

Session 1. Well-Being

General

This course has three aims:

1. a *methodological* one: to deepen your knowledge of how philosophical arguments work, and how to make your own arguments (and write them down effectively in essay form);
2. a *substantive* one: to teach you some of the main debates in moral philosophy; and
3. an *exegetical* one: to make you acquainted with J. S. Mill's philosophy, and how one closely reads a historical text.

This course will accompany small-scale tutorials. The aim is to discuss the big issues together, so that we can focus on more detailed questions in tutorials. They do *not* replace the faculty lectures on the same topic, to which you should also go.

1 Terminology

1.1 Basic Ethical Categories

We can distinguish three questions in ethics (amongst others):

1. *theory of well-being*: what makes someone's life go best (for them)?
2. *theory of the good* (axiology): what makes a state of affairs good?
3. *theory of right action*: what is the right (permissible) thing to do?

These are distinctions which are not always made in pre-philosophical approaches to moral questions.

Give examples of the difference between (2) and (3).

Advice on Writing. In your essays, avoid writing that something is "ethical", "moral", "morally problematic" etc. Instead, use the more precise philosophical vocabulary (right, permissible, good, etc.).

1.2 Consequentialism and Utilitarianism

Consequentialism is a theory of right action. In a simple version, it claims

Consequentialism. An action is right if and only if it leads to the best consequences.

This leaves open what the best consequences are. They could be independent of what makes our lives go best. But we can combine consequentialism with

Welfarism. The only thing which makes states of affairs good is well-being—that is, how things are going for people.

The combination of consequentialism and welfarism is usually called

Utilitarianism. An action is right if and only if it maximises aggregate well-being.

- Give an example of a non-consequentialist claim.
- Give an example of a consequentialist view which is not welfarist.
- What's appealing about welfarism/utilitarianism?

Advice on Writing. Defining central concepts in a brief sentence is a useful technique for your essays (though you cannot define every concept).

2 Well-Being

2.1 The Concept

Different words: well-being, welfare, utility, happiness, the good life, *eudaimonia* ("human flourishing"), prudential value, what is good for someone, subjective goodness, subjective well-being, quality of life, ...

- Do these refer to the same concept? Discuss possible differences between them.
- Are some of these words ambiguous or vague?
- Which concept is the philosophically most interesting?

As moral philosophers, we are interested in what is ultimately valuable. So we are interested in, as Parfit puts in, *what makes someone's life go best*. It makes *conceptual* sense, for example, to say that “happiness is overrated” and not the only thing which makes a life go best.

- What, if not happiness, can make our lives go best?
- When economists talk about “utility”, what do they mean?

Advice on Writing. When you write an essay, choose one of the above labels and stick to it. (The most common is well-being.) Avoid the label “utility” outside clearly defined contexts.

2.2 Main Theories (Parfit)

On the basis of Parfit’s article, we can distinguish three broad families of theories. Each of these identifies well-being with a different feature:

Mental States. Well-being is having certain mental states (and/or the absence of others).

Desire Fulfilment. Well-being is the fulfilment of certain desires (or preferences) we have.

Objective List. Well-being is the presence of certain objective goods to the individual.

We can imagine a mix of theories. Kagan: well-being is enjoying the (objectively) Good.

- Give examples where two of these views give different results.
- What are paradigm cases where these views do well? Where do they do badly?

Advice on Writing. Contrasting a theory with its alternatives can be a good way to clarify its implications; at the same time, ensure that you do not “get lost” in describing competitors too much.

3 Hedonism

3.1 Intro

Hedonism is a mental state theory. It claims that well-being is having certain pleasurable mental states. Different kinds of hedonism will single out different kinds of mental states. On *crude hedonism*, those mental states are only bodily pleasures; but this seems a rather implausible theory.

3.2 Mill’s Hedonism

Mill appears to use “utility”, “happiness” and “pleasure and the absence of pain” interchangeably. (If there is a passage where he distinguishes them more clearly that would be interesting to know!)

Mill gives a clear enough definition at the beginning of sec. 2:

By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure. (U 2.2)

(Crisp makes an interesting distinction between hedonism and “full” hedonism [p. 26-7]—but I’ll set this distinction aside.)

3.3 Higher and Lower Pleasures (Green)

On “one-dimensional” hedonism, the amount of well-being some activity provides is merely a function of the quantity (duration, intensity, etc.) of the pleasure provided by it. That was Bentham’s view.

