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Moral Theory

An Introduction

MARK TIMMONS

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Classical Utilitarianism

In the previous chapter, we considered two cases featuring a woman and an unborn child, one involving a hysterectomy and the other a craniotomy. In the former case, a pregnant woman's life can be saved from cancer by removing her uterus, while in the latter case, a pregnant woman's life can be saved only by performing a craniotomy on the fetus. As the cases were described, the consequences of intervening to save the women's lives were essentially the same (the woman's life is saved, but the fetus dies), as were the consequences of not intervening (both woman and fetus die). Upon reflection, these cases strike many thoughtful individuals as being morally on a par; it seems reasonably clear (to many) that the right thing to do in both cases is to intervene and save the woman's life. In other words, there does not seem to be a morally relevant difference between the two cases, mainly because the choices involved are equivalent in the effects upon the lives of the individuals involved. Certainly, the effects or consequences of actions upon human beings and other sentient creatures are important considerations in determining the morality of actions. Approaching questions of right and wrong by considering the consequences of our actions is what utilitarianism is all about.

Because the utilitarian approach to morality has resulted in a variety of importantly distinct versions of utilitarian moral theory, it will be useful to break up our examination of this approach into two chapters. In this chapter, I shall begin by introducing some of the basic ingredients that go into a utilitarian moral theory and then focus on some of the views of two of its most historically influential proponents, Jeremy Bentham and John Stuart Mill. In the course of doing so, we will consider the objection that the utilitarian theory is useless in contexts of moral decision making and thus cannot satisfy the main practical aim of such theories. Utilitarian modes of response to this sort of objection can be found in the writings of Bentham and especially Mill.

In the following chapter, we continue our examination of utilitarianism by considering various theoretical objections to the view that challenge the idea that it represents a correct moral criterion. Examining such objections will lead us to consider some developments in contemporary utilitarian theorizing that have resulted in importantly different versions of the basic generic view.

1. Utilitarianism Characterized

We have already noted that competing moral theories differ importantly in their structure, that is, in how the notions of rightness and goodness are related to one another within the theory. Like natural law theory, utilitarian moral theories are value-based: considerations of value are prior to considerations of right and are the basis for a theory of right conduct. But unlike natural law theory, utilitarianism represents a version of consequentialism because it makes the rightness of an action depend entirely on facts about the values of consequences of actions.¹

In addition, utilitarianism makes specific claims about (1) how actions are related to their consequences in determining their rightness, (2) which kinds of valuable consequences count morally, and (3) the scope of concern regarding such consequences. Let us take these up in order.

First, utilitarianism is characteristically understood to involve a maximizing conception of right action: right actions are those that, compared to the alternative actions open to one in a situation, would produce the greatest amount of value. The theory thus directs us to maximize the good; actions that do so are right, those that do not are wrong.

Second, the sorts of consequences that utilitarianism is interested in have to do with the welfare of individuals (including persons but also perhaps including other sentient creatures). The actions we perform can, and often do, have effects on the welfare or well-being of ourselves and others, and it is the goodness or badness of the consequences of our actions in relation to the welfare of individuals that determines the rightness or wrongness of an action. Thus, utilitarianism accepts welfarism—the view that the only kind of value that is of fundamental relevance for ethical evaluation is welfare.

Finally, the utilitarian theory is both universalist and impartialist with regard to the issue of whose welfare counts in determining the rightness of actions. It is universalist in the sense that the values of the consequences of our actions on all individuals who will be affected by them are counted as morally relevant. Of course, one might consider the welfare of all those who will be affected by one's action and yet give special weight to the welfare of one's family and friends. But the utilitarian theory rules out such special weighting; rather, it is impartialist: every individual whose welfare will be affected in some way by one's action is to count equally. No special

preference can be given to oneself or one's family or friends in determining what the right course of action is. The universalist and impartialist elements of utilitarianism are encapsulated in Bentham's memorable slogan "Everyone to count for one, no one to count for more than one."

