PART I
NORMATIVE ETHICS

CHAPTER 1

Utilitarianism

Music snobbery is the worst kind of snobbery. It forces people who like something a bit mainstream, a bit of pop like Girls Aloud or Take That! or ABBA to say "It's my guilty pleasure!" I hate that phrase. It is an insult to top quality pop. It is also an insult to guilt.

Dara Ó Briain (comedian)

1. Utilitarianism: An Introduction

Some things appear to be straightforwardly good for people. Winning the lottery, marrying your true love or securing a desired set of qualifications all seem to be examples of events that improve a person's life. As a normative ethical theory, Utilitarianism suggests that we can decide what is morally right or morally wrong by weighing up which of our future possible actions promotes such goodness in our lives and the lives of people more generally.

2. Hedonism

Hedonism is a theory of well-being — a theory of how well a life is going for the person living that life. What separates Hedonism from other theories of well-being is that the hedonist believes that what defines a successful life is directly related to the amount of pleasure in that life; no other factors are relevant at all. Therefore, the more pleasure that a person experiences in their life then the better their life goes, and vice versa. Whereas other theories might focus on fulfilling desires people have, or an objective list of things such as friendship and health.

The roots of Hedonism can be traced back at least as far as **Epicurus** (341–270 BC) and Ancient Greece. Epicurus held the hedonistic view that the primary *intrinsic* good for a person is pleasure; meaning that pleasure is always good for a person in and of itself, irrespective of the cause or context of the pleasure. According to this theory pleasure is always intrinsically good for a person and less pleasure is always intrinsically bad.

Hedonism is a relatively simple theory of what makes your life better. If you feel that your life would be better if you won the lottery, married your true

love or achieved your desired qualifications, then the hedonistic explanation of these judgments is that these things are good for you only if they provide you with pleasure. Many pleasures may be physical, but **Fred Feldman** (1941–) is a defender of a theory known as Attitudinal Hedonism. According to this theory, psychological pleasures can themselves count as intrinsically good for a person. So, while reading a book would not seem to produce pleasure in a physical way, a hedonist may value the psychological pleasure associated with that act of reading and thus accept that it can improve a person's well-being. This understanding of hedonistic pleasure may help to explain why, for example, one person can gain so much pleasure from a Lady Gaga album while another gains nothing at all; the psychological responses to the music differ.

3. Nozick's Experience Machine

One important problem for Hedonism is that our well-being seems to be affected by more than just the total pleasure in our lives. It may be the case that you enjoy gaining a new qualification, but there seems to be more to the value of this event than merely the pleasure produced. Many people agree that success in gaining a meaningful qualification improves your life even if no pleasure is obtained from it. Certainly, many believe that the relationship between what improves your life and what gives pleasure is not directly proportional, as the hedonist would claim.

Robert Nozick (1938–2002) attacked the hedonistic idea that pleasure is the only good by testing our intuitions via a now famous thought-experiment. Nozick asks:

> *Suppose there was an experience machine that would give you any experience you desired. Super-duper neuropsychologists could stimulate your brain so that you would think and feel you were writing a great novel, or making a friend, or reading an interesting book. All the time you would be floating in a tank, with electrodes attached to your brain. Should you plug into this machine for life, pre-programming your life experiences?* […] *Of course, while in the tank you won't know that you're there; you'll think that it's all actually happening* […] *would you plug in?*[1]

Nozick's challenge to Hedonism is based on the thought that most people who consider this possible situation would opt *not* to plug in. Indeed, if you ask yourself if you would actually choose to leave behind your real friends, family and life in favour of a pre-programmed existence you also might conclude that plugging into the experience machine would not be desirable. However, if Hedonism is correct and our well-being is determined entirely by the amount of pleasure that we experience, then Nozick wonders "what else can matter to us, other than how our lives feel from the inside?"[2] The experience

1 R. Nozick, 'The Experience Machine', p. 292.
2 *Ibid*.

machine guarantees us pleasure yet we find it unappealing compared to a real life where pleasure is far from assured. This may suggest that our well-being is determined by other factors in addition to how much pleasure we secure, perhaps knowledge or friendships.