Mill thinks the one-dimensional view is one of the most important shortcomings of Bentham. (See quote 4 in the appendix.) On Mill’s two-dimensional hedonism, pleasures have both *quantity* and *quality*.

- Can you still be a hedonist while making this distinction?
- How is quality to be weighed against quantity?
- Reconstruct Green’s argument against Mill’s distinction.

3.4 Three Claims about Higher/Lower Pleasures

Following West (2003, p. 53), we can identify three claims that Mill makes:

- 1) there is a difference between quantity and quality of pleasures, both of which matter to the desirability of that pleasure
- 2) pleasures with greater quality enjoy (“lexical”) priority over pleasures with lower quality, no matter their respective quantities.
- 3) pleasures associated with the intellect, and other recognisably human capacities, are greater in quality.

These claims are independent.

Advice on Writing. Separating a complicated position into several subtheses is another very powerful device. This allows criticising them independently.

3.5 Experience Machine (Nozick)

This is a famous objection by Robert Nozick. Imagine you’re Neo in the Matrix (before taking the red pill). All your experiences are fake. There is a strong intuitive push to think that you’re not having the best life. Your life would be better if you had real, but less pleasurable experiences.

- Can you think of a more realistic case which also drives home the point?
- Is the experience machine a problem for the other theories of well-being we considered?
- What should the hedonist reply?

Quotes from Mill

1. *Happiness and human faculties:* “Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification. [...] there is no known Epicurean theory of life which does not assign to the pleasures of the intellect; of the feelings and imagination, and of the moral sentiments, a much higher value as pleasures than to those of mere sensation.” (U 2.4)

2. “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.” (U 2.6)
3. *The Impartial Observer 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 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 account.” (U 2.5)
4. *Bentham’s shortcomings:* “Knowing so little of human feelings, [Bentham] knew still less of the influences by which those feelings are formed: all the more subtle workings both of the mind upon itself, and of external things upon the mind, escaped him; and no one, probably, who, in a highly instructed age, ever attempted to give a rule to all human conduct, set out with a more limited conception either of the agencies by which human conduct is, or of those by which it should be, influenced. [...] Man is conceived by Bentham as a being susceptible of pleasures and pains, and governed in all his conduct partly by the different modifications of self-interest, and the passions commonly classed as selfish, partly by sympathies, or occasionally antipathies, towards other beings. And here Bentham’s conception of human nature stops. [...] Man is never recognized by him as a being capable of pursuing spiritual perfection as an end; of desiring, for its own sake, the conformity of his own character to his standard of excellence, without hope of good or fear of evil from other source than his own inward consciousness.” (Mill, *On Bentham*)

Session 2. Forms of Utilitarianism

4 Act- and Rule-Utilitarianism

In the last section I introduced utilitarianism as the following claim,

Utilitarianism. An action is right if and only if it maximises aggregate well-being.

This presupposes that our focus is on *actions*. But it might be on other entities as well: consider

Rule-Utilitarianism. An action is right if and only if it is required by the rules the acceptance of which maximises aggregate well-being.

The act-consequentialist assesses the rightness of actions directly, while the rule-consequentialist assesses the rightness of actions indirectly, mirrored through rules. We can imagine other forms of *indirect* utilitarianism, such as

Motive-Utilitarianism. An action is right if and only if it exhibits a character disposition the acceptance of which maximises aggregate well-being.

Give an example where the three views give different judgments.

Why might rule-utilitarianism be an attractive view?

Which advantages does it have over act-utilitarianism?

Advice on Writing. Act-utilitarianism is the standard version of the view. If the act/rule distinction is not immediately relevant to your context, you don't have to introduce it.

5 The Collapse Objection

5.1 The Objection

Assume that the rule-consequentialist tells us to follow rule set R. Now assume that there is a situation S where deviating from R would be better than following R. So there is another rule set,

R*. Follow R, except in S.

Following R* is a better rule set, by definition, than following R. But once we admit that, we risk that rule-consequentialism collapses into act-consequentialism.

Complete the Argument.

5.2 Possible Replies.

(1) The rules can't be arbitrarily complex. There are limits to what rules individuals can follow.

(2) There are costs to following rules.