Thus, on the utilitarian theory, the deontic status of an action is determined entirely by how much value the action would produce (compared to other alternative actions one could perform instead), where value has to do with welfare, and where we are to give equal consideration to all individuals who will be affected by the action in question.

"Utility" is a technical term featured in utilitarianism that refers to the values of the consequences of actions. More specifically, I will be using the term to refer to the net value of the consequences of actions. The idea is this: An action can, and often will, have both good and bad effects upon the welfare of individuals. My making difficult paper assignments in my courses will predictably have good consequences: students will be challenged to extend themselves and many will in fact (I hope) improve their philosophical acumen. However, my making such assignments also results in an increased level of stress for many students, which, given the mental anguish involved, counts as a bad effect of my action. We might say, then, that my making tough paper assignments has some positive, or good, consequences and some negative, or bad, consequences. If we were to consider how much positive value (good) compared to how much negative value (bad) my action would produce, the overall net value of the consequences of my action is what we mean by referring to the utility of the action.

Notice that if some action were to produce a greater negative than positive value, then its utility would be negative. Indeed, in some cases, it might turn out that all of the alternative actions open to an agent have negative utilities. In this case, the utilitarian theory directs us to perform the action having the least amount of negative utility. This point helps make clear the guiding idea behind utilitarianism: we are obligated to bring about the best state of affairs bearing on welfare that we can in the particular situation in which we find ourselves. In some situations, the theory will direct us to make the best of a bad situation.

Here, then, is the theory of right conduct for utilitarianism:

Theory of Right Conduct

An action A is *obligatory* if and only if A has a higher utility than any other alternative action that the agent could perform instead.

An action A is *wrong* if and only if A has less utility than some other alternative action that the agent could perform instead.

An action A is *optional* if and only if (i) A has as high a utility as any

other alternative action that the agent could perform instead, but (ii) there is at least one other alternative action that has as high a utility as A. (In other words, an action is optional if and only if in terms of utility production it is tied for first place with at least one other action.)

As we proceed in this chapter and the next, it will be convenient to be able to refer to a single principle that encapsulates the utilitarian theory just presented. So, making use of the category of right action (which includes both the obligatory and the optional), we can express the basic idea of the theory by what I will call the *generic principle of utility*:

GPU An action A is *right* if and only if A has as high a utility as any alternative action that the agent could perform instead.

Utility, as we have said, refers to the value—the goodness and badness—of the consequences of actions as they bear on the welfare or well-being of individuals. But how are we to understand welfare?

2. Hedonistic Utilitarianism: The Classical View

The classic utilitarians, Bentham and Mill, accepted the following two claims:

1. Welfare is identical with happiness.
2. Happiness is identical with pleasure (and the absence of pain).

Individual welfare, then, was understood in terms of pleasure and pain. The resulting moral theory is called *hedonistic utilitarianism*. Let us consider it in a bit more detail.

In ethics, *value hedonism* is the view that experiences of pleasure alone are intrinsically good and experiences of pain alone are intrinsically bad.² All other things that have value are extrinsically good or bad. Money, health, power, knowledge, beauty, and other such desirable things are only good as means to the production of pleasure. To be more precise, we should say that *specific uses* of money, power, and knowledge are good as a means (and hence extrinsically good) whenever their use promotes pleasure, while their use on some occasion is bad as a means (extrinsically bad) when such use promotes pain. Otherwise they are intrinsically value-neutral.

As mentioned earlier, utilitarianism is committed to *welfarism*, according to which welfare is the only type of value that is of fundamental relevance in ethics. If we now combine welfarism with a hedonist account of welfare, we get *ethical hedonism*:³

EH Experiences of pleasure are intrinsically good and experiences of pain are intrinsically bad, and they are the only items of nonmoral intrinsic value with which ethics is concerned.

