

UC Berkeley

ISUS-X, Tenth Conference of the International Society for Utilitarian Studies

Title

"Amartya Sen's Misleading Conception of Utilitarianism"

Permalink

<https://escholarship.org/uc/item/2jw5z4f1>

Author

Benicourt, Emmanuelle

Publication Date

2008-08-25

Amartya Sen's misleading conception of utilitarianism

Emmanuelle Benicourt
(E.H.E.S.S., Paris, France)

Abstract :

Amartya Sen has become one of the most popular authors on the relationship between ethics and economics. This is a double-edged sword for utilitarians. He has contributed to the contemporary revival of interest in ethics (which is excellent) but, as our paper shows, he criticises not the doctrine itself (as taught by Mill and Sidgwick) but some widespread caricatures of it.

A first wrong idea (widespread among economists) is that, after Henry Sidgwick utilitarians adopted “desire-fulfilment” as the *supreme end* of life, as their *ultimate criterion* of right and wrong. We show, with ample quotations, that this doctrine (called “modern” utilitarianism by Sen, and so many others), was systematically rejected, not only by Mill but also by Sidgwick.

A second wrong idea that Sen has about utilitarians is that, for them, *freedom* and other *rights* have no ‘intrinsic’ value. By insisting on the ‘instrumental’ value of rights and freedoms, utilitarians are said to ‘neglect’ their importance. By referring to their actual words, we show that, for utilitarians, most rights and freedoms are a pleasure *in themselves* and not only *in the consequences they produce*.

Introduction:

Throughout his works and presentations of the capability approach, Sen has repeatedly criticised utilitarianism. When he presented the capability concept in a conference at Stanford university in May 1979, Sen criticized three conceptions of equality (« utilitarian equality », « total utility equality » and « rawlsian equality ») and proposed an alternative in terms of capabilities : « what is missing in all this framework is some notion of ‘basic capabilities’: a person being able to do certain basic things » (Sen 1979, p. 367). Amartya Sen thus first presented his approach (in terms of basic capabilities) as able to overcome the limitations of what he considers to be the rawlsian and utilitarian approaches of equality.

A few years later, Sen reiterates a double criticism. In « Poor, Relatively Speaking », Sen explains that « the commodity ownership or availability itself is not the right focus since it does not tell us what the person can, in fact, do. (...) On the other hand, while utility reflects the use of the bike, it does not concentrate on the use itself, but on the mental reaction to that use » (Sen 1983, p. 160). Sen thus criticises two different approaches :

- 1) those that focus on the “means” of well-being and not on the well-being achieved by individuals through these means (i.e. equal means in well-being may not lead to the equality in achieved well-being, since individuals differ in body size, metabolic rates, social environments etc.), and
- 2) those who rely on “utility”. These concentrate on the mental reactions of individuals and not on the effective or objective well-being they achieve (i.e. poor and oppressed people may have learned to be satisfied with their lot).

Sen’s alternative, in terms of capabilities, therefore aims at overcoming the limitations of these approaches.

In this presentation, I will concentrate on his conception and criticisms of utilitarianism, a current presented by Sen as both the incarnation of the standard conception of well-being (*welfarism*) in economics, and as a long standing ethical current. It constitutes undeniably one of his main “adversaries”. In this perspective, I will show that Sen’s presentation of utilitarianism is misleading and that, consequently, his criticisms are irrelevant.

I. An improper conception of utilitarianism and of utility

When Sen defines utilitarianism, he very often divides it into three distinct components. He writes, for example : “Utilitarianism as a moral principle can be seen to be a combination of three more elementary requirements :

- 1) ‘*welfarism*’, requiring that the goodness of a state of affairs be a function only of the utility information regarding that state
- 2) ‘*sum-ranking*’, requiring that utility information regarding any state be assessed by looking only at the sum-total of all utilities in that state;
- 3) ‘*consequentialism*’, requiring that every choice, whether of actions, institutions, motivations, rules, etc., be ultimately determined by the goodness of the consequent states of affairs.” (Sen, 1987, p. 39)

Sen’s criticisms to utilitarianism are diverse and cover all three components. Yet they are particularly severe concerning what he calls ‘welfarism’, the criterion according to which states of affairs are (according to Sen) assessed in the utilitarian approaches.