6 Multiple Levels in Consequentialism

6.1 Evil Demons

Consider the following example,

The Evil Demon. An evil demon tells us that, every time any agent consciously tries to maximise well-being, he will inflict tremendous pain on 1,000,000 people. Whenever we teach our children that consequentialism is wrong, he will make 1,000,000 people extremely happy.

What should we do, according to consequentialism, in this example?

Advice on Writing. The examples we consider in moral philosophy are often extreme and unrealistic. In more applied topics, this can be weakness. But it can be helpful to have extreme examples to better clarify abstract conceptual distinctions.

6.2 Standard and Procedure

Compare the following two statements,

Utilitarianism as a Standard of Rightness. An action is right if and only if it maximises aggregate well-being.

Utilitarianism as a Guide for Decision-Making. When deciding how to act, do what maximises aggregate well-being.

In the example of the Evil Demon, many consequentialists want to say:

According to utilitarianism as a standard of rightness, we should not use utilitarianism as a decision-procedure.

Parfit: it is the aim of a moral theory to be true, not to be believed.

Do you agree? How might one argue against this claim?

Where does rule-consequentialism fit in?

6.3 Another Example: Time Constraints

The example of the evil demon is a particularly extreme one. In U 2.24, Mill considers the following objections to utilitarianism:

that there is not time, previous to action, for calculating and weighing the effects of any line of conduct on the general happiness

For illustration, consider

Drowning Child. You see a child drowning. To save it, you need to jump in the water *now*. If you start doing utilitarian calculations, the child will certainly drown.

What should the consequentialist say about this example?

How can the consequentialist use the standard/procedure distinction to account for this case?

6.4 Two-Level Consequentialism

It is not only decision-procedures which might be non-consequentialist. We can also think about *rules, laws, character dispositions, desires*, and so on.

A two-level consequentialism claims that, in general, consequentialists should approach every-day problems in a non-consequentialist manner.

How might this strategy help, for example, for the following problems:

- knowing all the relevant utilities?
- explaining genuine, loving relationships?
- not punishing the innocent in a legal system?

Can you give other examples where two-level consequentialism helps?

Mill advocates for a form of two-level utilitarianism when he claims that we should use “secondary principles” (see U 2.24-5).

7 Other Questions of Formulating Consequentialism

Quotes

1. “The corollaries from the principle of utility, like the precepts of every practical art, admit of indefinite improvement, and, in a progressive state of the human mind, their improvement is perpetually going on. But to consider the rules of morality as improvable, is one thing; to pass over the intermediate generalizations entirely, and endeavour to test each individual action directly by the first principle, is another. It is a strange notion that the acknowledgment of a first principle is inconsistent with the admission of secondary ones. To inform a traveller respecting the place of his ultimate destination, is not to forbid the use of landmarks and direction-posts on the way. The proposition that happiness is the end and aim of morality, does not mean that no road ought to be laid down to that goal, or that persons going thither should not be advised to take one direction rather than another. [...] Whatever we adopt as the fundamental principle of morality, we require subordinate principles to apply it by: the impossibility of doing without them, being common to all systems, can afford no ar-

gument against any one in particular: but gravely to argue as if no such secondary principles could be had, and as if mankind had remained till now, and always must remain, without drawing any general conclusions from the experience of human life, is as high a pitch, I think, as absurdity has ever reached in philosophical controversy.” (U 2.24)

2. “We are told that an utilitarian will be apt to make his own particular case an exception to moral rules, and, when under temptation, will see an utility in the breach of a rule, greater than he will see in its observance. [...] It is not the fault of any creed, but of the complicated nature of human affairs, that rules of conduct cannot be so framed as to require no exceptions, and that hardly any kind of action can safely be laid down as either always obligatory or always condemnable. There is no ethical creed which does not temper the rigidity of its laws, by giving a certain latitude, under the moral responsibility of the agent, for accommodation to peculiarities of circumstances; and under every creed, at the opening thus made, self-deception and dishonest casuistry get in. There exists no moral system under which there do not arise unequivocal cases of conflicting obligation. These are the real difficulties, the knotty points both in the theory of ethics, and in the conscientious guidance of personal conduct. [...] If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible. Though the application of the standard may be difficult, it is better than none at all: while in other systems, the moral laws all claiming independent authority, there is no common umpire entitled to interfere between them; their claims to precedence one over another rest on little better than sophistry, and unless determined, as they generally are, by the unacknowledged influence of considerations of utility, afford a free scope for the action of per-

sonal desires and partialities. We must remember that only in these cases of conflict between secondary principles is it requisite that first principles should be appealed to. There is no case of moral obligation in which some secondary principle is not involved; and if only one, there can seldom be any real doubt which one it is, in the mind of any person by whom the principle itself is recognized.” (U 2.25)