In connection with ethical hedonism it is important to stress that talk of pleasure and pain is to be understood broadly and includes not only bodily pleasures resulting from eating, drinking, getting a massage, and so forth, but also every sort of intellectual and aesthetic pleasure. Solving a difficult mathematical puzzle or viewing one of Edward Hopper's paintings can be a source of pleasure and is to be included in the utilitarian's calculations of utility.

Hedonistic utilitarianism, then, is the result of plugging ethical hedonism into the basic utilitarian conception expressed above in GPU. Bentham was an advocate of this brand of utilitarianism, and Mill, on some readings, was as well. We can begin our study of hedonistic versions of utilitarianism by defining a hedonistic conception of utility (net intrinsic value) as follows:

HU The utility of an action = the overall balance of pleasure versus pain that would be produced were the action to be performed.

If we now reformulate our generic principle of utility (GPU) to reflect a hedonist account of welfare, we have the basic principle of hedonistic utilitarianism:

PHU An action A is *right* if and only if A would produce at least as high an overall balance of pleasure versus pain as would any other alternative action.

How might we go about determining the utility of actions given this hedonistic theory of utility? This question is addressed in Bentham's "felicific calculus," to which we now turn.

3. Bentham's Felicific Calculus

Jeremy Bentham (1748–1832), who was among the most distinguished of the early proponents of utilitarianism, defended his version of the view in his 1789 work, *An Introduction to the Principles of Morals and Legislation*. As just mentioned, Bentham (like many utilitarians) accepts ethical hedonism. Of particular interest for our purposes is Bentham's so-called felicific calculus, which provides a checklist of seven features to be used in calculating the utilities of actions and thereby arriving at reasoned conclusions about their deontic status. Here is the list:

1. Intensity
2. Duration
3. Certainty and uncertainty
4. Propinquity and remoteness
5. Fecundity
6. Purity
7. Extent

Let us take a closer look.

The two items on Bentham's list that directly concern the calculation of the utilities of actions (where utility concerns episodes of pleasure and episodes of pain) are the *intensity* of such experiences and their *duration*. The key idea here is that pleasures and pains can be measured. That is, in principle at least, we can assign numerical values to episodes of pleasure and of pain based on their intensity and duration. Doing so allows us to add and subtract their values. Engaging in such hedonic arithmetic in turn allows us (again, in principle) to assign numerical values to the utilities of actions for purposes of arriving at judgments about their rightness and wrongness. Let us briefly elaborate this idea.

To carry out these calculations, we need to settle on some unit of measure for both episodes of pleasure and episodes of pain. Consider the pleasure that results from drinking lemonade for one minute on a hot day when one is thirsty. Let us stipulate that this will represent our unit for calculating pleasures. Thus, if drinking a beer yields pleasure that is twice as intense as drinking lemonade under the conditions specified, then drinking a beer for one minute equals two units of pleasure. Now we do a similar thing for experiences of pain: we stipulate some unit in terms of which all other pains can be assigned a numerical value. The idea, then, is that all experiences of pleasure (bodily, aesthetic, and intellectual) can be assigned a numeric value using our stipulated scale of measure, and the same can be done for experiences of pain. This means that such values are *commensurable*.⁴

The third entry on Bentham's list—*certainty and uncertainty*—has to do with the likelihood that an action will have some particular pleasurable or painful outcome. This dimension of utilitarian calculation will come up again in section 5, so we will skip over it for now.

Propinquity and *remoteness* have to do respectively with episodes of pleasure and pain that follow more or less immediately from an action and those that follow some time after the action. Since the utility of an action depends upon *all* of its consequences—including those that do not occur until some time has elapsed after the action—Bentham has us consider the

propinquity and remoteness of episodes of pleasure and pain that an action would produce if performed.

In taking account of the long-range consequences of our actions, Bentham has us consider the *fecundity* and the *purity* of pleasures and pains in determining the utility of actions. Fecundity refers to the likelihood that episodes of pleasure will be followed by further episodes of pleasure, and similarly for pain. For instance, for many individuals the act of reading a fine novel will not only result in the immediate pleasures involved in the reading but also is likely to result in further pleasures experienced in reflecting on themes from the novel. For such individuals, the act of reading such a novel is fecund.

