

# *Arguments Against Utilitarianism*

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## **FIVE STEPS:**

1. Identify what is intrinsically good—valuable in and of itself, and worth having for its own sake.
2. Next, identify what is intrinsically bad (i.e., bad all by itself).
3. Then determine all your options. Which actions are open to you at the moment?
4. For each option, determine the value of its results. How much intrinsic good does it produce and how much intrinsic bad does it produce?
5. Finally, pick the action that yields the greatest net balance of good over bad. That is the optimistic choice and (according to consequentialism) that is your moral duty. Doing anything else is immoral.

**ACT UTILITARIANISM:** *An action is morally required (or good) just because it does more to improve overall happiness than any other action you could have done in the circumstances.*

## **1 Counterexamples**

Some claims are **universal**: they say that everything (sometimes within a particular class or grouping) has a feature or characteristic.

### **Examples:**

- All swans are white.
- Every whole number that is divisible only by itself is prime.
- The wears a shirt with birds on it every Wednesday.
- No carpenters live in Los Angeles.
- Nothing good comes easy.
- Nothing hydrates you as effectively as water.

**Question:** Why are there ‘no’ and ‘nothing’ statements on this list?

**ACT UTILITARIANISM (REPHRASED):** *All morally required actions do more to improve overall happiness than any other action you could have done in the circumstances.*

A **counterexample** is an example of something that proves a **universal** claim false.

## 2 Counterexamples involving impartiality

**GRANDMA:** You are at a street corner. You notice there are two old people there: your grandma and another woman. You can see they'll both have difficulty crossing the street in time, but they're going in different directions, so you can't help them both.

What can the utilitarian say here?

**GRANDMA (REVISED):** You are at a street corner. You notice there are two old people there: your grandma and another woman. Your grandma has Alzheimer's and doesn't remember who you are, so she won't get any additional pleasure. Additionally, the other old lady offers you \$50 dollars to cross the street. You can see they'll both have difficulty crossing the street in time, but they're going in different directions, so you can't help them both.

**Discussion questions:** (i) Who do you think you should help in this situation? (ii) What would the act utilitarian say you should do here?

## 3 Counterexamples involving justice

Let's reconsider the **mismatched trolley case** from last time.

**MISMATCHED TROLLEY:** Jane is at a place where a trolley's tracks split. Jane also sees a switch that controls which set of tracks the trolley will go on. On the **left set** of tracks, she notices five people are tied down. On the **right set** of tracks, one person is tied down. A trolley is coming, and Jane does not have time to untie anyone. Unbeknownst to Jane, the switch is labeled incorrectly. It's currently set to go on the **right set** of tracks even though the label says it's set to go down the **left set** of tracks. Jane pulls the switch, and as a result, five people get run over by the trolley.

**Discussion question:** Last time, we said that many act utilitarians would say that Jane's action is wrong, but that she shouldn't be punished for it. When would an act utilitarian say someone should be punished?

RSL<sup>1</sup> highlights two kinds of punishment: **vicarious punishment** and **exemplary punishment**. These are both kinds of punishment where the individual being punished is innocent.

An example of **vicarious punishment** would be one where the innocent relative of a terrorist is captured and threatened to be tortured if the terrorist doesn't turn himself in.

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<sup>1</sup> Russ Shafer-Landau

An example of **exemplary punishment** is one where someone is punished as an example. RSL uses the following example:

**GUERRILLAS:** “[I]n E. L. Doctorow’s *The March* [is] a fictionalized account of [General] Sherman’s 1864 march to the sea. At one point in his campaign, Southern guerrillas captured, tortured, and killed some of Sherman’s soldiers while his army was encamped. How to prevent such attacks in the future? Sherman had the Southern prisoners of war in his camp brought before him. He selected one at random. Then he had the many publicly shot, and announced that he’d repeat the exercise in case of future guerilla attacks.”

Along similar lines, we should consider the bombing of Hiroshima and Nagasaki.

**HIROSHIMA AND NAGASAKI:** “On August 6, 1945, at approximately 8:15 a.m. locally, the B-29 bomber *Enola Gay* dropped the atomic bomb 'Little Boy' on the Japanese city of Hiroshima. On the ground, the city was alive with morning activity when the bomb detonated in a blinding explosion. As many as 70,000 people were killed instantly. Those who survived the initial blast were hit with a powerful shockwave that leveled nearly every structure within a mile of the impact. It was followed by intense heat that created a firestorm that engulfed the city and claimed even more lives. Later that day, President Harry Truman informed the American people of the U.S. military’s use of this new form of weaponry and threatened future bombings if Japan did not surrender unconditionally as outlined in the July 26, 1945, Potsdam Declaration. After Japan failed to act, the United States dropped a second atomic bomb, 'Fat Man,' over the city of Nagasaki on the morning of August 9. Another 35-40,000 people perished. Soviet forces also invaded Japanese-occupied Manchuria in China that day, further crippling the Japanese military. The exact death toll of the Hiroshima and Nagasaki bombings is impossible to know. At least 100,000 deaths directly resulted from the attacks. A minimum of another 100,000 people also died from illnesses caused by radiation exposure in the weeks, months, and decades that followed.

**Discussion question:** The alleged justification for bombing Hiroshima and Nagasaki was that it would save more people than it killed by ending the war. Allegedly, it would save not just Americans but also many Japanese people. Suppose this is right. Does act utilitarianism justify the bombing of Hiroshima and Nagasaki?

### 3 The strongest possible counterexamples

**ORGAN DONOR:** Dr. Robert has 6 patients. One patient needs a kidney transplant, one needs a heart transplant, one needs a liver transplant, one needs a pancreas transplant, one needs a lung transplant, and one is perfectly healthy. The perfectly healthy patient is a compatible organ donor for all the unhealthy patients. So, Dr. Robert euthanizes the healthy patient and transplants his organs into the other five patients, saving their lives.

**Discussion question:** Did Dr. Robert do something immoral? If he did, how is what he did any different from the Trolley Problem?

**INNOCENT BUT ANNOYING:** Jane and John live in a small town. Pretty much everyone in this town *hates* John. He isn't really immoral; everyone in this small town finds John irrationally annoying. John ends up getting accused of murder and brought to trial. Everyone in this small town would be elated if John were sent to prison. Jane, however, witnessed the murder and knows that John didn't do it.

**Discussion question:** Should Jane testify that John didn't commit the murder?

**THE HAPPINESS MONSTER:** An evil scientist creates a monster that eats humans. The evil scientist designed the monster so that the pleasure the monster experiences from eating humans is so great that it overwhelms the total amount of pleasure or pain that could possibly be experienced by all human beings on earth.

**Discussion question:** If act utilitarianism is true, should we feed everyone to the pleasure monster?