

Mill: Utilitarianism, Liberty, Tolerance

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March 12, 2015

Utilitarianism

What Is Utilitarianism?

1. Hedonistic Utilitarianism (the 19th Century Version):

THE VALUE CLAIM: Happiness is the only intrinsically good thing, and unhappiness is the only intrinsically bad thing.

THE ACTION CLAIM: Actions are morally right to the extent that they promote the good and diminish the bad. Actions are morally wrong to the extent that they promote the bad and diminish the good.

2. Hedonistic Utilitarianism (a Modern Version):

THE VALUE CLAIM: The value of a complete world-history is determined by the amount of pleasure and suffering it contains. Pleasure adds to its value, suffering subtracts from its value.

THE ACTION CLAIM: An action is morally right when its outcome has greater value than the outcome of any of the alternative acts available to the agent. And the action is wrong otherwise.

What Is the Greater Good?

Hedonic Utilitarianism says that the value of an outcome is determined by the amount of pleasure and suffering it contains. But *how* is it determined?

Question 1: Does the *distribution* of pleasure / suffering across people matter in determining the overall value of an outcome? Is it worse, overall, if the suffering is concentrated in a small number of people?

Contrast the following two cases:

Case S₀: One person suffers 100 units of pain for a day. Everyone else suffers no pain that day.

Case S₉₉: Everyone suffers just 1 unit of pain for a day.

Handout adapted from Caspar Hare, 24.06J Bioethics (2009), Handout "Valuing Lives"

What is it for something to be *intrinsically* good or bad? Contrast an intrinsically good thing with something that is merely *instrumentally* good. Something is merely instrumentally good if it is good but only because it brings about something else that is good.

Example: Gross-tasting cough syrup.

Outcome = The complete world-history that *would* result *were* the action taken.

Things that should be accounted for in determining the *amount* of pleasure and suffering:

1. The *grade* of pleasure / suffering.
2. The *intensity* of pleasure / suffering.
3. The *number* of people experiencing pleasure / suffering.
4. The *duration* of the pleasure / suffering.

Imagine that to suffer 100 units of pain is to be in complete agony. And to suffer 1 unit of pain is very mild discomfort.

Off hand, it might look like *Case S₀* is worse than *Case S₉₉*. But is that correct?

Suffering Cases		
Case <i>S₀</i> :	10 ⁰ people suffer	100 units of pain
Case <i>S₁</i> :	10 ¹ people suffer	99 units of pain
Case <i>S₂</i> :	10 ² people suffer	98 units of pain
...
Case <i>S₉₉</i> :	10 ⁹⁹ people suffer	1 unit of pain

In general, in Case *S_n*, 10^{*n*} people suffer (100 – *n*) units of pain for a day.

It looks like *Case S₀* is better than *Case S₁*,* and it looks like *Case S₁* is better than *Case S₂*.** In fact, it looks like,

For any *k*, *Case S_k* is better than *Case S_{k+1}*.

This suggests that *Case S₀* is not worse than *Case S₉₉*. Is this correct? How should we weigh-up suffering across people?

Question 2: Is there some number *n*, such that, if you had the opportunity, you ought to kill your mother to cause *n* rabbits to experience mild, brief pleasure?

Millian Response: Make a distinction between *Higher Pleasures* and *Lower Pleasures*. The former counts for more in the Utilitarian Calculus than the latter.

What makes something a "Higher" Pleasure? Is this kind of distinction compatible with Hedonism at all?

Question 3: Is it really true that only subjective experiences have intrinsic value?

NOZICK'S EXPERIENCE MACHINE. Suppose that there is a machine that you can hook yourself up to which can simulate any experience. Let *L₁* be your actual life as lived *outside of the machine*. And let *L₂* be the Experience Machine's simulation of your actual life. (Note that "from the inside," *L₁* and *L₂* are entirely indistinguishable). Should you get in it?

