Utilitarianism and Rawls

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Introduction

John Rawls (1921-2001)

- One of the most important political philosophers of the 20th century
- A famous critic of utilitarianism (cf. *A Theory of Justice* [Rawls 1999])

The purpose of this presentation:

to demonstrate that utilitarianism is superior to Rawls's theory despite his criticism against it.
The structure of this presentation

1. What is political philosophy?
2. Utilitarianism and Rawls's criticism against it
3. Rawls's ‘two principles of justice’
4. Is Rawls's criticism correct?
5. A flaw in Rawls's theory
   : His theory cannot provide good reasons for why immoral actions against the disabled are impermissible.
6. An advantage of utilitarianism
   : It can provide such reasons.
1. What is political philosophy?

Political philosophy provides a standard by which to evaluate social and political institutions (Moseley 2005).

- Political constitution
- Legal system
- Economy
- etc.
Social and political institutions have a great influence on our lives.

<table>
<thead>
<tr>
<th>Institutions</th>
<th>Our lives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Just</td>
<td>Good</td>
</tr>
<tr>
<td>Unjust</td>
<td>Bad</td>
</tr>
</tbody>
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Political philosophy focuses on such influential institutions.

→Not only philosophers but all of us should be interested in political philosophy.
2. Utilitarianism and Rawls's criticism against it

The two components of it:
1. Welfarism
2. Consequentialism
   (Shaw 2006, 202—203)

Utilitarianism proposes a standard by which to evaluate social and political institutions.
Welfarism

Individual happiness  =  The solo good
(welfare)

the only thing that is valuable for its own sake

<table>
<thead>
<tr>
<th></th>
<th>Happiness</th>
<th>Unhappiness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Utilitarians</td>
<td>Pleasure</td>
<td>Pain</td>
</tr>
<tr>
<td>Modern Utilitarians</td>
<td>Satisfaction of desire</td>
<td>dissatisfaction</td>
</tr>
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Consequentialism

- Utilitarianism is also a maximising doctrine.
  → It requires us always to act so as to bring about as much happiness as possible.
Welfarism + Consequentialism

The basic moral principle of utilitarianism

An action is right if and only if it brings about the greatest balance of happiness over unhappiness for everyone affected by the action; otherwise, it is wrong.
Which action is right?

<table>
<thead>
<tr>
<th>Options</th>
<th>Happiness</th>
<th>Unhappiness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action A</td>
<td>20 units</td>
<td>8 units</td>
</tr>
<tr>
<td>Action B</td>
<td>15 units</td>
<td>4 units</td>
</tr>
<tr>
<td><strong>Action C</strong></td>
<td><strong>15 units</strong></td>
<td><strong>2 units</strong></td>
</tr>
</tbody>
</table>

C    A    B
Total 13 > 12 > 11

The right action is C.
The basic moral principle of utilitarianism can also be used to evaluate social and political institutions.

Are institutions arranged so as to produce the greatest balance of happiness over unhappiness?

Yes  No

These institutions are just. These institutions are unjust.
Rawls's criticism against utilitarianism

Happiness > Happiness

- Slavery
- Some other system of extreme economic inequalities

These institutions are unjust!

Utilitarianism

 condones or even commands

We

(Rawls 1999, 24–23; Rawls 2001,100)
3. Rawls's ‘two principles of justice’

First Principle: Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.

Second Principle: Social and economic inequalities are to satisfy two conditions: (a) they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; (b) they are to be to the greatest benefit of the least-advantaged members of society (the difference principle) (Rawls 2001, 42–43).
The first principle

It affirms for all citizens basic rights and liberties.

1. Political liberties
   (the rights to vote, to hold a public office etc.)
2. Liberty of conscience
3. Freedom of association
4. Freedom of speech
5. Freedom of movement
6. Free choice of occupation etc.
The second principle

(a) The first condition: It requires that citizens with the same talents and willingness to use them should have the same educational and economic opportunities regardless of whether they were born rich or poor.

(b) The second condition (the difference principle): It requires that social institutions should be arranged so that the inequalities of wealth and income work to the advantage of those who will be the worst off.
Which economy does the difference principle select?

(quoted from Wener 2008, ch. 4, sec. 3)

→The difference principle selects Economy C
The two principles of justice never condone slavery or some other system of extreme economic inequalities.

→ Slavery violates The first principle

→ Extreme economic inequality violates The second principle
4. Is Rawls's criticism correct?
Consider the claim that slavery for minorities might produce the greatest balance of happiness over unhappiness and therefore utilitarianism would condone it.

