Contemporary Ethics

Taking Account of Utilitarianism

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their society and campaign against them are only encouraging people to be immoral – that is, to depart from the moral standards of their society – unless or until the majority of the society agrees with the reformers. The minority can never be right in moral matters; to be right it must become the majority.

The ethical relativist is correct to emphasize that in viewing other cultures we should keep an open mind and not dismiss alien social practices simply on the basis of our own cultural prejudices. But the relativist's theory of morality doesn't hold up. The more carefully we examine it, the less plausible it becomes. There is no good reason for saying that the majority view on moral issues is automatically right, and the belief that it is automatically right has unacceptable consequences.

But if society isn't the final arbiter of right and wrong, what is? Utilitarianism provides a possible answer. By making happiness the moral standard, it provides an objective, non-relative guide to right and wrong, one that is independent of the particular moral code taught by the society in which we live. Because the importance of happiness is hard to deny, utilitarianism supplies a basis for morality that seems truly universal. We can use that standard to critically assess the moral practices of other societies as well as the moral code taught by our own society. At the same time, utilitarianism acknowledges that the sources of human happiness are complex and that they vary between cultures and over time as well as between different human beings. Because of this, the actions that promote happiness in a particular society or in a particular cultural or historical context may differ from the actions that promote happiness in another society or in another context. In this way, utilitarianism permits right and wrong to vary from society to society while still upholding a non-relative moral standard.

Understanding Utilitarianism

The ethical views of a number of early philosophers contain elements of utilitarianism, and by the eighteenth century Francis Hutcheson, Claude-Adrien Helvétius, and William Paley were promulgating an essentially utilitarian approach to ethics. However, the English philosopher Jeremy Bentham (1748–1832), who coined the term *utilitarian*, is generally considered to be the founder or at least the first systematic expounder of utilitarianism. In politics and ethics Bentham and his followers saw themselves as fighting on behalf of reason against dogmatism, blind adherence to tradition, and conservative social and economic interests.

They were social reformers who used the utilitarian standard as the basis for assessing and criticizing the social, political, and legal institutions of their day. They rejected many of those institutions (such as the penal code, the reform of which was of particular interest to Bentham) as backward or even harmful, and they dismissed much of the accepted morality of their day as unenlightened, prejudiced, and repressive.

Among Bentham's backers were his friends James Mill and Mill's son John Stuart Mill (1806–1873), who went on to become the most important English philosopher of the nineteenth century. Ardently interested in economics and public affairs, John Stuart Mill was an able defender of utilitarianism, and used the doctrine to champion individual liberty and to urge the emancipation of women. Mill, in turn, was followed by Henry Sidgwick, the last of the great nineteenth-century utilitarians. Unlike Bentham and Mill, Sidgwick was a university professor with a strong academic interest in the history of ethics. His writings developed and refined utilitarianism as a moral philosophy, bringing it to full intellectual maturity.

Let's examine how these three important utilitarians stated their theory, beginning with Bentham. On the first page of his earliest work, Bentham wrote that "it is the greatest happiness of the greatest number that is the measure of right and wrong."[3] Later, in his important work *The Principles of Morals and Legislation*, he stated the utilitarian ethical doctrine this way:

> 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. (2)

Although the phrase "the party whose interest is in question" is rather open-ended, Bentham was not advocating an egoistic ethical theory. A passage on the following page clarifies this: "An action then may be said to be conformable to the principle of utility . . . when the tendency it has to augment the happiness of the community is greater than any it has to diminish it." According to Bentham, in determining whether a course of conduct is right or wrong, one must take into account the happiness or unhappiness of everyone affected by the action.

Although nowadays the concept of utility has a technical meaning for economists, most people find the word vague and uninformative, and the

[3] "Fragment on government," 227 (emphasis omitted). The phrase "the greatest happiness of the greatest number" is not original to Bentham. See Hutcheson, *Our Ideas of Beauty and Virtue*, 177.

definition of "utilitarian" that most dictionaries give is misleading and not what Bentham and subsequent philosophers mean by it. Indeed, Bentham himself came to prefer "the greatest happiness principle" to the "principle of utility" because

> the word *utility* does not so clearly point to the ideas of *pleasure* and *pain* as the words *happiness* and *felicity* do: nor does it lead us to the consideration of the *number*, of the interests affected . . . which contributes, in the largest proportion, to the formation of the standard here in question; the *standard of right and wrong*, by which alone the propriety of human conduct, in every situation, can with propriety be tried. (1)