3. “A highly competitive tennis player comes to realize that his obsession with winning is keeping him from playing his best. A pro tells him that if he wants to win he must devote himself more to the game and its play as such and think less about his performance. In the commitment and concentration made possible by this devotion, he is told, lies the secret of successful tennis. So he spends a good deal of time developing an enduring devotion to many aspects of the activity, and finds it peculiarly satisfying to become so absorbed in it. He plays better, and would have given up the program of change if he did not, but he now finds that he plays tennis more for its own sake, enjoying greater internal as well as external rewards from the sport. Such a person would not keep thinking—on or off the court—‘No matter how I play, the only thing I really care about is whether I win!’ He would recognize such thoughts as self-defeating, as evidence that his old, unhelpful way of looking at things was returning. Nor would such a person be selfdeceiving. He need not hide from himself his goal of winning, for this goal is consistent with his increased devotion to the game. His commitment to the activity is not eclipsed by, but made more vivid by, his desire to succeed at it.” (Peter Railton, “Alienation, Consequentialism, and the Demands of Morality”, p. 144)

Session 3. Justice and Utilitarianism

8 Alternatives to Consequentialism

Remember that (act-)consequentialism claims that

Consequentialism. An action is right if and only if it leads to the best consequences.

If you deny this claim, then you are a non-consequentialist. One prominent form of non-consequentialism is

(Rights-Based) Deontology. It is sometimes wrong to do what leads to the best consequences because that would violate someone's rights.

Give an example. Can you think of a non-consequentialist view which is not rights-based deontology?

Note that deontologists do not deny that well-being matters. What deontologists deny is that maximizing well-being is the *only* thing that matters. Furthermore, deontologists can in principle accept Mill's welfarism and his theory of well-being.

8.1 Other Contrasts

There are other ways to reject consequentialism. For example, you might accept

Doing—Allowing Asymmetry. It is sometimes wrong to bring something about actively, even if it isn't wrong to allow the same thing to happen.

Intending—Foreseeing Asymmetry. It is sometimes wrong to do something, intending to bring about some consequence, even if it isn't wrong to do the same action, merely foreseeing the consequence.

9 Constraints and Goals (Nozick)

9.1 The Rejection of Rights-Utilitarianism

The deontologist claims that rights impose *constraints* on our behaviour. A constraint prohibits that we take certain means in the pursuit of certain ends. Constraints are different from *goals*: we cannot weigh one constraint against another.

Imagine that there is a moral constraint C (against lying, or killing, etc.). Assume that I have a choice between

- (i) I violate C, which stops five other people from violating C
- or
- (ii) I do not violate C, but five other people violate C

A constraint-based deontology asks us to choose (ii), *even though* the overall number of violated constraints is bigger.

Nozick considers (but does not advocate) the following view:
Rights-Utilitarianism. An action is right if and only if it minimizes the amount of rights-infringements that occur.
Is this compatible with rights as constraints?

9.2 The "Paradox" of Deontology

Many consequentialists have found this implication odd, and this implication of deontology is sometimes called the "paradox of deontology".

How might one make this objection?
Why would one think that constraints are odd?
Does deontology require that I minimise the number of rights that I violate?

Advice on Writing. Note that this is not a paradox strictly speaking—that is, some philosophers will not think that this is paradoxical.

9.3 Sources of Deontology

Why then be a deontologist? Rawls writes:

Each member of society is thought to have an inviolability founded on justice or, as some say, on natural right, which even the welfare of every one else cannot override. Justice denies that the loss of freedom for some is made right by a greater good shared by others. (TJ 24-5)

One of Kant's formulations of the categorical imperative is the *Formula of Humanity*:

So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means. (GMS 429)

We might say that each individual possesses a kind of moral status that makes him or her inviolable, and imposes side-constraints on our action.

10 Mill on Justice

10.1 The Concept of Justice

Mill sets out some of the elements in justice usefully:

1. Legal rights and claims (U 5.5)
2. Moral rights and claims (U 5.6)
3. Desert (U 5.7)
4. Not "Breaking faith"—i.e., keeping promises (U 5.8)
5. Impartiality (U 5.9)
6. Equality (U 5.10)

It's not clear whether anything unifies these elements. Mill makes two attempts.