1) Classical and modern utilitarianism according to Sen

There nowadays exists a widely held opinion according to which there are two kinds, or versions, of utilitarianism: one would have retained “happiness” as the criterion of right and wrong and the other “desire-fulfilment”.

Sen seems to subscribe to this wide-held opinion: he considers that utility (the ethical criterion of utilitarians) varies according to the kind or version of utilitarianism under consideration. Thus he writes: “There are various ways of defining utility (such as happiness, pleasure or desire-fulfilment) in distinct versions of utilitarianism” (Sen, 1992, foot note 15 p. 43).

Or again, in *Development as Freedom*, Sen writes: “ In utilitarianism’s classical form, as developed particularly by Jeremy Bentham, utility is defined as pleasure, or happiness, or satisfaction. (...) In modern forms of utilitarianism, the content of ‘utility’ is often seen differently: not as pleasure, satisfaction or happiness, but as the fulfilment of desire, or as some kind of representation of a person’s choice behaviour” (Sen, 1999, pp. 56-57)

The same idea can already be found in *Commodities and Capabilities*, where Sen asserts: “The term utility does, of course, have meanings of its own, defined by utilitarians. (...) This took the form of seeing utility as *satisfaction or happiness* (in line with classical utilitarianism), or as *desire-fulfilment* (in line with much more modern utilitarianism).” (Sen, 1985, p. 2).

According to Sen, the version he calls “classical” stems from Jeremy Bentham¹ and was continued by authors such as Edgeworth, Marshall and Pigou : “ The happiness view (...) has been extensively used in economics by such authors as Edgeworth (1881), Marshall (1890) and Pigou (1920)” (Sen, 1985, foot note 1 p. 17). But, if Pigou is presented as having embraced the ‘happiness’ criterion, he is also presented by Sen as having adopted the other criterion, that of ‘satisfaction’. (Sen, 1985, foot note 4 p. 2). This seems to coincide with Sen’s belief that the authors who prolonged Bentham’s approach use both terms as synonyms, in an interchangeable manner.

As for the ‘modern’ version, retaining desire-fulfilment as the criterion, it would go back to Sidgwick (Sen, 1985, foot note 3p. 2), and would have been continued by authors such as Ramsey, Harsanyi, Hare, and Mirrlees.(Sen, 1985, foot note 1p17).

In Sen’s opinion then, utility has different meanings, according to the trend of utilitarianism which is considered. In “classical utilitarianism”, utility is a synonym for happiness, pleasure or satisfaction; whereas in “modern utilitarianism”, utility is a synonym for desire-

¹ “ Bentham (1789) provided the classic statement of this classical position” (Sen, 1985, note2 p2)

fulfilment. Sen thus considers “classical” utilitarianism as an ethical doctrine which judges a state of affairs according to the amount of general happiness (or total satisfaction) that results, and which considers that an action (rule, institution, etc.) is good or evil according to its consequences on general happiness (or total satisfaction). The other trend, “modern” utilitarianism, judges a state of affairs (situation) according to the mass of desires that are satisfied or quenched (the value of different desires depending on their respective intensity or strength of the urge).

2) Quoting the sources: do the great utilitarian writers really hold the views Sen attributes to them ?

- **Utilitarianism according to Jeremy Bentham:**

Jeremy Bentham expressed his position very clearly in his works. He retains only one ethical criterion, that of the “happiness of the community”. In the famous sentences, so often quoted, at the beginning of *An introduction to the principles of morals and legislation*, Bentham says : “ By principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the *happiness* of the party whose interest is in question. (...) An action may then be said to be conformable to the principle of utility, or, for shortness sake, to utility, (meaning with respect to the community at large) when the tendency it has to augment the *happiness* of the community is greater than any it has to diminish it” (Bentham, 1789, pp. 11-13).

