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Philippa Foot's 1983 paper, "Utilitarianism and the Virtues," argues that utilitarianism is a flawed moral theory because it only values the role of benevolence in morality, failing to take into account the fact that morality consists of more than just the duty to act benevolent (280-283). In this paper, I will argue that Foot's argument provides a successful criticism of welfare consequentialism by defending it against a critical objection and by providing further evidence that her conclusions about consequentialism are valid. I will begin by summarizing Foot's argument against utilitarianism as a form of "pathological benevolence." I will briefly summarize her discussion of the ambiguity of the term "state of affairs," which will then lead into her argument from pathological benevolence. Then, I will defend her argument by supporting her conclusion that a moral theory that bases its evaluation of actions on the state of affairs that results is fundamentally flawed, through my example of genocide as a morally good action from a utilitarian perspective. Finally, I will conclude by addressing some possible objections to my argument, and then by reiterating my argument and why it provides further support for Foot's criticism of welfare consequentialism.

Foot's argument that utilitarianism is pathological benevolence and, consequently, an incomplete moral theory begins with a discussion of a term utilized a lot by consequentialist thinkers: "state of affairs." According to consequentialists, a "good" state of affairs is one in which a particular virtue is maximized—the act that leads to a good state of affairs being the one that leads to the greatest resultant sum of said virtue in comparison to the results of all other possible actions. Most people who criticize utilitarianism or consequentialism traditionally tend to do so by criticizing the inability to sum up wellbeing (or whatever virtue the consequentialist decides to measure), but Foot suggests that a more profitable criticism comes from the fact that

consequentialist theories, by their very nature, contain a deadly piece of circular reasoning. Consequentialism is appealing to people because it always prefers the good state of affairs to the bad one, but the trouble arises when the consequentialist is pressed to identify what exactly the good state of affairs consists in, without referring to consequentialist doctrine (280).

Philippa Foot comes to the conclusion that utilitarianism, when it describes a good state of affairs, is basing this judgment on the virtue of benevolence. She states that "there are some things that a moral person must want and aim at in so far as he is a moral person, and that he will therefore count it 'a good thing' when these things happen…For surely he must want others to be happy? To deny this would be to deny that benevolence is a virtue" (280). Utilitarians are called to be benevolent—this is the virtue that this particular brand of consequentialism chooses to maximize. Utilitarians are bound to perform the act that will benefit the greatest number, the maximization of wellbeing. So, by the definition of utilitarianism, a good state of affairs is the one in which people are benevolent, seeking to promote the wellbeing of others (280). Utilitarians identify the situation in which the greatest number benefit by claiming that a perfect, impartial, outside observer would be able to notice such a situation, but, Foot notes, if there were such an impartial observer, who is to say that this observer would exclusively value the virtue of benevolence—why could this person not value another virtue, such as justice? Utilitarians chose wellbeing as the consequence to maximize because it is apparent that wellbeing is important to morality (when there is more of it, people think this is good thing, etc.), but there are other virtues, such as justice and integrity which people also intrinsically appear to value, and these could just as easily be the metric from which an impartial observer chooses to evaluate a "state of affairs." It then becomes apparent that utilitarians presuppose the validity of their own theory when describing what a good state of affairs is by presupposing that a so-called impartial

observer would also value benevolence (281). When the term "good state of affairs" is used, it is being used *with respect to morality* (as opposed to a good state of affairs with respect to economics or healthcare), but there is more to morality than just benevolence, so it makes sense that a good state of affairs with respect to morality would take into account more than just the virtue of benevolence, which is simply one aspect of morality among many (281-282).

Following this discussion of the term, "state of affairs" and the establishment that the sole virtue in utilitarian moral thought is that of benevolence, Foot moves into a discussion of the virtues, and how they relate to morality and to utilitarianism. She claims that there are other aspects to morality besides benevolence. Consequently, a proper moral theory ought to be able to explain these other facets of morality. Utilitarianism places no value on virtues such as justice and integrity (these virtues are only valuable when they promote wellbeing—therefore, according to the utilitarian, they are not virtues in and of themselves, but rather, mere behaviors). The virtue of justice is integral to the moral life and appears in nearly all moral codes, but there are many instances in which the demands of justice conflict with the demands of benevolence. Foot provides three illustrative examples of this, in which favoring the demands of benevolence over the demands of justice makes little sense and would be considered wrong in the eyes of a great many moral people. The first example is that of distributive justice, which claims that it would be wrong to increase the happiness of the rich at the expense of an increased level of misery to the poor (281). The utilitarian might argue that an already miserable poor person will not experience an increase in misery that surpasses the increase in happiness felt by the rich, who now have even more opportunities for pleasure, but most people oppose taking from those who are already miserable in order to increase the happiness of those who are already well off. Foot's second example is that of lying in order to increase the overall utility; this example gets at the