The purity of a pleasure or pain refers to the likelihood that such experiences will not be followed by experiences of the opposite sort. For instance, the immediate result of eating a chocolate bar may be one of pleasure. But suppose that as a result of eating the candy, one will experience a severe stomachache two hours later. In that case, eating the chocolate lacks, in Bentham's terminology, purity.

As I have explained these features, fecundity and purity have to do with calculating the remote effects of actions, and remoteness just has to do with considering all of the episodes of pleasure and pain that flow from some action. So, the intensity and duration of the episodes of pleasure and pain are fundamental in determining the utility of an action.

Finally, *extent* concerns the number of persons whose welfare will be affected by one's action. In describing a procedure for morally evaluating actions, Bentham recommends that we begin our calculations by considering any person who seems directly affected by the action in question. For this person, we consider all of the episodes of pleasure (both immediate and remote) that he will experience as a result of the action, and similarly for the episodes of pain.⁵ We can then determine how much utility would accrue to this individual were the action to be performed. As Bentham explains, we next

[t]ake an account of the *number* of persons whose interests appear to be concerned; and repeat the above process with respect to each. *Sum up* the numbers expressive of the degrees of *good tendency*, which the act has, with respect to each individual, in regard to whom the tendency of it is *good* upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is *bad* upon the whole. Take the *balance*; which, if on the side of *pleasure*, will give the general *good tendency* of the act, if on the side of pain, the general *evil tendency*, with respect to the same community. (Bentham [1789] 1948, 31)

Calculating the utility of a single action is not sufficient for determining its deontic status for the utilitarian. Utilitarianism is a maximizing theory, and we are to perform the action with the highest utility. So we must

calculate the utilities of the alternative actions open to us in some situation. We are morally required by the theory to perform the action with the highest utility (which might be negative); all other actions are forbidden. In cases where two or more actions are tied for first place in terms of their utilities, we are required to perform some one action from among this select alternative set, although each such action, taken individually, is optional.

This may all seem very tidy, but one may question whether such a calculus is possible even in principle. Is it theoretically possible to assign numerical values to episodes of pleasure and of pain that would allow the kind of hedonic arithmetic mentioned above? We explained this sort of measurement in terms of the duration of the experience and its intensity. The duration of pleasures and pains can, of course, be measured, but what about intensity? Consider the intensity of the pleasure involved in drinking a fine Bavarian pilsner beer, and compare it to the intensity of the pleasure involved in reading a good mystery novel. Can the intensities of these two very different experiences be put on some common scale of cardinal measurement? Of course, the problem is aggravated when we consider coming up with some unit of measure for making interpersonal comparisons of utility. Whether it is possible in principle to assign numerical values to episodes of pleasure and pain so that they can be added and subtracted will largely depend on the nature of such mental states. This is a difficult topic that we cannot pursue here.

But even if no such scheme of cardinal measurement is possible, this does not spell disaster for hedonistic utilitarianism. So long as there is some way to compare the levels of pleasure and pain experienced by different individuals, the utilitarian has all she needs for her theory. And we do seem to be able to make such comparisons. Consider first the comparisons we make in our own case. I judge that going to eat at Los Olivos would be a more pleasant experience than going to eat at the Pink Pony. I judge that staying home this evening and reading a Graham Greene novel would be more pleasant and yield more personal happiness than would going to Beale Street and being in a crowd. We make such *intrapersonal* comparisons of actual, remembered, and prospective pleasures and pains all the time.

Interpersonal comparisons also seem quite possible. That is, there seems to be no problem in comparing how much happiness I would derive from going to the restaurants in question with how much you would derive. And the same applies to reading a Graham Greene novel and going to Beale Street. I can sensibly judge, for example, that you would derive far more pleasure in going to Beale Street this evening than I would and that you would not enjoy reading a Graham Greene novel nearly as much as I. Such *interpersonal* comparisons of pleasure and pain are commonplace and seem to be all one needs to make sense of interpersonal comparisons of utility.