There is no reference here to ‘satisfaction’. The same can be said concerning the definition Bentham gives of the term ‘utility’ : “ By utility is meant that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness (all this in the present case comes to the same thing), or (what comes again to the same thing) to prevent the happening of mischief, pain, evil, or unhappiness ” (Bentham, 1789, p. 12). Happiness, this complex notion, is likewise defined independently of satisfaction: “What happiness consists of, we have already seen : enjoyments of pleasures, security from pains. ” (Bentham, 1789, p74).

It is thus peculiar that Sen should believe that Bentham also retains “satisfaction”, and not only “happiness”, as his ethical criterion. It may be said that, in one of its acceptations, the word “satisfaction” can be considered as a synonym of happiness, but the word is nonetheless absent from the definitions given by Bentham.

- **Utilitarianism according to Henry Sidgwick:**

According to Sen, Sidgwick considers “desire fulfilment” as the ultimate criterion of utilitarianism. However, upon reading Henry Sidgwick we see that when he gives a definition of utilitarianism, like Bentham, he does not at all speak of “desire fulfilment”, nor of “satisfaction”. In *The Methods of Ethics*, he writes : “ By Utilitarianism is here meant the ethical theory, that the conduct which, under any given circumstances, is objectively right, is that which will produce the greatest amount of happiness on the whole ; that is, taking into account all whose happiness is affected by the conduct.” (Sidgwick, 1907, p. 411). And in his lecture “Utilitarianism” , Sidgwick says : “By Utilitarianism I mean the ethical theory that the externally or objectively right conduct, under any circumstances, is such conduct as tends to produce the greatest possible happiness to the greatest possible number of all whose interest are affected” (Sidgwick, 2000, p. 253)

Sidgwick might, however, have considered satisfaction of desires to be synonymous to happiness. Nothing of the sort, as Sidgwick explicitly refers, on this matter, to Bentham : “ [The term Happiness] seems, indeed, to be commonly used in Bentham’s way as convertible with

Pleasure, - or rather as denoting that of which the constituents are pleasures; - and *it is in this sense that I think it most convenient to use it*. Sometimes, however, in ordinary discourse, the term is rather employed to denote a particular kind of agreeable consciousness, which is distinguished from and even contrasted with definite specific pleasures – such as the gratifications of sensual appetite or other keen and vehement desires” (Sidgwick, 1907, p. 92, emphasis added)². Sidgwick here clearly embraces Bentham’s definition of Happiness, but moreover, contrasts this meaning with the “common” one that he does not retain.

Again in *The Methods of Ethics*, Sidgwick asserts : “ In the common notions of ‘interest’, ‘happiness’, etc. there is a certain amount of ambiguity : so that in order to fit these terms for the purposes of scientific discussion, we must, while retaining the main part of their signification, endeavour to make it more precise. In my judgement this result is attained if by ‘greatest possible Happiness’ we understand the greatest attainable surplus of pleasure over pain ; the two terms being used, with equally comprehensive meanings, to include respectively all kinds of agreeable and disagreeable feelings ” (Sidgwick, 1907, pp. 120-121). There is, in Sidgwick’s definitions, no mention of ‘desires’ and of their ‘fulfilment’ (or of ‘satisfaction’).

- **Utilitarianism according to John Stuart Mill:**

Both Bentham and Sidgwick retain the same ethical criterion : happiness. All the same for another famous utilitarian author, John Stuart Mill. In the second chapter – titled “What utilitarianism is” – of his essay *Utilitarianism*, Mill gives a very clear definition. He first gives the ethical criterion which defines this doctrine (the greatest happiness) and then explains what this criterion means : “ actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure.” (Mill, 1861, p137). By “ Greatest Happiness Principle ”, Mill does not mean that the greatest happiness of any given individual, but – as for Bentham and Sidgwick – for the community: “ the utilitarian standard (...) is not the agent’s own greatest happiness, but the greatest amount of happiness altogether.” (Mill, 1861, p142)