The hedonists need not give way entirely on this point, of course, as they may feel that the experience machine is desirable just because it guarantees experiences of pleasure. Or, you might believe that our suspicions about the machine are misplaced. After all, once inside the machine we would not suspect that things were not real. You may feel that the hedonist could bite-the-bullet (accept the apparently awkward conclusion as a non-fatal implication of the theory) and say that any reticence to enter the machine is *irrational*. Perhaps the lives of those choosing to be plugged in to the machine would go extraordinary well!

4. The Foundations of Bentham's Utilitarianism

Jeremy Bentham (1748–1832) was the first of the "classical utilitarians". Driven by a genuine desire for social reform, Bentham wanted to be as much involved in law, politics and economics as abstract philosophising.

Bentham developed his moral theory of Utilitarianism on the foundation of the type of hedonistic thinking described in section two. For Bentham, the only thing that determines the value of a life, or indeed the value of an event or action, is the amount of pleasure contained in that life, or the amount of pleasure produced as a result of that event or action. Bentham is a *hedonistic utilitarian*. This belief in Hedonism, however, was not something that Bentham took to be unjustified or arbitrary; for him Hedonism could be *empirically justified* by evidence in the world in its favour. According to Bentham:

> *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.*[3]

Bentham moves from this empirical claim about the factors that guide our behaviour to a normative claim about how we *ought* to live. He creates a moral theory based on the bringing about of more pleasure and less pain.

When first understanding Utilitarianism, it is also crucial to understand what is meant by the term "utility". Bentham defined it as "[…] that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness […] or […] to prevent the happening of mischief, pain, evil, or unhappiness".[4] Utility is thus promoted when pleasure is promoted and when

3 J. Bentham, 'An Introduction to the Principles of Morals and Legislation', in *Utilitarianism and Other Essays*, p. 65.

4 *Ibid.*, p. 66.

unhappiness is avoided. Bentham's commitment to Hedonism means for him that goodness is just an increase in pleasure, and evil or unhappiness is just an increase in pain or decrease in pleasure. With this understanding of utility in mind, Bentham commits himself to the *Principle of Utility*:

> *By the principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness.*[5]

In effect, this principle simply says that promoting utility, defined in terms of pleasure, is to be approved of and reducing utility is to be disapproved of.

The Principle of Utility, backed by a commitment to Hedonism, underpins the central utilitarian claim made by Bentham. Based on a phrase that he wrongly attributed to **Joseph Priestley** (1733–1804), Bentham suggests that the measure of right and wrong is the extent to which an action produces the greatest good for the greatest number of people. Of course, what counts as good, for Bentham, is pleasure. We can then rephrase what Bentham himself call his fundamental axiom as a requirement to *promote the greatest pleasure for the greatest number of people, in order to act morally*.

5. The Structure of Bentham's Utilitarianism

In addition to being hedonistic, Bentham's Utilitarianism is also:

1. Consequentialist/Teleological
2. Relativist
3. Maximising
4. Impartial

Bentham's Utilitarianism is *consequentialist* because the moral value of an action or event is determined entirely by the consequences of that event. The theory is also described as *teleological* for the same reason, based on the Greek word *telos* that means "end" or "purpose". If more pleasure follows as a consequence of "Action A" rather than "Action B", then according to the fundamental axiom of Utilitarianism "Action A" should be undertaken and is morally right; choosing "Action B" would be morally wrong.

In addition, Bentham's Utilitarianism is *Relativistic* rather than *Absolutist*. Absolutist moral views hold that certain actions will always be morally wrong irrespective of context or consequences. For example, many campaigning groups suggest that torture is always morally unacceptable whether it is

5 *Ibid.*, p. 65.

carried out by vindictive dictators seeking to instil fear in a population or whether it is authorised by democratically elected governments seeking to obtain information in order to stop a terrorist attack. For absolutists then, the act of torture is absolutely wrong in all cases and situations.

Clearly, Bentham cannot hold this type of view because sometimes the pain involved in torture may lead to the promotion of greater pleasure (or less intense pain) overall, such as in the case where torture stops a terrorist atrocity. On this basis, the Benthamite utilitarian must believe that whether a certain action is right or wrong is always relative to the situation in which the action takes place.

Bentham's Utilitarianism is *maximising* because it does not merely require that pleasure is promoted, but that the *greatest* pleasure for the *greatest* number is secured. This means that some actions that lead to pleasure will still not be morally good acts if another action that could have produced even more pleasure in that setting was rejected. Thus, for example, if you gain some pleasure from spending money on a new book, but that money could have produced more pleasure had it been donated to a local charity for the homeless, then buying a new book would be morally wrong even though it led to some pleasure because it did not maximise the total amount of pleasure that was possible in that circumstance.