Like Bentham, John Stuart Mill associated happiness with pleasure and unhappiness with pain although, as we shall see in Chapter 2, his thinking about pleasure and pain differed significantly from that of Bentham. Although Mill, too, acknowledged the misleading connotations of the word "utility," he considered it too late to abandon the name "utilitarianism." In his famous work *Utilitarianism*, Mill expounded its defining principle as follows:

> The creed which accepts as the foundation of morals "utility" or the "greatest happiness principle" holds that actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. (7)

Unfortunately, a couple of vague phrases mar this statement of the theory. The phrase "right in proportion" suggests that there can be degrees of rightness, implying that acts A and B could both be right and yet A be "righter" than B. It also implies that if A promotes happiness for some and unhappiness for others, then it is both right to a certain extent and wrong to a certain extent. Although not incoherent, these ideas are somewhat obscure. It is also unclear how the phrase "tend to promote" applies to an individual action. For example, although as a general matter telling lies tends to promote unhappiness, it would seem that a particular falsehood doesn't "tend" to do anything; it either does or does not produce happiness.

By contrast, the definition that Sidgwick gives in *The Methods of Ethics* is more precise:

> By Utilitarianism is here meant the ethical theory, that the conduct which, under any given circumstances, is objectively right, is that which will

> produce the greatest amount of happiness on the whole; that is, taking into account all whose happiness in affected by the conduct. (411)

Despite its awkward syntax, this statement makes it clear that utilitarianism instructs us to act so as to bring about as much happiness as we can.

The Basic Utilitarian Standard

Because it is the most recognizable and influential form of utilitarianism, we might call the theory Sidgwick states the standard or basic version of utilitarianism. It is what philosophers, economists, and political theorists usually have in mind when they speak of utilitarianism. Some philosophers call this theory *act utilitarianism*, but this label is a little misleading because the utilitarian standard can be used to assess, not only actions, but also rules, laws, policies, and institutions as well as people's motivations and character traits. In later chapters, our understanding of utilitarianism and of how to apply it in practice will grow more sophisticated, but in the meantime we shall focus on the basic utilitarian standard. According to this,

> an action is right if and only if it brings about at least as much net happiness as any other action the agent could have performed; otherwise it is wrong.

A few points of interpretation are in order. First, in line with what I just said, for "action" we should understand "action or other object of appraisal." Second, the phrase "at least as much" allows for the possibility that two actions might produce equal amounts of happiness. In that case, either action would be right. Putting aside the possibility of ties, the utilitarian principle instructs us to perform the act that brings about the greatest net happiness. Third, the "net" happiness of an action is the happiness it produces minus any unhappiness it causes. We are interested not just in the positive results of actions but in their overall outcome. Finally, the theory states that if an action is not right, then it is wrong. This tallies with the way most people use the words "right" and "wrong."

Utilitarianism is a simple, bold, and direct ethical theory. It takes happiness as its standard and uses it to assess the morality of the actions we perform. We act rightly only when we bring about as much happiness as it is possible for us to bring about. When we are deciding how to act in a given situation, utilitarianism instructs us to assess the consequences of each of the various actions we could perform (including doing nothing at all). In addition to their immediate results, we must consider any long-term consequences and any indirect repercussions that these alternative

actions may have. For example, lying might seem a good way out of a tough predicament, but if the people you deceive find out, not only will they be unhappy, but your reputation and your relationships with them will be damaged.

In assessing actions, we must take into account not only their consequences for us, but also their consequences for other people. The utilitarian standard is not egoistic but universalistic because we are to consider the happiness or unhappiness of everyone affected by our actions, with no one person's happiness given more value than another's. We are to count the consequences to ourselves, whether good or bad, as having the same weight as the consequences to others. We are not to ignore our own happiness, but neither are we to treat it as more important than the happiness of anyone else. "Each to count as one, and no one as more than one" was Bentham's motto.

Utilitarianism tells us to sum up the various good, bad, or indifferent consequences for everybody of each possible action we could perform and then to choose the action that brings about the greatest net happiness. This is the action that is morally right and, hence, required of us. As mentioned, if several, mutually exclusive actions have equally good outcomes (and nothing we could do would have better results), then although there is no single right action, we act rightly as long as we choose one of them. Thus, utilitarianism states that we should always act so as to maximize happiness. It holds, in other words, that in whatever situation we find ourselves, the morally right course of conduct is that course of conduct, whatever it is, that brings about the greatest amount of happiness (or, to be more precise, that brings about at least as much net happiness as would have been brought about by any other course of conduct open to us).