Bentham, Sidgwick and Mill therefore adopt the same ethical criterion, and they use the same word to designate it : happiness : “happiness of the community”, “the greatest amount of happiness on the whole” , “the Greatest Happiness Principle”. The term happiness also seems to have the same signification for all three authors, namely, pleasure and the absence of pain. One can therefore wonder why Amartya Sen asserts there are different trends in the utilitarian doctrine. Why does Sen link the utilitarian doctrine with the criterion of “maximisation of satisfaction”, which cannot be found in the authors of reference?

The ambiguity which reigns concerning the trends of the utilitarian doctrine may come from a confusion between two distinct notions : happiness and satisfaction, which refer to two different conceptions of the utility concept.

3) Utility : a positive assumption and a normative criterion.

Sen seems to distinguish *satisfaction* from *desire-fulfillment*, since they are supposed to constitute two currents of utilitarianism. Yet, the word “satisfaction” has two different (and in appearance close) meanings, whose confusion can explain Sen’s misinterpretation of Sidgwick’s words.

In the Merriam Webster’s unabridged dictionary satisfaction is defined as “(2a): a complete fulfilment of a need or want: [the] attainment of a desired end” or as “ (2b): the quality

² In a foot note, Sidgwick adds : “By most English writers, “Happiness” is definitely conceived as consisting of “Pleasures” or “Enjoyments”” (Sidgwick, 1907, note2 p92)

or state of being satisfied: contentment, pleasure” (2b). Thus, the term satisfaction can be used as a synonym of both desire-fulfilment and of happiness. Yet, in the first acceptation, the mental state is preceded by a desire or a want, whereas on the second one, it means any enjoyable mental state.

Sen seems to use the word “satisfaction” as a synonym of “happiness”. Yet, he also asserts that some economists (as Cecil Pigou, considered as the founding father of welfare economics) have embraced the satisfaction approach, and that it coincides with the “intensities of desires” (Sen, 1985, p. 2). Sen’s use of the word ‘satisfaction’ thus leads to confusion. As we have seen, desire-fulfilment (i.e. satisfaction’s first meaning) has never been considered as the utilitarian ethical criterion by the great authors of this school (be it Bentham, Sidgwick or Mill). In fact, it seems that Sen confuses two distinct theoretical statutes of utility : utility as a positive assumption and utility as a normative criterion.

This can be observed by examining the opinions Sen attributes to Pigou. Sen writes: “Utilitarian economists have traditionally taken the ‘satisfaction’ view of utility, and have often claimed empirically that this would tend to coincide with the interpretation of ‘intensity of desire’ –what Pigou called ‘desiredness’.” (Sen, 1985, note 2 p. 2). Sen thus asserts, using this citation, that ‘empirically’, satisfaction will tend to coincide with ‘desiredness’³.

The matter at stake here is to know in what sense Pigou assimilates utility with satisfaction. He clearly says that he does this in a positive perspective, i.e. to study and describe *what is*. As to what *should be* (normative), Pigou explicitly explains that satisfaction does not constitute an ethical criterion:

“Some sorts of satisfactions are in their nature better than others, and that quite irrespective of whether or not they entail dissatisfactions later on. If this is right, a situation containing more satisfaction is not necessarily “better” than one containing less. For the present purpose, I propose to make welfare refer to satisfactions, not goodness, thus leaving it possible that in certain circumstances, a government “ought” – granted that it “ought” to promote goodness – to foster a situation embodying less welfare (but more goodness) in preference to one embodying more welfare” (Pigou, 1952, p. 846). It is clear then that Pigou did not consider satisfaction (nor desiredness) as an ethical criterion⁴.

Sen’s lack of precision may be explained by his confusion between the term “utility” as used by economists (a working hypothesis to describe what is, and often assimilated with satisfaction) with the term “utility” (a normative criterion defined as general happiness) used by philosophers subscribing to the utilitarian ethical doctrine. We have just seen that Sen conception of the utilitarian doctrine is erroneous and misleading. Let’s now examine the relevance of his critiques to the utilitarian approach.