Finally, Bentham's Utilitarianism is also *impartial* in the sense that what matters is simply securing the maximum amount of pleasure for the maximum number of people; the theory does not give special preference regarding which people are supposed to have access to, or share in, that total pleasure. Bentham's utilitarian theory is associated with the idea of *equal consideration of interests*; as long as total pleasure is maximised then it does not matter if that pleasure is experienced by royalty, presidents, siblings, children, friends or enemies. In the total calculation of pleasure, we are all equal regardless of our status, behaviour or any other social factor.

6. Hedonic Calculus

Hopefully it is now clear that for Bentham the consequences in terms of pleasure production of any action are what determine the morality of that action, and that no other factors are relevant. However, it is not clear how exactly we should go about working out what to do in specific cases. For example:

> You are a military airman flying a fighter jet that is about to intercept a passenger airliner that seems to have been hijacked by an as yet unknown figure. The plane appears to be on a path that could take it either to an airport or, potentially, directly to a major and highly populated city. You are tasked with deciding how to act and must, therefore, choose whether or not to

> fire a missile at the plane. Firing at the plane would kill the passengers but save all lives on the ground, yet not firing may save the passengers, or it may give the passengers only a few more minutes before the plane is flown into a city full of innocents and they are killed in any case. Suggesting that the pilot weigh up the options and choose the action that secures the greatest pleasure for the greatest number is not obviously helpful in making such a difficult decision with so many variables.

Bentham recognised that such *Problems of Calculation* relating to the pleasure associated with future actions needed addressing in order for Utilitarianism to be a workable moral theory. Bentham therefore created the Hedonic Calculus (sometimes known as the Felicific Calculus) in order to help an individual work out how much pleasure would be created by differing possible actions. The Hedonic Calculus, as suggested by Bentham, is based on assessing possible pleasures according to their:

1. Intensity
2. Duration
3. Certainty
4. Remoteness (i.e. how far into the future the pleasure is)
5. Fecundity (i.e. how likely it is that pleasure will generate other related pleasures)
6. Purity (i.e. if any pain will be felt alongside that pleasure)
7. Extent (i.e. how many people might be able to share in that pleasure)[6]

The Hedonic Calculus is therefore supposed to provide a decision-procedure for a utilitarian who is confused as to how to act in a morally tricky situation. Thus, our fighter-pilot might consider the intensity of the pleasure of surviving versus the duration of the pain of death, while also needing to balance these factors against the relative certainty of the possible pains or pleasures. No doubt, the fighter pilot would still face an agonising moral choice but it seems that he would at least have some methodology for working out what Utilitarianism morally requires of him.

7. Problems with Bentham's Utilitarianism

However, whether or not measuring possible actions in terms of "units of pleasure" associated with them is actually plausible is very much an open question and so the problem of calculation is not necessarily solved simply by the existence of the Hedonic Calculus. Consider the most recent highly pleasurable experience that you enjoyed and compare it to a highly pleasurable experience from earlier in your life. It may be that you cannot say confidently

6 *Ibid.*, p. 87.

that one provided more pleasure than the other, especially if the experiences were extremely varied; perhaps winning a sporting trophy versus going on your first holiday. Pleasures that are so fundamentally different in nature may simply be incommensurable — they may be incapable of being measured by a common standard such as the Hedonic Calculus.

In addition, the problem of calculation can be extended beyond the issues raised above. Remember that Bentham's Utilitarianism is impartial in the sense that all individuals who gain pleasure as a result of a certain action count towards the total amount of pleasure. However, the following case raises the *Problem of Relevant Beings*:

> You are considering whether or not to approve a new housing development on a piece of unoccupied land outside the current boundary of your town. You are clear that, if approved, the development will create a great deal of pleasure for both new residents and construction workers without any pain being experienced by others. You are aware, however, that the development will require the culling of several badgers and the removal of a habitat currently supporting many birds, stray cats and rodents of various types.

On the surface, this case should be obvious for the utilitarian without any special problem of calculation; the greatest good for the greatest number would be secured if the development were permitted to go ahead. However, this assumes that non-human animals are not relevant to the calculation of pleasures and pains. Yet, if pleasure is all that matters for how well a life goes then it is not clear why animals, that may be able to experience some form of pleasure and can almost certainly experience pain, should be excluded from the calculation process.