fact that in a utilitarian world, a person's word means nothing (281). Quite frankly, if a person knew that others were predisposed to lie to him or her in order to spare feelings, then that person would assume that other people could just as easily be lying as telling the truth, and this knowledge of being lied to would actually decrease the individual's wellbeing (possibly more so than if the liar had simply told a hurtful truth). Foot's third (and, in my opinion, best) example is that of positive and negative rights of people, such as a person's right to not be murdered unjustly, which can be violated in a utilitarian world so long as the actions eventually result in a later, greater wellbeing (281). I will return to this idea raised later on in my defense of her argument.

Foot notes that it appears quite frequently that the utilitarian virtue of benevolence and the virtue of justice come into conflict, such as when a person faces the moral dilemma of killing an innocent person to save the lives of many. Utilitarianism would require that the person kill the single innocent person because that act would benefit the greatest number of people, but this is a violation of the innocent person's right not to be killed. Foot claims that there is a flaw within the requirements of utilitarianism: namely, that killing one person to spare other people from being killed cannot truly be called a benevolent act. According to Foot, "[s]omeone who refuses to sacrifice an innocent life for the sake of increasing happiness [should not] be counted as less benevolent than someone who is ready to do it" (281-282). Foot gives another profound example of this idea by stating that inducing cancer in people in order to eventually lead to positive results ought not to be counted as a benevolent act—so the benevolent person should not automatically be ready to do any act for the sake of a greater calculated sum of happiness. Benevolent people wish for more "aggregate" good than harm to come about, but that does not mean that to be benevolent, one must be required to wish for a lesser harmful action and then consider that

resultant circumstance to be good (282). There are some acts (such as killing innocents) that morality should simply not demand a person to do in order to do the right thing.

Foot concludes her argument with a piece of reasoning that is, at least initially, a little bit difficult to grasp. She notes that each virtue has its demands—justice demands that innocents not be killed, for example. But, this is merely an end achieved by the virtue of justice, just as maximized wellbeing is the end achieved by the virtue of benevolence. Neither of these virtues exist outside of morality to lend it its authoritative foundation, but rather, they exist within morality as its components which allow morality to achieve a "good" outcome. Utilitarianism exclusively focuses on the virtue of benevolence, which is not the foundation of morality, but rather, one of its many components. Therefore, utilitarianism merely accounts for a fragment of morality and cannot claim to be a complete moral theory. In this argument, Foot not only demonstrates that welfare consequentialism is insupportable, but she also illustrates that the alternative non-consequentialism is not subject to the same objections because it does not attempt to evaluate the goodness of an action based on the resultant state of affairs (282-283). Ultimately, Foot demonstrates that utilitarianism is false due to two interrelated objections, namely, that evaluating actions based on whether they result in a "good state of affairs" presupposes the validity of consequentialism itself and that utilitarianism places exclusive value on the virtue of benevolence, which is neither the external foundation of morality nor the only component of the moral life for which an effective moral theory must account. I have just offered a thorough reconstruction of Philippa Foot's argument against utilitarianism and will now begin my defense of her argument and the conclusion she reached.

I will begin my defense of Foot's argument by further discussing her premise that using "state of affairs" within consequentialism presents trouble for the consequentialist in conjunction

with the issue that a moral theory ought not to require a so-called "benevolent" person to view any act that causes another harm as good (or to perform such an act). Consider the following scenario: there exists a world in which there are two classes of people—a utilitarian class who live pleasure-filled lives devoted to seeking out the maximization of wellbeing as a result of their actions and a non-utilitarian class who live simpler lives which sometimes contain grief and pain. In this world, there is no conflict between the classes; they coexist separately and peacefully (even with the possibility of mobility from one group to another by choice). The ruler of this world, a utilitarian, learns that the aggregate pleasure of the world is decreased by the existence of the non-utilitarians and knows that there is technology available which would painlessly exterminate the non-utilitarian class who would never know what was coming. Knowing this, the benevolent ruler is required by utilitarianism to exterminate the non-utilitarians, as this will maximize the aggregate wellbeing of the world as well as increasing the wellbeing of the rest of the world's inhabitants since they would now have more land to live on. According to utilitarianism, this is the morally good action, though genocide ought never to be required by a moral code.

