

From: James Rachels,
The Elements of Moral Philosophy

CHAPTER 8

The Debate over Utilitarianism

The utilitarian doctrine is that happiness is desirable, and the only thing desirable, as an end; all other things being desirable as means to that end.

JOHN STUART MILL, *UTILITARIANISM* (1861)

Man does not strive after happiness; only the Englishman does that.

FRIEDRICH NIETZSCHE, *TWILIGHT OF THE IDOLS* (1889)

8.1. The Classical Version of the Theory

Classical Utilitarianism, the theory of Bentham and Mill, can be summarized in three propositions: (a) Actions are to be judged right or wrong solely by virtue of their consequences; nothing else matters. (b) In assessing consequences, the only thing that matters is the amount of happiness or unhappiness that is created; everything else is irrelevant. (c) Each person's happiness counts the same. Thus, right actions are those that produce the greatest balance of happiness over unhappiness, with each person's happiness counted as equally important.

This theory has profoundly influenced both ethicists and social scientists. Most ethicists, however, reject Utilitarianism, due to a slew of objections. In what follows, we will examine some of these objections and consider whether they succeed. In doing so, we will grapple with some fundamental questions in moral philosophy.

8.2. Is Pleasure All That Matters?

The question *What things are good?* is different from the question *What actions are right?* and Utilitarianism answers the second question by reference to the first. Right actions are the ones

that produce the most good. But what is good? The utilitarian reply is: happiness. As Mill puts it, “The utilitarian doctrine is that happiness is desirable, and the only thing desirable, as an end; all other things being desirable as means to that end.”

But what is happiness? According to the classical utilitarians, happiness is pleasure. Utilitarians understand “pleasure” broadly, to include all mental states that feel good. A sense of accomplishment, a delicious taste, and the heightened awareness that comes at the climax of a suspenseful movie are all examples of pleasure. The idea that pleasure is the one ultimate good—and pain the one ultimate evil—has been known since antiquity as Hedonism. Hedonism has always been attractive because of its simplicity and because it expresses the plausible notion that things are good or bad because of how they make us *feel*. Yet a little reflection seems to reveal flaws in this theory.

Consider these two examples:

- *You think someone is your friend, but he ridicules you behind your back. No one tells you, so you never know. Is this unfortunate for you? Hedonists would have to say it is not, because you are never caused any pain. Yet we feel there is something bad going on. You are “being made a fool of,” even though you are unaware of it and you suffer no unhappiness.*
- *A promising young pianist’s hands are injured in a car accident so that she can no longer play. Why is this bad for her? Hedonists would say it is bad because it causes her pain and eliminates a source of joy for her. But suppose she finds something else that she enjoys just as much—suppose, for example, that she gets as much pleasure from watching hockey on TV as she once got from playing the piano. Why is her accident now a tragedy? The hedonist can only say that she will feel frustrated and upset whenever she thinks of what might have been, and her misfortune is that she feels bad. But this explanation gets things backwards. It is not as though, by feeling upset, she has turned a neutral situation into a bad one. On the contrary, the bad situation is what made her unhappy. She could have had a career as a concert pianist, and now she cannot. That is the tragedy. We cannot eliminate the tragedy just by getting her to cheer up and watch hockey.*

Both of these examples make the same basic point: We value all sorts of things, such as artistic creativity and friendship, for their own sakes. It makes us happy to have them, but that’s not the only reason we value them. It seems like a misfortune to lose them, even if there is no loss of happiness.

For this reason, there are not many hedonists among contemporary philosophers. Those sympathetic to Utilitarianism have therefore sought a way to formulate their view without assuming a hedonistic account of the good. Some, such as the English philosopher G. E. Moore (1873–1958), have tried to compile short lists of things to be regarded as valuable in themselves. Moore suggested that there are three obvious intrinsic goods—pleasure, friendship, and aesthetic enjoyment—and so right actions are those actions that increase the world’s supply of these things. Other utilitarians bypass the question of how many things are good in themselves, saying only that right actions are the ones that have the best results, however that is measured. Still others say that we should act so as to maximize the satisfaction of people’s *preferences*. I won’t discuss the merits and demerits of these varieties of Utilitarianism. I mention them only to note that, although Hedonism has largely been rejected, contemporary utilitarians have not found it difficult to carry on.