Indeed, Bentham, when referring to the moral value of animals, noted that: "The question (for deciding moral relevance) is not 'Can they reason?', nor 'Can they talk?', but 'Can they suffer?'"[7] If the suffering and pain of humans is relevant to moral calculations then surely it is at least plausible that so should the suffering and pain of non-human animals. (There is more on the issue of the moral status of animals in Chapter 14 when the morality of eating animals is investigated.)

Being a maximising ethical theory, Utilitarianism is also open to a *Demandingness Objection*. If it is not the case that pleasure needs to be merely promoted but actually *maximised at all opportunities*, then the standard for acting morally appears to be set extremely high. For example, did you buy a doughnut at some point this year or treat yourself to a magazine? Live the life of a high-roller and treat yourself to a taxi ride rather than walking to your destination? While your actions certainly brought about differing degrees of pleasure to both yourself and to those who gained economic benefit from your

7 J. Bentham, *An Introduction to the Principles of Morals and Legislation*, http://www.econlib.org/library/Bentham/bnthPML18.html

decision, it seems that you could have created much more pleasure by saving up your money and ensuring it reached those suffering extreme financial hardships or residing in poverty around the world. As a result of being a maximising moral theory, Utilitarianism seems to make immorality very hard to avoid as it is so utterly demanding on our behaviour.

A further problem for Utilitarianism relates to the *Tyranny of the Majority*. Remember that as a relativistic moral theory, Utilitarianism does not allow for any moral absolutes — such as the absolute right to democracy, or absolute legal or basic human rights. Indeed, Bentham himself dismissed the idea of "natural rights" as a nonsensical concept masqueraded as a meaningful one. However, if we accept that absolute rights are simply "nonsense upon stilts" as Bentham put it, then Utilitarianism seems to be open to cases where the majority are morally required to exploit the minority for the greater good of maximising total pleasure. For example, imagine that total pleasure would be maximised if the resources of a small country were forcibly taken from them to be used freely and exploited by the people of a much larger country (this is hardly unrealistic). However, such forceful theft — only justified by the fact that a greater majority of people would gain pleasure — does not seem to be morally justifiable. Yet, according to Utilitarianism's commitment to maximising pleasure, such an action would not only be morally acceptable but it would be morally required.

As a consequentialist/teleological moral theory Utilitarianism is also open to the *Problem of Wrong Intentions*. This problem can be highlighted by considering the cases of Dominic and Callum.

> Dominic is seating in a coffee shop when a masked intruder bursts in threatening to rob the shop. Dominic, with the intention of saving lives, attempts to stop the intruder but sadly, in the ensuing struggle, the intruder's gun is accidentally fired and an innocent person is killed. Now, consider a second case where an intruder bursts in with a gun but Callum, rather than trying to intervene, immediately ducks for cover with the intention of saving himself and leaving the rest of the customers to fend for themselves. Luckily for Callum, when he ducks for cover he accidentally trips into the would-be thief, knocking him unconscious thus allowing his peaceful detention until police arrive.

According to the utilitarian calculation, Callum acted in a way that maximised pleasure while Dominic acted wrongly because the consequence of his act was tragic pain. However, it seems unfair and wrong to suggest that Callum acted rightly when he had just intended to save himself, although he had a lucky outcome, while Dominic acted wrongly when his intention was to save others but was unlucky in his outcome. Utilitarianism, as a consequentialist theory, ignores intentions and focuses only on consequences.

Utilitarianism also faces the *Problem of Partiality*. This is clear if we consider the familiar moral dilemma of being stuck on a life raft with three other people but with only enough supplies for two people. On the raft with you is a doctor

who is confident that he can pass on a cure for cancer if he survives, a world class violinist who brings pleasure to millions each year, and one of your parents or siblings. I am afraid to report that, for the purposes of this example, your parent or sibling is nothing special in comparison to other individuals on the raft. In this circumstance, Utilitarianism would seem to require you not only to give up your own space on the raft but ensure that your parent or sibling joins you in the freezing water with no hope of survival; this is the way of maximising total pleasure in such a scenario. Yet, even if you believe that the morality might call for your own self-sacrifice, it seems extremely unfair not to allow you to give *extra moral weight* to the life of a loved one. Unfortunately for the utilitarian, perhaps, the status as a beloved family member should make no special difference to your judgment regarding how to act. This seems to be not only over-demanding but also overly cold and calculating. Utilitarianism requires *Agent-Neutrality* — you must look at the situation as any neutral observer would and not give special preference to anyone irrespective of your emotional attachments, because each individual must count for one and no more than one.

