

Week Three: Justice and Integrity

Why are justice and integrity problematic for utilitarianism?

Mill outlines utilitarianism as a principle by which one can make a choice, which will be considered as the correct or moral thing to do. He asserts that by choosing the outcome which would, under foreseeable circumstances, give maximum general happiness, you will be undertaking the most moral choice.

Mill moves to this argument in *Utilitarianism* by considering first that all humans naturally desire their own happiness, and that by desiring such happiness we show that it must be good. He continues the argument by stating that the best society would be one in which all people work to maximise the happiness of the greatest number of people and with such creation of maximum happiness, there is the creation of maximum good. It is, however, this aggregation of desires in which Mill's argument faces its difficulties. I shall consider the cases of integrity and justice, of which neither seems to fit resolutely with Mill's utilitarian argument. Although Mill could, indeed, argue that the problems of integrity and justice such as emotional attachment and personal conviction, which I hope to show are problematical to the argument, are not a consideration of the utilitarian argument which looks solely at maximum happiness and not at motive, I shall endeavour to demonstrate the dilemma they pose for utilitarianism.

When considering that all people should work to maximise the general happiness we are asking that person not, in their present circumstance, ask "What should *I* do?" but instead "What does utilitarianism require I do?" In this sense, therefore, utilitarianism may be thought of as a principle which moves our decision making process away from our inner cognitive processes, and instead means that a consciousness of the external world must be applied to the process also. It is argued that in doing so that Mill ignores 'the separateness of persons'¹, that is, Mill does not consider that people will care for the happiness of yourself, or someone known to you, greater than for that of a stranger. Even on this fundamental level, therefore, it can be shown that people due to various levels of personal relations with others will find difficulty in impartially aggregating maximal happiness.

This argument is often deemed the "Integrity Objection", and relates to the way utilitarianism does not consider the importance of an individual's own life. Williams, in his *Critique of Utilitarianism*, considers the personal project which each person has in his, or her, own life. Mill has already argued in *Utilitarianism* that each person desires their own happiness, but Williams suggests that people also have lower-order priorities, which may have, indeed, originated in a desire to be happy. Such lower-order desires may include family, friends, intellect and culture. He also outlines people's opinions and values as a form of project with views against injustice, cruelty or killing as his examples. We may consider, therefore, that in desiring our own happiness we desire the above things also, and through experiences we develop our own moral codes and values.

Faced, therefore, with a situation which would require one to go against their particular moral codes and values, thus against their integrity, in order to achieve maximum general happiness, are we not requiring too much from the person? Indeed,

¹ Crisp, Roger p.136

we are asking this person to take away their self-identity and admonish all previous commitments and experience.

The idea of making someone dissolve their own moral commitments is commonly termed *alienation*, in that it requires the person to be alienated from their view to act in a utilitarian manner. Perhaps the most popular example of this is from Stocker's article *Schizophrenia of Modern Ethical Theories*² in which he discusses a friend visiting a patient in hospital. The visitor does not actually do this to enhance overall happiness of the patient, but because he feels a sense of duty to do so. Therefore, Stocker argues, that actions may be done for reasons other than for the purpose of aggregate happiness.

I believe that Stocker's argument, however, is insufficient to be problematic for utilitarianism. As argued by Crisp, Mill would have said that this is a confusion of a standard of morals, with motivation for behaviour and, indeed, that happiness will have been contributory to the visitors behaviour, for where it not to maximise his own happiness in some sense then he would have chosen another course of action.

The problem which I believe that integrity poses for utilitarianism is that it requires a lack of emotional attachment and personal moral constraints. Mill states that it is possible for the calculation of utilitarianism to be undertaken:

"People talk as if the commencement of this course of experience had hitherto been put off, and as if, at the moment when some man feels tempted to meddle with the property or life of another, he had to begin considering for the first time whether murder and theft are injurious to human happiness."

Although this is true Mill does not make allowance for the inclusion, and priority, of factors besides the maximum general happiness, such as the lower-order priorities discussed earlier. Can it be that a person can truly side-step their past experience and commitments and experience in any one circumstance? And indeed, is this a preferred situation?