First, Mill claims that the fundamental idea of justice is found in the idea of "conformity to law" (U 5.12-3). Second, Mill identifies justice with perfect duties. This allows him to break down justice into two elements (U 5.18):

- (i) all *duties* belong to the morality of right and wrong and are enforceable.
- (ii) duties of justice are *perfect*: they correspond to the right of an assignable individual.

On the latter aspect:

duties of perfect obligation are those duties in virtue of which a correlative right resides in some person or persons; duties of imperfect obligation are those moral obligations which do not give birth to any right. [...] Justice implies something which it is not only right to do, and wrong not to do, but which some individual person can claim from us as his moral right. (U 5.15)

10.2 Mill's Sceptical Argument

How could justice fit into a two-level utilitarianism?

(See the topics from last session.)

Having determined what the sentiment of justice is about, Mill aims to show that there is no standard of justice independent from utilitarianism. Mill's argument, as far as I can see, has two main strands:

1. Mill argues that many of our intuitions regarding justice can be explained as natural sentiments:

The sentiment of justice, in that one of its elements which consists of the desire to punish, is thus, I conceive, the natural feeling of retaliation or vengeance, rendered by intellect and sympathy applicable to those injuries, that is, to those hurts, which wound us through, or in common with, society at large. (U 5.21)

In other words, Mill offers a debunking argument for justice.

2. Still, Mill does not wish to deny that there is some useful aspect in sentiments of justice. But, he argues, those do not contradict utility. Instead:

justice is a name for certain moral requirements, which, regarded collectively, stand higher in the scale of social utility, and are therefore of more paramount obligation, than any others (U 5.36)

Quotes from Mill

1. *Wrong and Duty*: “We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow creatures; if not by opinion, by the reproaches of his own conscience. This seems the real turning point of the distinction between morality and simple expediency. It is a part of the notion of Duty in every one of its forms, that a person may rightfully be compelled to fulfil it. Duty is a thing which may be exacted from a person, as one exacts a debt.” (U 5.14)
2. *Justice*: “duties of perfect obligation are those duties in virtue of which a correlative right resides in some person or persons; duties of imperfect obligation are those moral obligations which do not give birth to any right. I think it will be found that this distinction exactly coincides with that which exists between justice and the other obligations of morality.” (U 5.15)
3. *Justice and Beneficence*: “Justice implies something which it is not only right to do, and wrong not to do, but which some individual person can claim from us as his moral right. No one has a moral right to our generosity or beneficence, because we are not morally bound to practise those virtues towards any given individual.” (U 5.15)
4. *Justice no independent standard*: “While I dispute the pretensions of any theory which sets up an imaginary standard of justice not grounded on utility, I account the justice which is grounded on utility to be the chief part, and incomparably the most sacred and binding part, of all morality. Justice is a name for certain classes of moral rules, which concern the essentials of human well-being more nearly, and are therefore of more absolute obligation,

than any other rules for the guidance of life; and the notion which we have found to be of the essence of the idea of justice, that of a right residing in an individual, implies and testifies to this more binding obligation.” (U 5.31)

Other Quotes

5. “[T]here are no such things as natural rights – no such things as rights anterior to the establishment of government – no such things as natural rights opposed to, in contradistinction to, legal [...]. [...] In proportion to the want of happiness resulting from the want of rights, a reason exists for wishing that there were such things as rights. But reasons for wishing there were such things as rights, are not rights; – a reason for wishing that certain rights were established, is not that right – want is not supply – hunger is not bread. That which has no existence cannot be destroyed – that which cannot be destroyed cannot require anything to preserve it from destruction. *Natural rights* is simple nonsense: natural and imprescriptible rights, rhetorical nonsense, – nonsense upon stilts.” (Bentham, “Anarchical Fallacies”)
6. “In the kingdom of ends everything has either a *price* or a *dignity*. What has a price can be replaced by something else as its *equivalent*; what on the other hand is raised above all price and therefore admits of no equivalent has a dignity. [...] [M]orality, and humanity insofar as it is capable of morality, is that which alone has dignity. Skill and diligence in work have a market price; wit, lively imagination and humour have a fancy price; on the other hand, fidelity in promises and benevolence from basic principles (not from instinct) have an inner worth.” (Kant, *Groundwork of the Metaphysics of Morals*)

Session 4. Naturalistic Fallacy and Mill's "Proof"

11 Disciplines in Ethics

Descriptive ethics deals with what people actually believe about morality, and how those beliefs come about. These are empirical questions for sociologists, psychologists and antropologists—e.g.,

what influence has religion on moral beliefs?
when and why do people change their moral beliefs?
etc.