Finally, Bentham's Utilitarianism also comes under attack from the related *Integrity Objection*, framed most prominently by **Bernard Williams** (1929–2003). As an agent-neutral theory, no person can give up impartiality when it comes to judgements about the impact of a potential action upon their family or loved ones. In addition, no person can give up impartiality when it comes to the impact of an action upon their own feelings, character and general sense of integrity. In order to make clear the potential worry associated with this, Williams describes the fictional case of Jim and the Indians.[8]

> Jim is an explorer who stumbles upon an Indian leader who is about to execute twenty people. Jim knows nothing of their possible crimes or any other factors involved, but he is offered a difficult choice by the Indian chief who is eager to impress his foreign traveller. Jim can either shoot one of the prisoners himself and then the rest will be set free as a mark of celebration, or he can refuse the offer in which case all twenty prisoners will be executed as was planned. It is key to note that Jim does not have control of the situation in the sense that he is powerless to bargain or negotiate with anyone, and nor can he use a weapon to successfully free any prisoners. He has only the two options laid out.

The point of this example is not to establish what the right action is. You may find yourself in agreement with utilitarians who suggest Jim must shoot one prisoner in order to save the lives of the rest. Rather, the purpose of the example is to show that Utilitarianism forces us to reach this conclusion *too quickly*. Given the commitment to Agent-Neutrality, Jim must treat himself as a neutral observer working out which action will produce the greatest good

8 B. Williams, 'Jim and the Indians', https://www.unc.edu/courses/2009spring/plcy/240/001/Jim_and_Indians.pdf

for the greatest number. Morally, he is not entitled to give more weight to his own feelings than he would give to the feelings of any other and therefore it does not matter whether Jim is a pacifist and has been a lifelong advocate for prisoner reform and rehabilitation. If the utilitarian calculation suggests that he must shoot one of the prisoners then he must shoot with no regard to any compromising of his integrity and self-identity. You may accept this as an unfortunate consequence of a terrible situation, but it may be a problem for a moral theory if it fails to recognise or respect a person's most sincere and deepest convictions.

8. Mill's Utilitarian Proof

John Stuart Mill (1806–1873) was concerned by many of the problems facing the utilitarian theory put forward by Bentham, but as a hedonist he did not wish to see the theory rejected. Mill sought to refine and improve the Benthamite utilitarian theory in order to create a successful version of Hedonistic Utilitarianism.

Mill was so confident about the prospects for a version of Hedonistic Utilitarianism because he believed that there was an empirically backed proof available to support the principle that the greatest happiness/pleasure should always be secured for the greatest number.[9] Mill's proof, much like Bentham's empirical defence of Hedonism, relies on the evidence from observation that people desire their own happiness. This observation of fact supports Mill's claim that since people desire their own happiness, this is evidence that such happiness is desir*able*. Mill says "…each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons".[10] Since our happiness is good for us, and general happiness is just the total of the happiness of all persons, then general happiness is also good. To put it another way, if individual happiness is a good worth pursuing then happiness in general must be worth pursuing.

In order to justify Hedonism, Mill sought to justify the claim that the good of happiness is the *only* thing that makes our lives go better. Mill defends this claim by suggesting that knowledge, health and freedom etc. (as other plausible goods that might make a life go better) are only valuable *in so far as* they bring about happiness. Knowledge is desired only because it provides happiness when acquired, not because it, by itself and in isolation, makes life go better.

Mill's proof of Utilitarianism in terms of the general desirability of maximising total happiness is, however, open to criticism. For one thing,

9 This slippage from talk of "pleasure" to talk of "happiness" is explained in section eight of this chapter.

10 J. S. Mill, 'Utilitarianism', in *Utilitarianism and Other Essays*, p. 308.

the fact that something is desired does not seem to justify the claim that it is desirable. **G. E. Moore** (1873–1958) points out that Mill moves from the factual sense that something is desirable if it is desired to the normative sense that it *should* be desired without any justification. It is possible, for example, to desire to kill another person. This is desirable in the sense people could and do desire it (it is possible to do so — it is an action that is desire-*able*), but not in the sense that we would want them to desire it.