This claim is implausible.

Slavery

Any alternative

Happiness

? > ? (Happiness)

Happiness

(cf. Lyons 1989; Shaw 2006, 205 – 206)
Critics have not answered these questions asked by R. M. Hare

- How could it come about that the existence of a small number of slaves was necessary in order to preserve the happiness of the rest?

- What on earth are the slaves doing that could not be more efficiently done by paid labour? (Hare 1979, 110-111)
Critics have no evidence to suggest that utilitarianism would condone slavery.

Utilitarianism condemns slavery.

A study of history and other factual observation will show:

- Slavery < Happiness
- Any alternative > Happiness
How about the claim that utilitarianism would condone some system of extreme economic inequalities?

This claim is also implausible.

There are two utilitarian arguments for equal distribution:

- The first is based on the law of diminishing marginal utility.
- The second is based on the fact that inequality has a tendency to produce envy (Hare 1991, 126-127).
The law of diminishing marginal utility

Poor person

Happiness (Utility)

Rich person

Happiness
Happiness

Poor person

Reducing inequalities

Happiness

Rich person

Preserving inequalities

Happiness
Envy is a disagreeable state of mind and leads people to do disagreeable things.

Utilitarianism requires that extreme inequalities should be reduced in order to remove the envy of poor people.
Based on these two arguments, we can say that:

A system of extreme economic inequalities  \( \succ \) Any alternative

Happiness

Utilitarianism condemns such a system.
Utilitarianism never condones slavery or some other system of extreme economic inequalities.

Rawls's criticism against utilitarianism is incorrect.
5. A flaw in Rawls's theory

Needs of citizens

- Basic rights
- Wealth
(‘Primary Goods’)

Citizens \(\rightarrow\) Development of two moral powers
(Rawls 2001, 57)

Two moral powers
1. The capacity to understand, to apply and to act from two principles of justice
2. The capacity to have, to revise and rationally to pursue a conception of good (an end of life)
(Rawls 2001, 18 – 19)
The basic rights and wealth are needs of citizens, who have these two moral powers and can develop such powers with these goods.
How about those with such severe disabilities that cannot have and develop the two moral powers?

→ They cannot develop their two moral powers, even if ‘primary goods’ are distributed to them.

(cf. Nussbaum 2006, ch. 2; Stein 2006, 116—117)
Violating the basic rights of the disabled or not aiding the disabled poor is not wrong, because the basic rights and wealth are not needs of disabled people.

- Laws that permit us to violate the basic rights of disabled
- Public institutions that will not aid the disabled poor

These institutions are unjust!
"I take it as obvious, and accepted by common sense, that we have a duty towards all human beings, however seriously handicapped" (Rawls 2001, 176n).

Common sense says that we should not violate the basic rights of the disabled and should aid the disabled poor.

However...

His theory cannot provide any justification for this ‘common sense’.
6. An advantage of utilitarianism

Utilitarianism can provide justifications for this ‘common sense’.

- Immoral actions against the disabled
- e.g. resentment, fear, anger

Disagreeable feelings

Disabled people

Unhappy

(Stein 2006, 233 – 235)
Immoral actions against the disabled make non-disabled people unhappy.

Disagreeable feelings

Families and intimates of disabled people

They are potentially disabled.

Those who are not families and intimates of disabled people

Anxious about being a potential victim of such actions

(Stein 2006, 235–236)
Immoral actions against the disabled tend to increase the unhappiness of both disabled and non-disabled people.

- Violating the basic rights of the disabled
- Not aiding the disabled poor

The greatest balance of happiness over unhappiness

Wrong

In this way, utilitarianism can provide good reasons why immoral actions against the disabled are impermissible.
- Laws that permit us to violate the basic rights of disabled
- Public institutions that will not aid the disabled poor

Utilitarianism \(\rightarrow\) Rawls's theory

There is an advantage of utilitarianism against Rawls's theory on this point.
Conclusion

The argument so far demonstrates that:
1. Rawls's criticism against utilitarianism is incorrect: utilitarianism never condones slavery or some other system of extreme economic inequalities.
2. Rawls's theory cannot provide good reasons why immoral action against the disabled are impermissible; on the contrary, utilitarianism can provide such reasons.

We can conclude that utilitarianism provides a more reliable standard by which to evaluate social and political institutions than does Rawls's theory.
References


