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Lecture Notes, September 22

I. Continuing our discussion of Criticism #2: Happiness isn't our ultimate goal in life.

We considered an example of a situation which appears to be an undesirable outcome, the pianist's loss of the use of her hands, but which, because of the happy pill, the utilitarian can not evaluate as undesirable.

And we discussed two utilitarian responses to this criticism.

One dismisses the objection as an implausible scenario, there is no such thing as a happiness pill.

But still, it is logically possible, and it would be nice if the utilitarian could account for it.

The utilitarian can also claim that our intuitions in this case are wrong.

If we really had a happy pill, then even if the pianist lost the use of her hands, as long as she were happy, we shouldn't see this as a problem.

We are misled by our intuitions, here.

This response also dismisses the criticism.

II. A different kind of response to Criticism #2

If we are convinced that the utilitarian inappropriately emphasizes happiness, we can drop the happiness clause (hedonism) from utilitarianism.

We still maintain the consequentialism and the egalitarianism.

But we are left without a guideline for evaluating consequences.

We need to replace hedonism with something.

Consider replacing hedonism with appeal to personal preferences.

This would capture what is wrong with the scenario above.

The pianist may be happy, but not in the way she prefers.

This proposal generates preference utilitarianism:

The right act is the one that creates the greatest fulfillment of personal preferences for the greatest number.

Notice that the theory is still saved, though amended.

Unfortunately, there are serious problems with preference utilitarianism.

We really don't want to fulfill unacceptable preferences, like those of Nazis.

The classical (i.e. hedonistic) utilitarian can oppose genocide, even if the vast majority prefer it, by appeal to the various measures of happiness, quantity, quality, long-term, etc.

This seems more difficult on to do in terms of preferences.

III. Criticism #3: Utilitarianism has difficulty accounting for our notions of justice.

Consider a situation in which better consequences arise from performing an injustice.

For example, sacrificing an innocent to quell an angry mob.

In general, utilitarianism, which is forward-looking, seems to conflict with justice, which is backward-looking.

Justice is a complicated issue.

Mill's discusses five concepts of injustice, and argues that utilitarianism can account for them all, in terms of social utility.

- 1) Breaking the law
- 2) Breaking the moral law
- 3) Not giving some one what he/she deserves
- 4) Promise-breaking
- 5) Unfairness

Much of the utilitarian account depends on emphasizing the precedent effect.

If you break a promise, you encourage others to break their promises.

Similarly for other infringements of justice.

Mill sees injustice as infringement of rights, which are defended by utility (pp 32-33).

So, Mill is arguing that utilitarians generally seek justice.

And if there are odd cases in which an apparent injustice is licensed, we might have to give up our intuitions about what is the right thing to do.

That is, maybe sometimes sacrificing an innocent is morally acceptable.

Another aspect of the utilitarian account would entail emphasizing long-term benefits of seeking justice.

Consider: Who should we pay better, the harder worker or the needier worker?

The surface utilitarian answer is to pay the needier one.

But long-term considerations may push us to pay the harder worker better.

It may be better to provide incentives to workers, and not alienate the harder workers.

That is, utilitarianism may be able to account for notions of justice by appeal to long-term benefits.

Justice and utilitarianism are sometimes incompatible.

Utilitarianism requires we look forward, justice that we look backward.

In these cases, either we give up our notions of justice or we give up utilitarianism.

The borderline cases are difficult, and perhaps irrelevant.