II. The relevance of Sen’s critiques?

³ Several observations can here be made. First, Pigou’s words are not those which Amartya Sen claims he wrote. On the contrary, Pigou asserted that: “the money which a person is prepared to offer for a thing measures directly, not the satisfaction he will get from the thing, but the intensity of desire for it. This distinction, obvious when stated, has been somewhat obscured by English speaking students by the employment of the term utility – which naturally carries an association with satisfaction – to represent intensity of desire. Thus, when one thing is desired by a person more keenly than another, it is said to possess a greater utility to that person. Several writers have endeavoured to get rid of the confusion which this use of words generates by substituting for ‘utility’ in the above sense some other term, such, for example, as ‘desirability’. The term ‘desiredness’ seems, however, to be preferable, because, since *it cannot be taken to have any ethical implication*, it is less ambiguous. I shall myself employ that term.” (Pigou, 1952, p. 23, emphasis added). Thus, Pigou does not make the confusion between the terms ‘utility’, ‘satisfaction’ and ‘desiredness’. Furthermore, his choice for using the term “desiredness” is based on the will to clearly distinguish the economic approach (which is supposed to *describe* how the market works) from the ethical approach, and therefore, from utilitarianism (which attempts to approve or disapprove of how it works).

⁴ One would still have to study what Pigou considered as ‘goodness’ to know whether he subscribed to the utilitarian criterion of general happiness

Sen's critique of the utilitarian criterion is particularly developed in *Commodities and Capabilities* (1985). However, contrary to what he does in other texts, he divides objections into two distinct elements which he calls “*physical condition neglect*” and “*valuation neglect*” :

“ Both views of utility [i.e. happiness and desire-fulfilment] have the twin characteristic of (1) being fully grounded on the mental attitude of the person, and (2) avoiding any direct reference to the person's own valuational exercise – the mental activity of valuing one kind of life rather than another. The former I shall call ‘physical-condition neglect’ and the latter ‘valuation neglect’ ” (Sen, 1985, p21).

1) Physical condition neglect

- **A brief presentation**

When Sen presents what he calls “physical condition neglect”, he asserts : “ A person who is ill-fed, undernourished, unsheltered and ill can still be high up in the scale of happiness or desire-fulfillment if he or she has learned to have ‘realistic’ desires and to take pleasure in small mercies. The physical conditions of a person do not enter the view of well-being seen entirely in terms of happiness or desire-fulfillment, except insofar as they are indirectly covered by the mental attitude of happiness or desire. ” (Sen, 1985, p21).

In *On Ethics and Economics*, he equally explains : “ To judge the well-being of a person exclusively in the metric of happiness or desire-fulfillment has some obvious limitations. These limitations are particularly damaging in the context of interpersonal comparisons of well-being, since the extent of happiness reflects what one can expect and how the social ‘deal’ seems in comparison with that. A person who has had a life of misfortune, with very little opportunities, and rather little hope, may be more easily reconciled to deprivations than others reared in more fortunate and affluent circumstances. The metric of happiness may, therefore, distort the extent of deprivation, in a specific and biased way. The hopeless beggar, the precarious landless laborer, the dominated housewife, the hardened unemployed or the over-exhausted coolie may all take pleasures in small mercies, and manage to suppress intense suffering for the necessity of continuing survival ” (Sen, 1987, p46)⁵ .