In addition, the idea that other apparent goods, such as knowledge and health, are only valuable in so far as they promote happiness/pleasure is extremely controversial; can you imagine a situation in which you gained value from knowledge without any associated pleasure or happiness? If so, you may have a counter example to Mill's claim.

9. Mill's Qualitative Utilitarianism

In attempting to redraw Bentham's Utilitarianism, Mill's most substantial thought was to move away from Bentham's idea that all that mattered was the *quantity* of total pleasure. Instead, Mill thought that *quality* of pleasure was also crucial to deciding what is moral.

Bentham's Utilitarianism is quantitative in the sense that all Bentham focusses on is the maximisation of hedonically calculated quantities of total pleasure. Thus, he says that "Prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry".[11] All that matters for Bentham is producing pleasure and the way this is achieved is unimportant. If playing on a console affords you more pleasure than reading Shakespeare, then Bentham would view your life as going better if you play the console. However, Mill introduces a quality criterion for pleasure. Mill says that:

> *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 only because they only know their own side of the question.*[12]

Bentham could not admit that the unhappy Socrates would be living a life with more value than the happier fool. Mill, on the other hand, believes that *quality*, not merely quantity, of pleasure matters and can therefore defend the claim that Socrates has the better life even by hedonistic standards.

According to Mill, higher pleasures are worth more than lower pleasures. Higher pleasures are those pleasures of the intellect brought about via activities like poetry, reading or attending the theatre. Lower pleasures are animalistic and base; pleasures associated with drinking beer, having sex or

11 J. Bentham, *The Rationale of Reward*, p. 206, https://books.google.co.uk/books?id=6igN9srLgg8C
12 J. S. Mill, 'Utilitarianism', p. 281.

lazing on a sun-lounger. What we should seek to maximise are the higher quality pleasures even if the total pleasure (hedonically calculated via Bentham's calculus) turns out to be quantitatively lower as a result. Justifying this distinction between higher and lower quality pleasures as non-arbitrary and not just an expression of his own tastes, Mill says that *competent judges*, those people who have experienced both types of pleasure, are best placed to select which pleasures are higher and lower. Such competent judges, says Mill, would and do favour pleasures of the intellect over the base pleasures of the body. On this basis, Mill is open to the criticism that many people have both read books and drunk beer and that if given the choice would choose the latter. Whether or not Mill's defence of his supposedly non-prejudiced distinction of higher and lower pleasures is successful is an open question for your evaluation and analysis.

10. Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism

In addition to a difference in views regarding the importance of the quality of a pleasure, Mill and Bentham are also separated by reference to Act and Rule Utilitarianism and although such terms emerged only after Mill's death, Mill is typically considered a rule utilitarian and Bentham an act utilitarian.

An act utilitarian, such as Bentham, focuses only on the consequences of individual actions when making moral judgments. However, this focus on the outcome of individual acts can sometimes lead to odd and objection-raising examples. **Judith Jarvis Thomson** (1929–) raised the problem of the "transplant surgeon".[13]

> Imagine a case where a doctor had five patients requiring new organs to stop their death and one healthy patient undergoing a routine check. In this case, it would seem that total pleasure is best promoted by killing the one healthy patient, harvesting his organs and saving the other five lives; their pleasure outweighs the cost to the formerly healthy patient.

While Bentham does suggest that we should have "rules of thumb" against such actions, for typically they will lead to unforeseen painful consequences, in the case as simply described the act utilitarian appears powerless to deny that such a killing is required in order to maximise total pleasure (just add your own details to secure this conclusion for the act utilitarian).

Rule utilitarians, in whose camp we can place Mill, adopt a different moral decision-procedure. Their view is that we should create a set of rules that, if followed, would produce the greatest amount of total happiness. In the transplant case, killing the healthy man would not seem to be part of the best set

13 J. J. Thomson, 'The Trolley Problem', p. 1396.

of utilitarian-justified rules since a rule allowing the killing of healthy patients would not seem to promote total happiness; one outcome, for example, would be that people would very likely stop coming to hospitals for fear for their life! Therefore, if a rule permitting killing was allowed then the maximisation of total happiness would not be promoted overall.