In **applied ethics** and **normative ethics**, we deal with, and try to find justifications for, various *first-order claims*:

bunnies are evil
an action is right if and only if maximizes utility
innocent people should not be punished
etc.

The questions we ask here are on different levels. *Moral theories* tend to be general theories which try to reconstruct an entire area of morality (e.g., a theory of justice, or a theory of wrongness).

In **meta-ethics**, we ask second-order questions about morality. In particular, we ask questions about

epistemology: how can we know, if at all, any of the first-order claims?
philosophy of language: what do words such as “right”, “good” (etc.) mean?
metaphysics: how does morality “fit into” the universe?

There is a huge literature on each of these question. We're going to focus on only one of these: the connection between morality and nature.

12 The Is—Ought gap

It is an old observation (often ascribed to Hume: see quotes) that there appears to be a gap between “is” and “ought”, or between descriptive and normative statements.

Consider the following argument,

- (1) In nature the strong survive and the weak perish.
- (2) Therefore, the strong should survive and the weak perish.

We think this is a bad argument: it infers an “ought” from an “is”. (Note: from this being a bad argument you cannot conclude that (2) is wrong—though it probably is.)

What are other instances of arguments where the Is/Ought gap is violated?

There are three sets of follow-up questions from observing that there is such a gap:

1. *The Connection between Science and Philosophy*: What is the connection between science (which inquires into the natural) and moral philosophy (which inquires into the normative)?
2. *The Knowledge Question*: If an “Ought” cannot be derived from an “Is”, how can we know any moral theory? In Mill's words, how can we “prove” any particular moral theory?
3. *The Metaphysical Question*: If there is such a distinction between “Is” and “Ought”, how does the normative fit into the natural?

(1) Mill says that question of ultimate ends are not “amenable to direct proof” (see quote 4). What does he mean by that?

(2) How does the Is/Ought distinction connect with Moore's “naturalistic fallacy”?

13 Intuitions

If an “Ought” cannot be inferred from an “Is”, then how can we know any claims in moral philosophy?

A classic answer is that we know fundamental moral claims *by intuition*. Hue-mer defines an intuition as an “intellectual seeming” (see quote 4). One ques-tion to ask is how you know that the following are true:

$$2+3=5$$

If p , and p entails q , then q

If X is larger than Y , and Y is larger than Z , then X is larger than Z

If you consider these claims closely, most of you will not help to think that they are true. But how do you know them? One plausible answer is: by intui-tion.

Some common misunderstandings about intuitions:

1. (Philosophical) Intuitions have nothing to do with “feeling” or “instinct”; in fact, intuitions are *intellectual* seemings
2. Intuitions need to be well-considered: they are not “snap-shot”, immediate reaction
3. Intuitions can be mistaken (they are *seemings*).
4. Intuitions need not concern particulars—we can have intui-tions regarding quite general principles.

Reflective equilibrium is a method suggested by Rawls to order and systematise our intuitions. Let’s simplify: you have some intuitions about particular cases (murdering Joe is wrong *etc.*) and some intuitions about general principles (well-being is intrinsically valuable *etc.*). Now we try to order these intuitions: we go back and forth, revising both sets of beliefs.

Problems with Intuitions. (1) How should we react to the fact that people have different intuitions?

(2) Is Mill an intuitionist? What should we make about his claims about intui-tionism (see quote 7)?

14 Mill’s “Proof”

In section 4 of Utilitarianism, Mill tackles the question of proving utilitarian-ism. Note that the title of the section is “Of What Sort of ‘Proof’ the Princi-ple of Utility is Susceptible”.

Mill proceeds in two steps,

- (1) Happiness is valued
- (2) Nothing other than happiness is valued

There are various problems with each step—see the secondary literature. Here are a couple of questions to ask:

- (1) What sort of proof is utilitarianism susceptible of?
- (2) In U 4.3, does Mill commit the naturalistic fallacy?
- (3) In U 4.3, does Mill commit the “fallacy of composition”?