First, the word ‘physical’ seems to refer not only to the physical conditions (‘physiological’) of individuals (‘ill-fed, under-nourished, or ill’) but also to the material conditions in which he or she might be (unsheltered), and to all possible economic and social conditions in which the individuals are living. The critique thus consists in asserting that an evaluation which relies on a mental state (happiness or desire-fulfillment) can hide the (physical, material, economic or social) state of deprivation of the individuals under consideration. By using the term ‘neglect’, Sen implies that utilitarian approaches do not sufficiently take into account the living conditions of individuals – since they are only taken into account indirectly, through their repercussions on the mental state of the individuals. Yet, Sen asserts that a person living in an

⁵ Again in *Development as Freedom* (1999), it is said: “ Concentrating exclusively on mental characteristics (such as pleasure, happiness, or desires) can be particularly restrictive when making interpersonal comparisons of well-being and deprivation. Our desires and pleasure-taking abilities adjust to circumstances, especially to make life bearable in adverse situations. The utility calculus can be deeply unfair to those who are persistently deprived: for example, the usual underdogs in stratified societies, perennially oppressed minorities in intolerant communities, traditionally precarious sharecroppers living in a world of uncertainty, routinely overworked sweatshop employees in exploitative economic arrangements, hopelessly subdued housewives in severely sexist cultures. The deprived people tend to come to terms with their deprivation because of the sheer necessity of survival, and they may, as a result, lack the courage to demand any radical change, and may even adjust their desires and expectations to what they unambitiously see as feasible. The mental metric of pleasure or desire is just too malleable to be a firm guide to deprivation and advantage ” (Sen, 1999, p62-63). Or again : “ This mental metric is subject to distortions brought about by psychological adjustment to persistent deprivation. This is indeed a major limitation of the reliance on the subjectivism of mental metrics such as pleasures or desires. ” (Sen, 1999, p67).

extreme state of deprivation can (undernourished, unsheltered, etc...) could still be very happy if he or she has learned to adapt to the situation. Sen here states a basic psychological characteristic, i.e. that individuals get used to their situation or that nothing is eternally painful.

This adaptation is however possible only if certain conditions are respected. Sen invokes education or a certain form of training (one has to learn to “come to terms with their deprivation”, or to “adjust their desires and expectations to what they see as feasible”).

- **Tranquility, security and the conditions of happiness**

A close examination of the writings of classical utilitarian authors shows that Sen’s critique relies on a simplistic interpretation of their words. Indeed, in chapter 6 of the *Introduction to the Principles of Morals and Legislation*, which Jeremy Bentham dedicates to the analysis of the circumstances which influence sensibility (i.e. the capacity to feel happiness), he specifies that “pain and pleasure are produced in men’s minds by the action of certain causes. But the quantity of pleasure and pain runs not uniformly in proportion to the cause” . The rest of his words is, then, dedicated to establishing a ‘catalogue’ of 32 general circumstances which should be taken into account when analyzing pleasures and pains (e.g. health, sex, age, rank, government...).

John Stuart Mill also dealt with the conditions of happiness, namely when he treats of security. In *Utilitarianism*, he for instance writes: “but security no human being can possibly do without; on it we depend for our immunity from evil, and for the whole value of every good, beyond the passing moment; since nothing but the gratification of the instant could be of any worth to us, if we could be deprived of everything the next instant by whoever was momentarily stronger than ourselves” (Mill, 1861, p.190).

Adam Smith also tackled this problem. In *The Theory of Moral Sentiments*, he seems to assert the same thing as Amartya Sen, namely that individuals can feel happy in any kind of situation (Smith, 1790, pp. 148-149). However, when he aims at explaining why it is so, he introduces an essential notion : tranquility. For him, tranquility is a condition for happiness : “Happiness consists in tranquility and enjoyment. Without tranquility there can be no enjoyment; and where there is perfect tranquility there is scarce any thing which is not capable of amusing. But in every permanent situation, where there is no expectation of change, the mind of every man, in a longer or shorter time, returns to its natural and usual state of tranquility. (...) In the misfortunes for which the nature of things admits, or seems to admit, of a remedy, but in which the means of applying that remedy are not within the reach of the sufferer, his vain and fruitless attempts to restore himself to his former situation, his continual anxiety for their success, his repeated disappointments upon their miscarriage, are what chiefly hinder him from resuming his natural tranquility” (Smith, 1790, pp. 149-151). But, even though many people can get used to their own material and physical deprivation, it is often much more difficult to get used to that of our children and our loved ones. This is a very important way in which physical condition influences happiness; not as much our own condition as that of those we love.