8.3. Are Consequences All That Matter?

To determine whether an action is right, utilitarians believe that we should look at *what will happen as a result of doing it*. This idea is essential to the theory. If things other than consequences are important in determining what is right, then Utilitarianism is incorrect. Here are three arguments that attack the theory at just this point.

Justice. In 1965, writing in the racially charged climate of the American Civil Rights movement, H. J. McCloskey asks us to consider the following case:

Suppose a utilitarian were visiting an area in which there was racial strife, and that, during his visit, a Negro rapes a white woman, and that race riots occur as a result of the crime. . . . Suppose too that our utilitarian is in the area of the crime when it is committed such that his

testimony would bring about the conviction of [whomever he accuses]. If he knows that a quick arrest will stop the riots and lynchings, surely, as a utilitarian, he must conclude that he has a duty to bear false witness in order to bring about the punishment of an innocent person.

Such an accusation would have bad consequences—the innocent man would be convicted—but there would be enough good consequences to outweigh them: The riots and lynchings would be stopped. The best outcome would be achieved by lying; therefore, according to Utilitarianism, lying is the thing to do. But, the argument continues, it would be wrong to bring about the conviction of an innocent person. Therefore, Utilitarianism, which implies otherwise, must be incorrect.

According to the critics of Utilitarianism, this argument illustrates one of the theory's most serious shortcomings, namely, that it is incompatible with the ideal of justice. Justice requires that we treat people fairly, according to the merits of their particular situations. In McCloskey's example, Utilitarianism requires that we treat someone unfairly. Thus, Utilitarianism cannot be right.

Rights. Here is an example from the U.S. Court of Appeals. In the case of *York v. Story* (1963), arising out of California:

In October, 1958, appellant [Ms. Angelynn York] went to the police department of Chino for the purpose of filing charges in connection with an assault upon her. Appellee Ron Story, an officer of that police department, then acting under color of his authority as such, advised appellant that it was necessary to take photographs of her. Story then took appellant to a room in the police station, locked the door, and directed her to undress, which she did. Story then directed appellant to assume various indecent positions, and photographed her in those positions. These photographs were not made for any lawful or legitimate purpose.

Appellant objected to undressing. She stated to Story that there was no need to take photographs of her in the nude, or in the positions she was directed to take, because the bruises would not show in any photograph. . . .

Later that month, Story advised appellant that the pictures did not come out and that he had destroyed them.

Instead, Story circulated these photographs among the personnel of the Chino police department. In April, 1960, two other officers of that police department, appellee Louis Moreno and defendant Henry Grote, acting under color of their authority as such, and using police photographic equipment located at the police station, made additional prints of the photographs taken by Story. Moreno and Grote then circulated these prints among the personnel of the Chino police department.

Ms. York brought suit against these officers and won. Her legal rights had clearly been violated. But what of the *morality* of the officers' behavior? Utilitarianism says that actions are defensible if they produce a favorable balance of happiness over unhappiness. This suggests that we compare the amount of unhappiness caused to York with the amount of pleasure the photographs gave to Officer Story and the others. It is at least possible that more happiness than unhappiness was created. In that case, the utilitarian conclusion would be that their actions were morally acceptable. But this seems to be a perverse way of thinking. Why should the pleasure of Story and his friends matter at all? They had no right to treat York in this way, and the fact that they enjoyed doing so hardly seems a relevant defense.

Consider a related case. Suppose a Peeping Tom spied on a woman through her bedroom window and secretly took pictures of her undressed. Further suppose that he did this without being detected and that he used the photographs entirely for his own pleasure, without showing them to anyone. Now, under these circumstances, the only consequence of his action seems to be an increase in his own happiness. No one else, including the woman, is caused any unhappiness at all. How, then, could Utilitarianism deny that the Peeping Tom's actions are right? But it is evident to moral common sense that they are not right. Thus, Utilitarianism appears to be unacceptable.

The key point to be drawn from this argument is that Utilitarianism is at odds with the idea that people have *rights* that may not be trampled on merely because one anticipates good results. In these cases, the woman's right to privacy is violated. But it would not be difficult to think of similar cases in which other rights are at issue—the right to worship freely, the right

to speak your mind, or even the right to live. It may happen that good purposes are served, from time to time, by violating these rights. But we do not think that our rights should be set aside so easily. The notion of a personal right is not a utilitarian notion. Quite the opposite: It is a notion that places limits on how an individual may be treated, regardless of the good purposes that might be accomplished.