If we ask people to alienate themselves in each circumstance, and to consider only the maximum general happiness which would result from that particular circumstance, it seems that there would be no use in having any particular moral convictions, or rules to live by in general, when each circumstance must be interpreted individually. However, we must appeal to our inner sense of right and wrong, which has been created through social learning, to calculate that which would provide the greatest happiness. This seems a contradiction in terms. It is for this reason, therefore, which I believe that utilitarianism cannot be considered a realistic principle of morality, when faced with individual integrity and the use of individual experience during the decision making process.

Our own personal convictions are often influenced by the rules which our society is based upon. Rules allow a form of security in society, and, in Mill's view, are used as a division and mediator for utility. In chapter 5, Mill outlines the various forms of justice. He begins with categories of just actions and arrangements, claiming that people live under legal rights, and moral rights which may, or may not, be recorded and affected by legislation. He also has a view of desert, in that a person should get that which they deserve, for example, bad behaviour will be repaid through punishment. Mill then discusses three further categories of unjust behaviour; breaking faith is a form of social conduct, such as a promise; impartiality and

² Journal of Philosophy p.462

inequality are also discussed. It is these six categories which Mill believes that justice can be defined with, and believes that they are consistent to utilitarianism.

It is, perhaps, however, the ideas of impartiality and equality which are the most problematic to his argument. Impartiality, as discussed previously, seems somewhat impossible, and objectionable in situations of moral dilemma. It is the issue of equality, however, which poses problematic for justice.

The case presented most often for the purpose of this discussion is that raised by McCloskey of the scapegoat.³ If it is that by imprisoning an innocent person as a scapegoat, that eventually the real criminals will be caught and thus there will be overall greater happiness, would utilitarianism rule that this is a moral action? Although the immediate counter argument for this is that confidence may dwindle in the population if they knew that innocent people may be imprisoned for greater happiness, McCloskey assures that in this situation the public will never find out. Mill, therefore, concedes that to imprison someone is wrong in that it infringes the right of equality:

“everybody to count for one, and nobody to count for more than one.”⁴

However, this suggests that Mill is basing a decision here on equality, and not on utilitarian ideas. Indeed, does it not seem that a principle which is based upon aggregation can never be equated with one of equality. As Ryan argues in his chapter *Utility and Justice*⁵ Mill seems to forget that a maximisation can easily create disequilibria.

For example, imagine that there can be only one of the following outcomes:

| <i>Equality</i> | | <i>Inequality</i> | |
|-----------------|---------|-------------------|---------|
| Group 1 | Group 2 | Group 1 | Group 2 |
| 50 | 50 | 90 | 20 |

Taken from Crisp p. 169

Under utilitarianism, the second circumstance would be preferable, however, Mill states that everyone has an equal right to happiness, and indeed, believes that inequality is a form of injustice. It seems, therefore, that under the laws of utilitarianism, there can be no justification for justice as a distributive practice. Ryan describes this conclusion as:

“show(ing) justice is a principle independent of, and in some ways opposed to, that of a maximizing general happiness. To desire an equal, or fair, distribution of goods is not the same thing as desiring maximizing goods.”

Smart does, however, approach the above view in a positive way. Although it seems that justice does not equate with utilitarianism, it does not necessarily mean that utilitarianism itself can be condemned. Although it is unjust if the innocent man were to be put into prison, it must be accepted that greater happiness would be achieved. Thus it is that Smart argues the possibility that to be both just and happy is impossible and that, in reality, there can be no one ethical system which appeals to all natures and moods, for even each individual person has internal conflicts and would calculate utils on scales very different on different days, as well as with other people.

³ Smart, p.69

⁴ Mill quoted in Ryan p.229

⁵ Ryan, p.213

I conclude, therefore, that due to the complexity of human nature and the way that humans build their moral and decision making processes from experience and social learning, integrity poses a problem to a utilitarian theory which relies upon a society which does not consider emotional attachments in their decision making process. But, not only does utilitarianism wish us to arise above integrity, but is also incompatible with a system of justice which wants equal distribution, but should be based on an aggregation of preferences.

It is, therefore, the lack of inclusion of the individual aspect of the human psyche into utilitarianism, which means that when approaching subjects of integrity and justice, based upon such aspects, that the utilitarianism is both problematic and insufficient.

Bibliography

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