The importance utilitarians attach to tranquility, or security, as basic conditions for happiness, therefore induce a requalification of the relevance of Sen’s words. Poor people are often those who are repeatedly affected by diverse calamities. How can one be happy if every day is dedicated to searching food for survival, if one does not have access to the medication necessary for recovering health, or if childbirth can lead to the death of the mother or of the child? Which woman can assert that she is happy when she fears each day to be beaten up and abused by her husband? No one can assert that the individuals that Amartya Sen speaks of as the

“the hopeless beggar, the precarious landless laborer, the dominated housewife, the hardened unemployed or the over-exhausted coolie” are in a state of tranquility, necessary for happiness.

Sen’s critiques therefore leads to misunderstand utilitarianism – and a careful reading of the classical utilitarians shows that they give much more importance to material conditions than what Sen suggests.

2) Valuation neglect

- **Presentation of Sen’s critique**

According to Sen, utilitarianism’s “physical condition neglect” is reinforced by its “valuation neglect” : “a person’s own valuational exercise – the mental activity of valuing one kind of life rather than another.” (Sen, 1985, p. 21). When he develops his critique, Sen distinguishes the value attributed to objects from the desire one may have :

“Valuing is not the same thing as desiring, and the strength of desire is influenced by considerations of realism in one’s circumstances. Nor is valuing invariably reflected by the amount of pain if the valued object is not obtained. Considerations of ‘feasibility’ and of ‘practical possibility’ enter into what we dare to desire and what we are pained not to get. Our mental reactions to what we are pained not to get and what we can sensibly expect to get may frequently involve compromises with a harsh reality.” (Sen, 1985, p21-22). Or again, he asserts : “If ‘being happy with’ or ‘desiring’ were the same thing as valuing, then, [in comparing two states], being ‘happier’ or having ‘more desires fulfilled’ would have then been indistinguishable from being in a more valued state of being. Valuation is a reflective activity in a way that ‘being happy’ or ‘desiring’ need not be.” (Sen, 1985, p29-30).

Sen here seems to imply that the valuation of a life relies on reflection or thought, whereas happiness or desire-fulfilment depend on feelings or sensitivity. He indeed asserts : “The utility approach tries to avoid the valuation issue by simply identifying valuation with utility in the form of happiness or desire-fulfilment” (Sen, 1985, p. 30).

In *Development as Freedom*, his argument is quite different. Sen indeed considers that the utilitarian approach relies on some kind of evaluation, and criticises the (excessively simple) nature of the implied “reflective activity”. He writes: “To insist that there should be only one homogenous magnitude that we value is to reduce drastically the range of our evaluative reasoning. It is not, for example, to the credit of classical utilitarianism that it values only pleasure, without taking any direct interest in freedom, rights, creativity or actual living conditions. To insist on the mechanical comfort or having just one homogenous “good thing” would be to deny our humanity of reasoning creatures.” (Sen 1999, p. 77).

The “valuation neglect” critique that Sen develops thus amounts to rejecting, in the ethical domain, monist approaches which retain one ultimate standard⁶. Sen departs from the utilitarian doctrine because he refuses to reduce well-being to one homogenous magnitude. He indeed considers that the utilitarian position comes down to denying the “humanity of reasoning creatures”. Before examining the problems raised by a pluralistic approach in ethics, a first clarification can be done.

- **Clarifying the utilitarian approach**

When utilitarian philosophers explain their doctrine, and particularly when they treat of the difference between the “satisfaction of desires” and “general happiness”, they explain that in their perspective, the supreme end is not to quench all desires but to assess (evaluate) them with the utilitarian standard of collective happiness. This assessment enables each person to distinguish between desires that deserve to be satisfied (according to the utilitarian doctrine) and those that should be repressed.