Appendix: Quotes

1. “The desire for one’s own greatest pleasure is the individual’s only motive, and the greatest happiness of everyone is at once the standard of social good and the object of all moral action. Mill united these propositions by an argu-ment so patently fallacious that it became a standard exhibit in textbooks of logic.” (George Sabine, quoted from West 2003, 120)

2. “I cannot forbear adding to these reasonings an observation, which may, perhaps, be found of some importance. In every system of morality, which I have hitherto met with, I have always remarked, that the author proceeds for some time in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when of a sudden I am surprized to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not. This change is imperceptible; but is, however, of the last con-sequence. For as this ought, or ought not, expresses some new relation or affirmation, it is necessary that it should be observed and explained; and at the same time that a reason should be given, for what seems altogether in-

conceivable, how this new relation can be a deduction from others, which are entirely different from it. But as authors do not commonly use this precaution, I shall presume to recommend it to the readers; and am persuaded, that this small attention would subvert all the vulgar systems of morality, and let us see, that the distinction of vice and virtue is not founded merely on the relations of objects, nor is perceived by reason.” (Hume, *A Treatise of Human Nature*)

3. “The fact is that ‘desirable’ does not mean ‘able to be desired’ as ‘visible’ means ‘able to be seen.’ The desirable means simply what *ought* to be desired or *deserves* to be desired [...]. Mill has, then, smuggled in, under cover of the word ‘desirable’, the very notion about which he ought to be quite clear. ‘Desirable’ does indeed mean ‘what it is good to desire’; but when this is understood, it is no longer plausible to say that our only test of *that*, is what is actually desired.” (Moore, *Principia Ethica*)

4. “Reasoning sometimes changes how things seem to us. But there is also a way things seem to us prior to reasoning; otherwise, reasoning could not get started. The way things seem prior to reasoning we may call an ‘initial appearance’. An initial, *intellectual* appearance is an ‘intuition’. That is, an intuition at *p* is a state of its seeming to one that *p* that is not dependent on inference from other beliefs and that results from thinking about *p*, as opposed to perceiving, remembering, or introspecting. An ethical intuition is an intuition whose content is an evaluative proposition.” (Huemer, *Ethical Intuitionism*)

Quotes from Mill

5. “Questions of ultimate ends are not amenable to direct proof. Whatever can be proved to be good, must be so by being shown to be a means to something admitted to be good without proof. [...] We are not, however, to infer that its 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. The subject is within the cognizance of the rational faculty; and neither does that faculty deal with it solely in the way of intuition. 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.” (U 1.5)

6. “The only proof capable of being given that an object is visible, is that people actually see it. The only proof that a sound is audible, is that people hear it: and so of the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable, is that people do actually desire it. If the end which the utilitarian doctrine proposes to itself were not, in theory and in practice, acknowledged to be an end, nothing could ever convince any person that it was so. No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness. This, however, being a fact, we have not only all the proof which the case admits of, but all which it is possible to require, that happiness is a good: that each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons.” (U 4.3)

7. “The difficulty is not avoided by having recourse to the popular theory of a natural faculty, a sense or instinct, informing us of right and wrong. For—besides that the existence of such a moral instinct is itself one of the matters in dispute—those believers in it who have any pretensions to philosophy, have been obliged to abandon the idea that it discerns what is right or wrong in the particular case in hand, as our other senses discern the sight or sound actually present. Our moral faculty, according to all those of its interpreters who are entitled to the name of thinkers, supplies us only with the general principles of moral judgments; it is a branch of our reason, not of our sensitive faculty; and must be looked to for the abstract doctrines of morality, not for perception of it in the concrete. The intuitive, no less than what may be termed the inductive, school of ethics, insists on the necessity of general laws. They both agree that the morality of an individual action is not a question of direct perception, but of the application of a law to an individual case. They recognise also, to a great extent, the same moral laws; but differ as to their evidence, and the source from which they derive their authority. According to the one opinion, the principles of morals are evident a priori, requiring nothing to command assent, except that the meaning of the terms be understood. According to the other doctrine, right and wrong, as well as truth and falsehood, are questions of observation and experience. But both hold equally that morality must be deduced from principles; and the intuitive school affirm as strongly as the inductive, that there is a science of morals.” (U 1.3)