Of course, in practice it may be difficult, if not impossible, to make in-

terpersonal comparisons of utility for purposes of moral decision making, especially when one's action affects many people (a point that we consider in more detail in section 5). And even if the sort of felicific calculus envisioned by Bentham were possible, we could only hope to roughly approximate the rigor prescribed by his procedure. But our discussion of utility in terms of pleasure and pain has, thus far, taken for granted that the hedonic value of experiences of pleasure and pain is exhausted by considering their intensity and duration. This feature of Bentham's view prompted a certain criticism of the utilitarian doctrine that Mill was anxious to rebut. Mill's rebuttal involved rejecting Bentham's purely quantitative conception of utility, as we shall see in the next section.

4. Mill's Utilitarianism

The moral and political writings of John Stuart Mill (1806–73) continue to be extremely influential in the field of ethics in general and in the utilitarian tradition in particular. His 1863 *Utilitarianism* is as important for its forceful presentation and defense of utilitarianism as it is short. Two significant elements of Mill's theory are his conception of welfare and his attempted proof of the principle of utility. Let us briefly examine them.

Qualitative Hedonism

Like Bentham, Mill was committed to ethical hedonism as an account of welfare:⁶

By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said. . . . But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded: namely, that pleasure, and freedom from pain, are the only things desirable as ends. (Mill [1863] 1979, 7)

However, Mill's version of hedonism makes an important departure from the version advocated by Bentham.

Bentham's hedonistic conception of the good for human beings (and other sentient creatures) is properly described as purely *quantitative*. As we have seen, the two aspects of experiences of pleasure in virtue of which such mental states have positive value are their intensity and their duration—properties of such states that can (so Bentham assumed) be measured in units. Bentham's quantitative hedonism (and hence the utilitarian theory generally) was attacked as being a moral philosophy unfit for humans, being more appropriate for lower animals like pigs. In response to this criticism,

Mill refined Bentham's purely quantitative version of hedonism by insisting that considerations of quality, along with quantity, represent an aspect of pleasurable mental states that help determine their value. Let us review the objection that prompted Mill's refinement and then consider his reply to it.

Here is how Mill characterizes what has come to be known as the *doctrine of swine objection*:

Now such a theory of life [utilitarianism] excites in many minds, and among them in some of the most estimable in feeling and purpose, inveterate dislike. To suppose that life has (as they express it) no higher end than pleasure—no better and nobler object of desire and pursuit—they designate as utterly mean and groveling, as a doctrine worthy only of swine. (Mill [1863] 1979, 7)

The idea behind this objection is clear enough. Human beings are certainly capable of many fine and noble pursuits—we have capacities for intellectual and aesthetic endeavor, as well as a capacity for moral pursuits, that are quite beyond any capacities possessed by lower animals, which can experience only those pleasures associated with, for example, eating, drinking, sex, and (at least for pigs) wallowing in mud. Hedonistic utilitarianism, however, seems to ignore these facts about human beings, setting forth a life of pleasure and reduction of pain as the highest good for human beings and the end of moral conduct.

Now certainly, one sensible requirement of any plausible moral theory is that it reflect somehow the nature of human beings. A moral theory that sets forth severely demanding moral requirements might be fit for saints or some other superhuman creatures, but it would hardly be a theory fit for humans. Similarly, a moral theory that puts forth requirements that in effect represent human beings as creatures on a par with pigs errs in the other direction. Hedonistic utilitarianism does just that, according to the critics.

