

Phil 2, September 15, 2006

We have been considering objections to utilitarianism. How might utilitarianism be revised to accommodate these objections? This is a question that John Stuart Mill took very seriously.

Mill's Development of Bentham's Utilitarianism

- Mill agrees with Bentham that morality rests on the Principle of Utility.
- However, Mill thinks that the Principle of Utility has a different *content*,
- and he thinks that it has a different *role*.

1. *Pleasure as activity rather than passive sensation*

- For Mill, pleasures are not, or at least not primarily, feelings.
- Instead they are activities, in which certain faculties are exercised.
- Mill appears to reject Hedonism for what we called Eudaimonism.

2. *A qualitative distinction between higher and lower pleasures*

- For Bentham, all pleasures were the same in kind; they differed quantitatively—in intensity and duration, for example—but not qualitatively.
- For Mill, there is a basic difference in kind, between “higher” and “lower” pleasures.
- How do we tell which is which?
- By means of the *Decided Preference Test*:
 - “Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far about the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account.”
- What, if anything, is decidedly preferred?
- Mill: The exercise of the higher faculties.
- This means that we prefer any chance to exercise the higher faculties, *no matter how slight*, to any satisfaction of basic bodily needs, *no matter how extensive*.
- If so, then the Principle of Utility tells us to promote any chance to exercise the higher faculties, no matter how slight, rather than to promote any satisfaction of basic bodily needs, no matter how extensive.
- Does this mean that the Principle of Utility tells us to disregard the “lower pleasures” entirely?
- No, because the lower pleasures are *necessary* for the higher pleasures. Unless our bodily needs are met to an adequate degree, we will not be able to exercise our higher faculties at all.

3. *Morality as distinct from mere expediency*

- Mill distinguishes between *expediency*—what promotes the best outcome—and *morality*—what it is our duty to do.

- Last time, it seemed that we could use such a distinction. It does not seem *moral* to run over the one man to save three from being run over. But it would be *expedient*.
- One way to draw the distinction, although not exactly Mill's way, is to replace Consequentialism (which we might now call "Act Consequentialism") with:
 - Rule Consequentialism*: We are morally required to comply with the set of rules that would produce the best outcome if everyone tried to follow them.
- Arguably, the rule "Don't kill others, even when this would produce a better outcome" belongs in the set of rules that would produce the best outcome if everyone tried to follow them.
- Why? Because people are liable to make mistakes (or to give in to wishful thinking!) about when killing produces a better outcome. Because people won't visit their doctors if they think that their doctors think that they are allowed to take organs when need be, etc.
- Because he focuses on *acts of government*, such as enacting laws, Bentham's thought has a Rule Consequentialist tendency.
- Mill draws the distinction in a slightly more complex way.
 - Mill's Replacement for Act Consequentialism*: We are morally required to perform some action if and only if a system of *sanctioning* that actions of that kind would produce a better outcome than a system of not sanctioning them.
- We ask: Does sanctioning some inexpedient behavior produce the best outcome?
- In some cases, the answer will be no. The "cure"—sanctioning—will be worse than the "disease"—individual failures to promote general utility.
- How might this help to answer some of the objections to Consequentialism?

Are such "two-level" theories defensible? Or do they represent an unstable compromise?

- Suppose that I am in the Railway Case. I know that the system of rules that would produce the best outcome, if everyone followed it, includes a rule that tells me not run over the one to save the three.
- However, I also know that if I violate this rule in this single case, then I will produce a better outcome.
- Why shouldn't I violate this rule in this single case?
- The whole point of the rule is that it produces the best outcome, if everyone tries to follow it.
- But if what matters, ultimately, is producing the best outcome, then doesn't my violating the rule have an *even stronger* justification?