, Utilitarianism is simply a moral justification for individual or group selfishness.' Discuss.

Utilitarianism: strengths and weaknesses

The main strengths of Utilitarianism are:

- It tries to relate human psychology and experiences to a method of discovering what is the right thing to do.
- It is in essence a simple idea, which is easily understood and therefore possible for everyone to use.
- It answers the question of why human beings should be morally good by stating that it is in the individual's self-interest to be so.
- It implies that what is in my self-interest is to everyone's advantage, so that calculating personal advantage can only be done if the wider community is considered.
- It is progressive and argues that, if implemented, the world would be a better place.
- It supports the idea of human welfare and can be used in a variety of areas of life, from personal morality to world economics.
- It takes into account the consequences of any action or moral principle. These are the determining factor. End results matter. This is a common-sense view.
- It does not rely on what many see as out-of-date religious bases for morality.
- It is morality for a democratic age, based on 'the greatest good of the greatest number'.
- It takes into account other sentient beings besides humans including animals and their pleasure.

The main weaknesses are:

- It is based on an outdated concept of nature. It can also be criticized for committing the naturalistic fallacy.

- It is concerned with the greatest number and therefore ignores the plight of minority groups.
- It does not take into account the intentions of people but rather focuses on the action or principle.
- It ignores the notion of doing something out of a sense of duty.
- It ignores the importance of love and human or animal relationships in morality.
- It ignores the idea of self-sacrifice as a moral virtue yet, at the same time, it tolerates the sacrifice of individuals for the common good.
- It focuses on supposed consequences that are hard to predict because of the limitations of human knowledge.

Practice exam questions

(a) Explain the main differences between Act and Rule Utilitarianism.

The starting point of your answer could be a clear definition of Act Utilitarianism. In Act Utilitarianism it is actions that maximize human welfare – moral laws should only be used as a rule of thumb. In Act Utilitarianism the Hedonic Calculus, not obedience to law is crucial. You may want to illustrate this by using the ideas of Bentham or Sidgwick. You might then mention that many utilitarians argue that it is not possible for any human being to look at every issue on a case by case basis. These scholars developed Rule Utilitarianism. You could examine the Rule utilitarian belief that there are certain laws that must be obeyed as they ensure the maximization of human happiness. You could mention Mill's use of the Golden Rule of Jesus and thinkers such as J. O. Urmson.

(b) 'Utilitarianism has no serious weaknesses.' Discuss.

You could start by looking at supposed weaknesses of Utilitarianism. These might include that it is consequentialist in nature, and that consequences can be difficult to predict. You could also look at Kantian criticisms that while happiness and welfare are important for human beings this is not and ought not to be the basis of morality. You could mention that Utilitarianism ignores the ethical state of the moral agent for the idea of the greater good, and that working for the greater good may involve the suffering of the minority. The best answers might give counter-arguments to these criticisms and consider how serious they are as weaknesses.

Develop your knowledge

There are a number of books that consider Utilitarianism, including:

Ethics: Inventing Right and Wrong by J.L. Mackie (Penguin Books, 1990)
Ethics: Discovering Right and Wrong by Louis P. Pojman (Wadsworth Publishing Co., 1999)
A Companion to Ethics by Peter Singer (ed.) (Blackwell, 1993)
John Stuart Mill by John Skorupski (Routledge, 1991)
Utilitarianism: For & Against by J.J.C. Smart and Bernard Williams (Cambridge University Press, 1973)