One obvious response to this criticism is that nothing in Bentham's version of hedonistic utilitarianism requires or advises human beings to pursue only those types of bodily pleasures that can also be experienced by lower animals. Certainly, given the enlarged capacities of humans compared to those of lower animals, nothing in Bentham's view conflicts or fails to comport with facts about distinctive human capacities. The fact that we are capable of intellectual and aesthetic endeavors means that we are capable also of experiencing the pleasures that typically result from pursuing such things. And furthermore, it is open to Bentham to claim that more often than not the pursuit of intellectual and aesthetic ends will yield longer-lasting pleasures and hence, on the whole, pleasures of greater quantity compared to pleasures resulting from such activities as drinking and eating.

Nevertheless, there is still a worry that can be raised against a purely quantitative hedonism that is brought out in a vivid and imaginative way by Roger Crisp in his story about Haydn and the oyster.

You are a soul in heaven waiting to be allocated a life on Earth. It is late Friday afternoon, and you watch anxiously as the supply of available lives dwindles. When your turn comes, the angel in charge offers you a choice between two lives, that of the composer Haydn and that of an oyster. Besides composing wonderful music and influencing the evolution of the symphony, Haydn will meet with success and honor in his own lifetime, be cheerful and popular, travel and gain much enjoyment from field sports. The oyster's life is far less exciting. Though this is a rather sophisticated oyster, its life will consist only of mild sensual pleasure, rather like that experienced by humans when floating very drunk in a warm bath. (Crisp 1997, 24)

Haydn will die at the age of seventy-seven, but the angel in charge offers you the life of an oyster for as long as you like—hundreds, even thousands, of years. Clearly, the variety and intensity of the pleasures that fill Haydn's life far exceed the pleasures that the oyster will experience in that same seventy-seven year span of time. But on the sort of quantitative view held by Bentham, if the oyster lives long enough, eventually the total quantity of pleasure it will experience will exceed the total quantity experienced by Haydn. If the only thing that counts in deciding matters of personal welfare is the product of the intensity and duration of one's pleasures (as Bentham's version of hedonism implies), then it follows that the extended life of the oyster is to be preferred over a life like Haydn's. But this seems to be an absurd result.

What the Haydn-oyster example reveals is that we normally think that there is more to the value of pleasure than mere intensity and duration: facts about kinds of pleasure also matter. And this is precisely what Mill's version of hedonism—his *qualitative hedonism*—is intended to reflect.

It is quite compatible with the principle of utility to recognize the fact, that some *kinds* of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone. (Mill [1863] 1979, 8)

It might help to understand Mill's position if we reflect a bit more on hedonism as a theory of value. This sort of view makes two claims (sometimes not clearly distinguished).⁷ First, hedonism makes a claim about what sorts of items have intrinsic value: certain mental states and, in particular, mental states of pleasure are intrinsically good, and mental states of pain are intrinsically bad. Second, the view makes a claim about what *makes* such states intrinsically good or bad: certain properties possessed by states of pleasure make them intrinsically valuable, and similarly for states of pain. According to Bentham's quantitative hedonism, the only good-making properties of pleasures and pains are their intensity and duration. On Mill's qualitative version, not only intensity and duration but also facts about the

very nature of the pleasure—its quality as a pleasurable experience—are good-making features of such states. (Again, similar remarks apply to states of pain.)

Of course, if we enrich hedonism in the way Mill suggests, we must have some way to determine the relative qualities of pleasures. Mill's proposal for dealing with this matter is that we are to consult the opinions of competent judges.

If I am asked, what I mean by difference in quality of pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. 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 above 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 amount. (Mill [1863] 1979, 8–9)

What do the experts have to say about matters of quality? According to Mill:

Now it is an unquestionable fact that those who are equally acquainted with and equally capable of appreciating and enjoying both do give a most marked preference to the manner of existence which employs their higher faculties. (Mill [1863] 1979, 9)

Thus, according to Mill, the best evidence we have concerning the relative qualities of pleasures are the verdicts of those who have experienced a full range of types of pleasures, including bodily, intellectual, and aesthetic pleasures. Moreover, the experts apparently agree that, by and large, the pleasures flowing from the use of our intellect and from our aesthetic sense (the pleasures of the higher faculties) are more desirable and hence of a higher quality than those resulting from our lower, bodily faculties.