It is through Rule Utilitarianism that we can make sense of Mill's "harm principle". According to Mill, there is:

> *…one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control.*[14]

That principle is:

> *The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant.*[15]

Even if a particular act of harming another person might bring about an increase in total pleasure on a single occasion, that act may not be condoned by the set of rules that best promotes total pleasure overall. As such, the action would not be morally permitted.

11. Strong versus Weak Rule Utilitarianism

Rule utilitarians may seem to avoid troubling cases like the transplant surgeon and be able to support and uphold individual human and legal rights based on rules that reflect the harm principle. This fact would also help rule utilitarians overcome objections based on the treatment of minorities because exploitation of minority groups would, perhaps, fail to be supported by the best utilitarian-justified set of rules. Yet, rule utilitarians face a troubling dilemma:

1. *Strong Rule Utilitarianism*: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness must *always* be followed.
2. *Weak Rule Utilitarianism*: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness can be ignored in circumstances where more happiness would be produced by breaking the rule.

The strong rule utilitarian appears to suffer from what **J. J. C. Smart** (1920–2012) described as "Rule Worship". No longer focussing on the consequences of the action before them, the strong rule utilitarian appears to ignore the

14 J. S. Mill, *On Liberty*, http://www.econlib.org/library/Mill/mlLbty1.html
15 *Ibid*.

option to maximise total happiness in favour of following a general and non-relative rule regarding how to act. The strong rule utilitarian may be able to avoid problems based on treatment of minorities or a lack of absolute legal and human rights, but it is not clear that they survive these problems holding on to a teleological, relativistic utilitarian theory. Utilitarianism seems to be saved from troubling implications only by denying core features.

On the other hand, while Weak Rule Utilitarianism retains a teleological nature it appears to collapse into Act Utilitarianism. The rules provide guidelines that can be broken, and given that the act utilitarian can also offer "rules of thumb" against actions that tend not to produce maximum goodness or utility in general, such as killing healthy patients, it is not clear where this version of Rule Utilitarianism gains a unique identity. In what cases would Act Utilitarianism and Weak Rule Utilitarianism actually provide different moral guidance? This is something you should consider in the light of your own examples or previous examples in this chapter.

12. Comparing the Classical Utilitarians

Bentham

- Hedonist
- All pleasure equally valuable
- Act Utilitarian
- Teleological, impartial, relativistic, maximising

Mill

- Hedonist
- Quality of pleasure matters: intellectual versus animalistic
- Viewed as rule utilitarian
- If strong rule utilitarian, not clear if teleological or relativistic
- Impartial, maximising theory

13. Non-Hedonistic Contemporary Utilitarianism: Peter Singer and Preference Utilitarianism

Utilitarianism is not a dead theory and it did not end with Mill. **Henry Sidgwick** (1838–1900) is considered to have taken over the baton after Mill, and **R. M. Hare** (1919–2002) was perhaps chief advocate in the mid twentieth century. However, few contemporary philosophers can claim as much

influence in public life outside philosophy as can the preference utilitarian, **Peter Singer** (1946–).

Singer advocates a non-hedonistic version of Utilitarianism. His utilitarian theory is teleological, maximising, impartial and relativistic but he does not claim that the greatest good for the greatest number can be reduced to pleasure in either raw or higher forms. Instead, Singer believes that what improves a person's life is entirely determined by the satisfaction of their preferences. If you satisfy your preference to achieve a good qualification your life goes better *in virtue of satisfying that preference*. If someone else desires to get a job rather than continue in education, their life goes better for them if they secure their preference and gain employment. Individuals, according to Singer, must be at the core of moral thinking:

> *There would be something incoherent about living a life where the conclusions you came to in ethics did not make any difference to your life. It would make it an academic exercise. The whole point about doing ethics is to think about the way to live. My life has a kind of harmony between my ideas and the way I live. It would be highly discordant if that was not the case.*[16]

On this basis, when making moral decisions we should consider how best to ensure the maximisation of total preference satisfaction — it does not matter if our preference satisfaction fails to provide pleasure for us. Continuing to follow Bentham's commitment to impartiality, Singer also supports equal weighing of preferences when deciding which action better promotes greater preference satisfaction; all preferences are to weigh equally. This potentially leaves Singer open to the same issues that plagued Bentham. Namely, regarding circumstances where partiality seems desirable, or when the preferences of the majority seem to threaten a minority group, or require us to sacrifice our integrity. Further, the problem of calculation also seems to be relevant, because it is not obvious how you could work out the preferences of others in at least some difficult moral cases (let alone the preferences of animals, if they are also relevant).