Now imagine the same world of utilitarians and non-utilitarians ruled by the same benevolent ruler. The only difference is that there is no technology that will painlessly exterminate the non-utilitarian class. The benevolent ruler knows that exterminating the non-utilitarians will result in an initial high level of grief and pain, greater than the current state of affairs. But he also knows that with time, after the extermination is complete, the result of his actions will result in a greater aggregate wellbeing than the current state of affairs. The results of an action are far-reaching, and consequentialism does not specify how far into the future a person is to look to determine the resultant state of affairs. In this instance, the benevolent ruler is still

required by utilitarianism to promote genocide and to view this act as the most morally correct action to be taking in that circumstance, which seems insupportable in a moral theory.

In addition to the fact that in both circumstances, utilitarianism requires the ruler to promote the killing of people, most people would recoil at the thought of living in such a world as a part of the non-utilitarian class (even if their deaths were painless and unanticipated). This is because not only is there no protection of a person's right to life in this world (since justice is not valued in this world), but there is also no respect for a person's autonomy to make decisions with regards to his or her own future (another example of a feature of the moral life for which utilitarianism does not account). This demonstrates the incompleteness of utilitarian values in accounting for the moral life. In addition, the second example of non-utilitarian genocide demonstrates another flaw in the use of future states of affairs in measuring the goodness of an action. Some acts lead to initially unpleasant results only to later on contribute to an increase in the overall wellbeing. The second example of genocide initially causes much pain and suffering, so it appears to be bad according to utilitarianism, but the long-term accumulated wellbeing that results from this occurrence is actually positive, so it now appears good from the utilitarian perspective. Utilitarianism makes no recommendation on where to "draw the line" regarding the assessment of a state of affairs; it is possible that to honestly know the results of an action (and therefore judge it), one would have to know the final state of the world, which is impossible.

I have just provided further evidence in support of Philippa Foot's conclusion that utilitarianism is an incomplete and logically invalid moral theory. I will now briefly consider some objections to my own argument before concluding. The most likely objection that a utilitarian thinker might pose to my examples of genocide in a utilitarian world is that the examples are too extreme. (I will make the assumption that this objector is a strict act utilitarian,

not prone to amending consequentialist thought into rule consequentialism, as this inevitably unravels back into act consequentialism.) The objector might claim that utilitarians can value other virtues such as justice and respect for autonomy, but only insofar as they do not conflict with the ultimate virtue of benevolence. To this I would respond that if there are no cases where justice or autonomy can supersede the greater good, then they are not truly valued; when actions agree with justice or respect for autonomy, it is a mere coincidence of "benevolence" rather than an actual valuing of these virtues which brings this about. Not to account for these critical aspects of the moral life seems wrong for a moral theory. In addition, an objector might respond to my second example by claiming that utilitarianism would not recommend acting in a way that initially results in a vast amount of pain along the levels of genocide in order to bring about the greater good, and that a person would not need to go infinitely far into the future to determine an act's goodness, just so far as the act ceases to have effect on the state of things. To these statements I would reply that utilitarianism must always prefer a painful act if it results in a greater good in the long run (look at many of life-saving medical procedures), and even if a person did not need to look indefinitely into the future to determine an act's results, this does not remove the consequence that, even in my second example, utilitarianism would require the ruler to promote genocide.

I have just provided an argument in support of Philippa Foot's objection to utilitarianism. I began with a reconstruction of her argument that utilitarianism is both logically flawed and an inadequate informer of a moral life. I then provided my own argument in support of this conclusion through my examples of genocide in a utilitarian world, following which I responded to some objections that might be made by a utilitarian to my argument, further cementing Foot's case against utilitarianism.

Works Cited

Foot, Philippa. “Utilitarianism and the Virtues.” *Proceedings and Addresses of the American Philosophical Association*, vol.57, no.2, Nov. 1983, pp.273-283, doi:10.2307/3131701.