What is particularly important to recall from our previous discussion is that on a purely quantitative conception of utility, pleasures (and pains) of any sort could be put on a common numerical scale for comparison. So, for example, regardless of the fact that the pleasures that Haydn will experience are of far greater sophistication and intensity than the ones experienced by the oyster, it is possible, on a purely quantitative scale, to equate the total amount of pleasure that Haydn will experience in his lifetime with the total amount of pleasure that the oyster will experience during its lifetime. In short, on a purely quantitative version of hedonism, pleasures and

pains are fully and completely commensurable.

The introduction of quality disrupts such commensurability: some types of pleasure cannot be equated with other types, whatever the quantity involved. In the very last sentence of the first of the above two passages, Mill claims that competent judges will rank some pleasures higher in value than others “and would not resign [them] for *any quantity* of the other pleasure.” According to Mill, then, various types of pleasures are *incommensurable*—they can't be put on a cardinal scale of measurement.

How does the addition of quality help answer the doctrine of swine objection? Presumably, doing so blocks the claim that, for example, the extended life of an oyster is better (represents a greater source of welfare) than the life of Haydn. Haydn's life was filled with all sorts of nonbodily pleasures of a higher quality than the sorts of pleasures that would be experienced by the oyster. Take any one of Haydn's higher pleasures, such as the pleasure derived from composing a symphony. No amount of pleasure of the sort experienced by the oyster will outrank in quality this pleasure of Haydn's. Thus, by factoring in considerations of the quality of various pleasures, we can conclude that the life of a Haydn is certainly more desirable than the life of an immortal oyster.

I have been using the Haydn-oyster story for purposes of vivid illustration, but the point of Mill's qualitative hedonism can be brought to bear on the choices that human beings actually face. One can easily imagine having to choose between two paths in life. One path will result in a life of relative ease that will not put much strain on one's current intellectual abilities. The other path will be a life in the pursuit of scientific knowledge, which will no doubt involve many sacrifices and setbacks. Assuming the scientist enjoys some intellectual pleasures as a result of her scientific inquiries, her life is to be preferred to the life of the ne'er-do-well. By making quality one of the properties of experiences of pleasure and pain that determine the value of such experiences, Mill's moral theory fully respects the fact that humans have greater capacities than pigs and are thus “higher” than such beasts. Thus, Mill's qualitative hedonism helps the utilitarian theory avoid the charge that it is a moral philosophy fit for swine.

Objections to Qualitative Hedonism

Mill's qualitative hedonism has been roundly criticized. I shall mention two of the objections; the first challenges its intelligibility, the other raises worries about the appeal to experts.

A common objection to Mill's version of hedonism is that it faces a dilemma. Either quality has to do with the intrinsic nature of mental states of pleasure, or it does not. If it does, then it has to do with the pleasantness of experiences of pleasure, in which case the only basis for distinguishing various pleasures is their intensity and duration, and Mill ends up a pure

quantitative hedonist after all. However, if quality does not have to do with the intrinsic nature of pleasure and has rather to do with something other than the pleasantness of the experience, Mill has forsaken hedonism. (Recall that the second claim made by the hedonist is that it is intrinsic properties of pleasures and pains that make them good and bad respectively.) Thus, there is no distinct position that can be described as qualitative hedonism.

The reply to this objection is that it begs the question against Mill's view. The first horn of the dilemma simply assumes without argument that the only aspects of pleasures that can affect their ranking are quantifiable. Mill would insist that the intrinsic nature of a pleasure—the quality of its pleasurable-ness—makes it more or less valuable than other types of pleasure. And appealing only to the pleasurable-ness of such states means that he can avoid the second horn of the dilemma as well. The idea might be put this way: for Mill it is a basic fact that the intrinsic nature of certain kinds of pleasures (apart from their intensities and durations) confers on them a value that is higher than the value conferred on other, “lower” pleasures of equal intensity and duration.