EXPERIENCE MACHINE ARGUMENT

P1	In terms of subjective experience, <i>L₁</i> and <i>L₂</i> are identical.
P2	If Hedonism is true, then if two life-histories are identical in terms of their subjective experiences, both lives are equally valuable for you.
P3	Life <i>L₁</i> is more valuable for you than life <i>L₂</i> .
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C	Hedonism isn't true.

*It is better for *one* person to suffer 100 units of pain for a day than for *ten* people to suffer 99 units of pain for a day.

**It is better for *ten* people to suffer 99 units of pain for a day than for *one hundred* people to suffer 98 units of pain for a day

Argument that the 1 Should Suffer:

P1 For all *k*, *Case S_k* is better than *Case S_{k+1}*.

P2 Betterness is transitive. (If *x* is better than *y*, and *y* is better than *z*, then *x* is better than *z*.)

C *Case S₀* is better than *Case S₉₉*.

In fact, Mill thought that any amount of Higher Pleasure, no matter how small, adds for value than any amount of Lower Pleasure, no matter how large.

Mill on Liberty

Mill is a *Hedonistic Utilitarian*, but of a special sort. He is a *Sophisticated Hedonist*: (1) There is a distinction between Higher Pleasures and Lower Pleasures. And he is a *Sophisticated Consequentialist*: (2) The best way to maximize the good is not always to pursue it directly.

Mill's Harm Principle.

1. *Self-Protection Principle*: The only good reason to interfere with an individual's liberty of action is to prevent harm to others.
2. *Anti-Paternalism Principle*: it is impermissible to restrict a person's liberty on grounds justified by consideration of that person's own good or welfare.

LIBERTARIAN PATERNALISM:

A treats *B* paternalistically when *A* reframes *B*'s choices, without limiting them, and without imposing a cost to *B*.

Mill's Four Free Speech Arguments

1. **Fallibilism Argument.** "... if any opinion is compelled to silence, that opinion may, for aught we can certainly know, be true. To deny this is to assume our own infallibility." (2.41) [2, §3-8]
2. **Dead Dogma Argument.** "... even if the received opinion be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds." (2.43) [2, §21-25]
3. **Capacity Argument.** "...the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering the ground, and preventing the growth of any real and heartfelt conviction, from reason or personal experience." (2.43) [2, §26-33]
4. **Government Errancy Argument.**

Scanlon on Tolerance

Pure Cases of Tolerance: "These would be cases in which persisting conflict and disagreement are to be expected and are, unlike racial prejudice, quite compatible with full respect for those with whom we disagree." [pg. 188]

Wholehearted Acceptance

Tolerance

Unrestrained Opposition

1. **What Does Tolerance Require?** "[T]olerance involves 'accepting as equals' those who differ from us." [pg. 190]

(a) *Formal Politics*. "[I]t requires that the state not give preference to one group over another in the distribution of privileges and benefits." [pg. 189]

(b) *Informal Politics*. We have to have the appropriate "democratic" attitudes.

Scanlon says "What I fear is not merely the legal enforcement of religion but its social predominance." (pg. 192)

2. **What Is the Value of Tolerance?** Rejecting tolerance "involves a form of alienation from one's fellow citizens." (pg. 194)

(a) *The Difference Tolerance Makes to Those Who are Different*.

(b) *The Difference Tolerance Makes in One's Relation with Those Whom One is Closest*.

3. **The Difficulty Of Intolerance.**

(a) Is it intolerant to enforce tolerance in behavior (by preventing the intolerant from acting on their beliefs)?

(b) Is it intolerant to espouse tolerance as our official doctrine?

(c) Is it intolerant to deny the intolerant the same opportunities to state their views?

"If tolerance is to make sense, then, we must distinguish between one's attitude toward what is advocated by one's opponents and one's attitude toward those opponents themselves: it is not that their *point of view* is entitled to be represented by that *they*. . . are entitled to be heard." (pg. 197)