Welfarism and Consequentialism

As contemporary moral theorists see it, utilitarianism has two distinct philosophical components. The first of these is *welfarism*. This is the value thesis that welfare or well-being is all that ultimately matters; it is the sole good, the only thing that is intrinsically valuable. Welfarism entails that nothing is good unless it is good for individual people. Accordingly, utilitarianism assesses actions based on whether they benefit or harm people, that is, based on their impact on people's well-being. It seeks to promote what is good for people, and the supreme utilitarian goal is that people's lives go as well as possible.

Bentham, Mill, and Sidgwick focused on happiness, which they equated with pleasure and the absence of pain. Because of this, their utilitarianism

is sometimes called hedonistic. But these three writers were concerned with happiness only because they identified it with well-being, that is, with what is good for people. In their view, our lives go well, we have well-being, just to the extent that our lives are pleasurable or happy. Implicitly, then, welfarism is prior to, and underlies, their commitment to happiness. As we shall see in Chapter 2, however, happiness is not the only way to spell out the idea of well-being, and not all contemporary utilitarians understand welfare as happiness (and still fewer equate either concept with pleasure). Although for convenience I shall go on using "happiness" interchangeably with "well-being" (or "welfare"), what matters for utilitarianism is well-being, whether or not one understands it in terms of happiness.

The second philosophical component of utilitarianism is its consequentialist or teleological (goal-oriented) approach to right and wrong. *Consequentialism* is the thesis that the rightness or wrongness of an action is a function of its results or outcome. It is not an action's intrinsic nature or whether it is an instance of a certain permitted or forbidden type of act (for example, the keeping of a promise or the telling of a lie) that determines its rightness or wrongness, but rather its specific consequences in a particular situation. Utilitarianism is not only consequentialist; it is also universalistic, aggregative, and maximizing. It is universalistic because it takes into account everyone's interests equally, and it is aggregative because it combines the happiness or unhappiness of each person affected by an action to determine its overall value. Finally, utilitarianism is a maximizing doctrine because it states that the right action is that which produces the greatest amount of happiness the agent can produce.

Four Points about Utilitarianism

To avoid possible misinterpretation, four points should be clarified or elaborated:

1 Actions can have both good and bad results. As mentioned, the "greatest happiness principle" does not tell us to choose the action that has as part of its outcome the single effect with more happiness than any other effect we might have produced. Rather, it tells us to choose that action whose net outcome, taking into account all of its effects, is the happiest (or the least unhappy). It's probably impossible to measure happiness and unhappiness with mathematical precision, but to illustrate the above point let's pretend that we can. Imagine, then, that a particular action would produce eight units of happiness and four units of unhappiness. Its net

worth would thus be four units of happiness. An opposed action, let us imagine, would create ten units of happiness and seven units of unhappiness. The net worth of this action would be only three units of unhappiness. In this case utilitarianism implies that we should choose the first action over the second. In the event that both lead not to happiness, but to unhappiness, and there is no third option, we should choose the action that brings about the fewest units of unhappiness.

2 Actions affect people to different degrees. Your playing the stereo loudly might bring slight pleasure to three of your neighbors, cause significant discomfort to two others who do not share your taste in music or are trying to concentrate on something else, and leave a sixth person indifferent. The utilitarian theory is not that each individual votes on the basis of his or her happiness or unhappiness with the majority ruling, but that we add up the various pleasures or pains, however large or small, and go with the action that results in the greatest net amount of happiness. Because any action will affect some people more strongly than others, utilitarianism is not the same as majority rule. For example, in the United States today it would probably increase overall happiness to permit homosexuals to marry, even though the thought of their doing so makes many heterosexuals slightly uncomfortable. This is because such a policy would affect the happiness or unhappiness of the majority only slightly, if at all, while it would profoundly enhance the lives of a small percentage of people. Even if banning homosexual marriages makes most people happy, it doesn't bring about the most happiness.