Critics have also raised doubts about Mill's use of competent judges as a basis for distinguishing higher from lower pleasures. As I have explained Mill's qualitative hedonism, the judgments of the experts do not *make* some pleasures higher than others; rather the role of the experts is evidential: their preferences represent the best evidence we have for judging the relative qualities of pleasures. Now, presumably, to be competent in judging matters of quality, one must have the developed capacities to enjoy the types of pleasures to be ranked. An uneducated individual, who is not able to appreciate works of literature and other works of art, is not competent to make comparative rankings between bodily pleasures and aesthetic pleasures. Only a select group will have the requisite competence. But how can Mill be so sure that those who are competent in the way he requires will reach universal or nearly universal agreement over matters of quality?

Consider Joe, a philosopher who is also a gourmand. One can imagine that Joe, under the appropriate conditions for making comparisons, may well rank the pleasure derived from consuming a meal prepared by one of the world's greatest chefs to be of a higher quality than the pleasure derived from reading (and contemplating) book Zeta of Aristotle's *Metaphysics*. If Joe is thereby disqualified from being among competent judges, the worry is that appeal to the experts is a cheat. That is, if it turns out that in order to qualify as a “competent” judge you must agree that the intellectual and aesthetic pleasures are of a higher quality than the bodily pleasures, then Mill's appeal to the experts is circular. We are supposed to appeal to the experts for unbiased testimony as to the comparative rankings of pleasures. But to count as an expert (so it seems) you must antecedently agree with a certain preferred ranking.

Despite such worries, there is something both plausible and attractive about Mill's attempt to sophisticate hedonism with the introduction of quality as a dimension of pleasure and pain. However, the main task seems to be one of blending such considerations of quality with considerations concerning the quantity of pleasures in arriving at judgments of overall relative value. It is simply not clear how considerations of both quantity and quality are to figure in determining the utilities of actions. Whether there is some way it can be done I will leave for the reader to ponder.

Mill's “Proof”

Bentham claimed that the principle of utility could not be proved, since “that which is used to prove every thing else, cannot itself be proved: a chain of proofs must have their commencement somewhere” (Bentham [1789] 1948, 4). The idea is that since the principle of utility is fundamental in the sense that all other moral claims are justified ultimately by appeal to it, there can be no further principle to which we can appeal in attempting to prove it. If there were, the principle of utility would not be fundamental. The assumption here seems to be that any genuine proof of a moral principle must appeal to some further, more basic *moral* principle.

Opposed to Bentham, many philosophers have thought that it is possible to prove, or at least provide justifying evidence for, a fundamental moral principle by appealing to nonmoral theories and assumptions.⁸ However, Mill agrees with Bentham that “questions of ultimate ends do not admit of proof, in any ordinary acceptance of the term” (Mill [1863] 1979, 34). Nevertheless, Mill thinks that:

We are not, however, to infer that its [the principle of utility's] acceptance or rejection must depend on blind impulse or arbitrary choice. There is a larger meaning of the word, ‘proof’ in which this question is as amenable to it as any other of the disputed questions of philosophy. . . . Considerations may be presented capable of determining the intellect either to give or withhold its assent to the doctrine; and this is equivalent to proof. (Mill [1863] 1979, 4–5)

Mill's “proof” (in the larger meaning of the term) is not so much an argument for the principle of utility as it is an argument for the claim that the general happiness is alone of intrinsic value. Mill assumes that if this can be shown, then since morality requires that we perform actions that produce as much positive value or goodness as possible, the principle of utility will have been (in the broad sense of the term) proved.

Mill's proof proceeds by attempting to establish three conclusions. First, he argues that each individual's happiness—that is, each individual's pleasurable experiences—is intrinsically good for that individual; second, that the general happiness (the happiness of all individuals) is an intrinsic good

what's the basis of ranking goods?