In response to a concern regarding the moral relevance of satisfying bloodthirsty or apparently immoral preferences, and counting such satisfaction as a moral achievement (consider the preferences of a nation of paedophiles, for example), we might look to the ideas of **Richard Brandt** (1910–1997). Brandt, writing about the rationality of certain preferences, suggested that rational preferences were those that might survive cognitive psychotherapy.[17] However, there is a question as to how arbitrary this requirement is and whether or not some unnerving preferences might form the core of certain individual characters therefore being sustained even after such therapy.

16 K. Toolis, 'The Most Dangerous Man in the World', https://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis

17 R. Brandt, *Ethical Theory*.

SUMMARY

Utilitarianism remains a living theory and retains hedonistic and non-hedonistic advocates, as well as supporters of both act and rule formulations. The core insight that consequences matter gives the theory some intuitive support even in the light of hypothetical cases that pose serious problems for utilitarians. The extent to which the different versions of Utilitarianism survive their objections is very much up to you as a critically-minded philosopher to decide.

COMMON STUDENT MISTAKES

- Not reflecting the attitudinal aspect of pleasure that Bentham's theory may account for.
- Minimising the long-term impact of actions when it comes to pleasure/pain production.
- Imprecise understanding of the hedonic/non-hedonic split in Utilitarianism.
- Imprecision in use of examples to defend/challenge Utilitarianism.
- Suggesting that "Jim and the Indians" is not a counterexample to Utilitarianism simply because you judge killing the fewer number of people is ultimately the morally right thing to do.

ISSUES TO CONSIDER

1. Is there anything that would improve your life that cannot be reduced to either pleasure or preference satisfaction?
2. Would you enter Nozick's experience machine if you knew you would not come out? Would you put someone you care about into the machine while they were asleep, so that they never had to make the decision?

3. Can pleasure be measured? Does Bentham go about this task correctly?
4. Which is the most serious problem facing Bentham's Act Utilitarianism? Can it be overcome?
5. Does Mill successfully improve Bentham's Act Utilitarianism in any way?
6. Are you ever told to stop watching television and do something else? Is this good for you? Why?
7. Look at the quote at the start of the chapter by Dara Ó Briain — is it possible that some pleasures are inferior in value to others?
8. Do you have convictions or beliefs you would not want to sacrifice for the greater good, should you ever be forced to?
9. Why do utilitarians not give up on the idea of maximising pleasure and just talk in terms of promoting sufficient pleasure? Would this solve or raise problems?
10. Is Weak Rule Utilitarianism merely Act Utilitarianism by another name?
11. Does Strong Rule Utilitarianism deserve to be labelled as a utilitarian theory?
12. If your preferences change after psychotherapy, did the original preferences ever matter?

KEY TERMINOLOGY

Normative
Relativistic
Teleological
Consequentialist
Principle of Utility
Agent-Neutrality
Hedonic Calculus
Utility
Intrinsic

References

Bentham, Jeremy, *The Rationale of Reward* (London: Robert Heward, 1830), freely available at https://books.google.co.uk/books?id=6igN9srLgg8C

—, 'An Introduction to the Principles of Morals and Legislation', in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).

—, *An Introduction to the Principles of Morals and Legislation*, freely available at http://www.econlib.org/library/Bentham/bnthPML18.html

Brandt, Richard, *Ethical Theory: The Problems of Normative and Critical Ethics* (Englewood Cliffs, NJ: Prentice Hall, 1959).

Mill, John Stuart, *On Liberty* (London: Longman, Roberts, Green & Co., 1869), freely available at http://www.econlib.org/library/Mill/mlLbty1.html

—, 'Utilitarianism', in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).

—, *Utilitarianism*, freely available at https://www.utilitarianism.com/mill1.htm

Nozick, Robert, 'The Experience Machine', in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007).

Thomson, Judith Jarvis, 'The Trolley Problem', *The Yale Law Journal*, 94.6 (1985): 1395–415, https://doi.org/10.2307/796133

Toolis, Kevin, 'The Most Dangerous Man in the World', *the Guardian* (6 November 1999), freely available at https://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis

Williams, Bernard, 'Jim and the Indians', in his *A Critique of Utilitarianism*, freely available at https://www.unc.edu/courses/2009spring/plcy/240/001/Jim_and_Indians.pdf