Backward-Looking Reasons. Suppose you have promised someone you will do something—say, you promised to meet her at the mall this afternoon. But when the time comes to go, you don't want to do it; you need to catch up on some work and you would rather stay home. You try to call her up to cancel, but she isn't answering her cell phone. What should you do? Suppose you judge that the utility of getting your work done slightly outweighs the irritation your friend will experience from being stood up. Appealing to the utilitarian standard, you might conclude that staying home is better than keeping your promise. However, this does not seem correct. The fact that you *promised* imposes an obligation on you that you cannot escape so easily. Of course, if a great deal were at stake—if, for example, you had to rush your mother to the hospital—you would be justified in breaking the promise. But a *small* gain in utility cannot overcome the obligation created by your promise; the obligation should mean something, morally. Thus, Utilitarianism once again seems mistaken.

This criticism is possible because Utilitarianism cares only about the *consequences* of our actions. However, we normally think that considerations about the past are important, too. You made a promise to your friend, and that's a fact about the past. Utilitarianism seems faulty because it excludes such backward-looking reasons.

Once we understand this point, we can think of other examples of backward-looking reasons. The fact that someone committed a crime is a reason to punish him. The fact that someone did you a favor last week may be a reason why you should do her a favor next week. The fact that you did something to hurt someone may be a reason to make it up to him now. These are all facts about the past that are relevant to determining our obligations. But Utilitarianism makes the past irrelevant, and so it seems flawed.

8.4. Should We Be Equally Concerned for Everyone?

The last part of Utilitarianism says that we must treat each person's happiness as equally important—or as Mill put it, we must be “as strictly impartial as a disinterested and benevolent spectator.” Stated abstractly, this sounds plausible, but it has troubling implications. One problem is that the requirement of “equal concern” places too great a demand on us; another problem is that it disrupts our personal relationships.

The Charge That Utilitarianism Is Too Demanding. Suppose you are on your way to the movies when someone points out that the money you are about to spend could be used to provide food for starving people or inoculations for third-world children. Surely, those people need food and medicine more than you need to see Brad Pitt and Angelina Jolie. So you forgo your entertainment and donate the money to a charitable agency. But that is not the end of it. By the same reasoning, you cannot buy new clothes, a car, a digital camera, or a PlayStation. Probably you should move into a cheaper apartment. After all, what's more important—that you have these luxuries, or that children have food?

In fact, faithful adherence to the utilitarian standard would require you to give away your resources until you've lowered your standard of living to the level of the neediest people you could help. Or rather, you'd need to leave yourself just enough to maintain your job, so that you can keep on giving. Although we admire people who do this, we do not regard them as simply doing their duty. Instead, we regard them as saintly people whose generosity goes *beyond* the call of duty. Philosophers call such actions *supererogatory*. But Utilitarianism seems unable to recognize this moral category.

The problem is not merely that Utilitarianism would require us to give up most of our material resources. It would also prevent us from carrying on our individual lives. We all have goals and projects that make our lives meaningful. An ethic that requires the subordination of everything to the promotion of the general welfare would force us to abandon those endeavors. Suppose you are a web designer, not getting rich but making a decent living; you have two children whom you love; and on

weekends, you like to perform with an amateur theater group. In addition, you enjoy reading history. How could there be anything wrong with this? But judged by the utilitarian standard, you are leading a morally unacceptable life. After all, you could be doing a lot more good if you spent your time in other ways.

The Charge That Utilitarianism Disrupts Our Personal Relationships. In practice, none of us is willing to treat everyone equally, since that would require us to abandon our special relationships with friends and family. We are all deeply partial where our family and friends are concerned. We love them, and we go to great lengths to help them. To us, they are not just members of the great crowd of humanity—they are special. But all this is inconsistent with impartiality. When you are impartial, you miss out on intimacy, love, affection, and friendship.

At this point, Utilitarianism seems to have lost touch with reality. What would it be like to be no more concerned for one's husband or wife than for strangers whom one has never met? The very idea is absurd; not only is it profoundly contrary to normal human emotions, but loving relationships could not even exist apart from special responsibilities and obligations. Again, what would it be like to treat one's children with no greater love than one has for strangers? As John Cottingham puts it, "A parent who leaves his child to burn" because "the building contains someone else whose future contribution to the general welfare promises to be greater, is not a hero; he is (rightly) an object of moral contempt, a moral leper."