As quoted earlier, Bentham famously said that the utilitarian standard is "the greatest happiness of the greatest number." Although often repeated, this formulation is misleading. The problem is that it erroneously implies that we should maximize two different things: the amount of happiness produced and the number of people made happy.[4] Correctly understood, utilitarianism tells us to do only one thing, maximize happiness. Doing what makes the most people happy usually produces the most happiness, but it may not – as the example of homosexual marriages illustrates. For utilitarianism, it is the total amount of happiness, not the number of people whose happiness is increased, that matters.

3 When utilitarians talk about the results or consequences of one's actions, they stretch the word "result" beyond its usual meaning of something that (i) comes after an act and (ii) is caused by it.[5] On the one

[4] In an unpublished essay in 1829, Bentham acknowledged this problem with his formulation. See Parekh, "Bentham's justification of the principle of utility," 98–9.
[5] Kagan, *Normative Ethics*, 27.

hand, utilitarians don't limit results to causal effects in a narrow sense because they are interested in the consequences, not just of one's acting in various positive ways, but also of one's refraining from acting. For example, it would seem odd to say that, by ignoring a panhandler's request for rent money, I "caused" his family to sleep outside tonight. Still, this may be one result of my not stopping to help him; if so, then utilitarians will take it into account in assessing my conduct.

On the other hand, in evaluating an action, utilitarians do not assume that there must be a firm line between it and the effects that flow from it, and they do not tell us to concern ourselves only with the latter. Rather, it is the overall outcome of each alternative action that we are to assess and compare, and this includes the positive or negative value, if any, of the action viewed by itself as well as the positive or negative value of its subsequent effects. Utilitarians have two reasons for focusing on an action's outcome in a broad sense rather than on its subsequent effects in a narrow sense.

First, happiness and unhappiness sometimes accompany, rather than follow, an action. For example, most of the pleasure Sally gets from stretching her arms after being hunched over her desk for an hour is contemporaneous with the stretching rather than a subsequent result of it. If so, then action A might produce more happiness than action B even though A's subsequent effects are no better than B's.

Second, the line between what you do and what results from what you do is a function of some chosen description of the situation. One and the same action can be described in various ways – for example, as "extending your arms," "pushing on a plank of wood," "opening the gate," "hurrying home," or "being rude to one's companion." "Pushing on a plank of wood" is a subsequent effect of my action when that action is described as "extending my arms," but not when it is described as "opening the gate." Because of this, it would be arbitrary and pointless to insist that in concerning itself with the consequences of our actions utilitarianism must focus only on their subsequent effects, rather than their overall outcomes.

4 Our actions can also affect the welfare of non-human animals. Although the implicit focus of the discussion so far has been on human beings, many species of animals feel pleasure and pain, and some animals can plausibly be said to experience happiness and unhappiness. For this reason, utilitarianism takes into account, not just human welfare, but also animal welfare or, more generally, the welfare of all sentient creatures. As we shall see when we return to this issue in Chapter 2, Bentham was one of the first philosophers to give direct moral weight to the suffering of

animals. For ease of exposition, however, this book discusses utilitarianism in terms of the welfare or happiness of human beings, but most of what it says can be extended or modified without distortion to take into account the happiness or unhappiness of other sentient creatures.

One Common Criticism of Utilitarianism

Critics of utilitarianism frequently point out that we can never know for certain all the consequences of the things we do. Still less can we know all the future results of every possible action that we might perform at any given point. A Boy Scout who stops to assist a blind man across the street appears to be doing a good thing. But if as a result of the Scout's intervention the man gets to his destination thirty seconds earlier than he otherwise would have, only to have a flower pot fall on his head from a balcony, then the Scout's deed definitely did not maximize happiness. The fact that the causal ramifications of our actions carry indefinitely into the future compounds the problem, seeming to thwart any claim to know what course of conduct is best. Furthermore, comparing one person's happiness or unhappiness with another's is tricky and imprecise at best, and when many people are involved, the matter may seem hopelessly complex. Finally, even if we had all the relevant information and could perform the necessary calculations, there would rarely be time to do so before we had to act.

Utilitarians have several pertinent rejoinders to this line of criticism. First, they can agree that we never know all the results of our actions and can only roughly estimate the value or disvalue of their consequences, and yet argue that this fact does not impugn the utilitarian goal of maximizing happiness. The correctness of that goal is not undermined by shortfalls in our knowledge of how best to attain it. Happiness is still what we should aim at, however difficult it may be to see the best way to bring it about.

Is this to concede that utilitarianism is unworkable in practice, even if it is right in theory? No, answer the utilitarians, because almost every ethical theory puts some moral weight on the results of our actions and will therefore be hampered in practice by the fact that we never have exact and certain knowledge of future events. Moreover, non-utilitarian systems of ethics face their own distinctive uncertainties. Interpreting and applying their principles can be problematic, and sometimes they give rise to conflicting obligations.

The second response that utilitarians can make is that human beings are already well acquainted with happiness and unhappiness, their nature and typical causes. Based on thousands of years of collective experience, we

understand many of the sources of suffering and satisfaction, and we know various things that conduce to people's lives going well and various things that do not. In line with this point, Mill's *Utilitarianism* ridicules people who

> talk . . . as if, at the moment when some man feels tempted to meddle with the property or life of another, he had to begin considering for the first time whether murder and theft are injurious to human happiness . . . . It is truly a whimsical supposition that, if mankind were agreed in considering utility to be the test of morality, they would remain without any agreement as to what *is* useful . . . . There is no difficulty in proving any ethical standard whatever to work ill if we suppose universal idiocy to be conjoined with it. (23)

Our knowledge of the future is far from certain, and we can, it seems, measure and compare people's happiness only coarsely. However, we are not altogether in the dark about which kinds of action promote well-being and which kinds do not, and the knowledge that we do have will frequently suffice to justify our acting one way rather than another. Even when we do not know, say, the very best way to handle a disruptive colleague, we can be confident that it does not involve burning down his house.

Mill's point also answers the criticism that "there is not time, previous to action, for calculating and weighing the effects of any line of conduct on the general happiness" (23). In ordinary circumstances we can and should follow certain well-established rules or guidelines that can generally be relied upon to produce the best results. We can, for example, make it a practice to tell the truth and keep our promises, rather than try to calculate possible pleasures and pains in every routine case, because we know that in general telling the truth and keeping promises result in more happiness than lying and breaking promises. In this vein, Mill emphasized the necessity of "intermediate generalizations" or "corollaries from the principle of utility":

> To inform a traveler respecting the place of his ultimate destination is not to forbid the use of landmarks and direction-posts on the way. The proposition that happiness is the end and aim of morality does not mean that no road ought to be laid down to that goal . . . . Whatever we adopt as the fundamental principle of morality, we require subordinate principles to apply it by. (24)

For practical purposes, relying on subordinate principles mitigates the no-time-to-calculate problem. It also alleviates another problem. Con-

scientious agents can make mistakes in their calculations, and bias can infect the reasoning of even a sincere utilitarian, especially when his or her personal interests are at stake. In normal circumstances, however, one is less likely to err and more likely to promote happiness by sticking to certain settled guidelines or tried and true rules of thumb than by trying to calculate from scratch the consequences of various courses of action.

Two Rival Nonconsequentialist Theories

Normative theories of ethics propose some principle or set of principles for distinguishing right actions from wrong actions. We have seen that utilitarianism is a consequentialist theory because it links the rightness of actions to their outcomes. Different consequentialist theories are possible depending on the good that is to be promoted and on the way that the theory ties rightness and wrongness to results. Egoism, for example, is a consequentialist theory with a structure similar to that of utilitarianism except for one important thing: it takes as its guiding principle the individual's self-interest, not the good of all. As an ethical theory egoism holds that an action is right if and only if it best promotes the agent's own happiness or well-being, whereas utilitarianism requires us to take the interests of all into account.

Although people are sometimes selfish, and self-interest motivates many of us much of the time, egoism is an implausible theory of right and wrong. By reducing everything to individual self-interest, egoism permits any action whatsoever – theft, extortion, arson, or murder – as long as it advances the interests of the agent. Yet a moral principle that permits (or, indeed, requires) us to kill a business competitor or to swindle elderly people out of their life savings if (1) doing so advances our interests and (2) we can get away with it, offends almost everyone's understanding of what is right and what is wrong. In fact, some philosophers believe that egoism is not, properly speaking, an ethical theory at all. They contend that egoism misunderstands the nature and point of morality, which is to restrain our purely self-interested desires so we can all live together. If our interests never came into conflict – that is, if it were never advantageous for one person to deceive or cheat another – then we would have no need of morality. The moral standards of a society provide the basic guidelines for cooperative social existence and for the rational resolution of conflicts by appeal to shared principles. It is hard to see how egoism could perform this function.

By contrast with consequentialist theories like egoism or utilitarianism,