⁶ As to economic analysis (i.e. positive economic analysis), this comes down to rejecting approaches which consider that individuals chose the commodity basket which maximise their utility (satisfaction or desire-fulfilment).

As Hume explains: “Must a man consult only his humour and inclination, in order to determine his course of life, without employing his reason to inform him what road is preferable, and leads most surely to happiness? (...) We come to a philosopher to be instructed, how we shall choose our ends, more than the means for attaining these ends; we want to know what desire we shall gratify, what passion we shall comply with, what appetite we shall indulge.” (Hume, 1843, p. 161). John Stuart Mill equally asserts: “There must be some standard by which to determine the goodness or badness, absolute and comparative, of ends, or objects of desire. (...) the test by which they should be tried, is that of conduciveness to the happiness of mankind.” (Mill, 1979, p. 951). It thus seems that Sen’s perception of the utilitarian approach (according to which the search of happiness is devoid of any kind of reasoning) is not correct.

When Sen asserts that one should take into account the importance of “self respect”, of “fulfilling one’s creativity”, of “avoiding morbidity”, etc, all this seems obvious. Utilitarians indeed consider these elements as either “parts of happiness” or as “means to happiness” or as both. The question is then to know why these authors stuck to an ultimate or supreme criterion? This is a very old question, as old as ethics...

- **The problem of the multiplicity of ethical criteria**

If the multiplicity of ethical criteria has been refused by many great philosophers, utilitarian or not, it is for a very simple reason: it does not permit one to settle all situations with which a philosopher, moralist or legislator, may be confronted.

John Stuart Mill summarized the problem as follows: “There exists no moral system under which there do not arise equivocal 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 claiming independent authority, there is no common umpire entitled to interfere between them; their claims to precedence one over the other rest on little better than sophistry, and unless determined, as they generally are, by the acknowledged influence of considerations of utility, afford a free scope for the actions of personal 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” (Mill 1861, pp. 157-158).

Adam Smith (admired by Sen) also used a monist criterion : “All constitutions of government (...) are valued only in proportion as they tend to promote the happiness of those who live under them. This is their sole use and end.” (Smith 1790, p. 185). Emmanuel Kant, a non-utilitarian philosopher with whom Sen claims affinity, was also very clear on this subject: “Considered objectively, there can be only one human reason. (...) So the *moralist* rightly says that there is only one virtue and one doctrine of virtue, that is, a single system that connects all duties of virtue by one principle.” (Kant 1796, p. 81). Relying on an ultimate criterion enables one to make, in all cases, a choice between two states, actions, rules, or institutions that are in conflict with one another. Yet, this choice is precisely what seems to bother Sen. This can, for instance, be seen when he considers the importance of rights and freedoms.

3) Rights and freedoms in the utilitarian approach

- **Rights and Freedoms lack *intrinsic value***

Sen indeed considers that the utilitarian perspective is limited by a “neglect of rights, freedoms and other non-utility concerns : the utilitarian approach attaches no intrinsic importance to claims of rights and freedoms (they are valued only indirectly and only to the extent they influence utilities. It is sensible enough to take note of happiness, but we do not necessarily want to be happy slaves or delirious vassals” (Sen, 1999, pp. 62). By adopting an

ultimate ethical criterion, the utilitarian doctrine would neglect the “intrinsic” importance of rights and freedoms.

He again writes: “Such potentially momentous matters as individual freedom, the fulfillment or violation of recognized rights, aspects of quality of life not adequately reflected in the statistics of pleasure, cannot directly swing a normative evaluation in this utilitarian structure. They can have an indirect role only through their effects on utility numbers (that is, only to the extent that they may have an impact on mental satisfaction, pleasure or happiness).” (Sen, 1999, pp. 56-57).

According to Sen, rights and freedoms have *no intrinsic value* in the utilitarian doctrine. Before moving on, let’s specify the meaning of intrinsic. Here it is useful to recall the common distinction utilitarians make among good things (things that have value) : some have value “as pleasures”, some have value as “causes of pleasures”, and some have value *as both*. Chemotherapy and tooth drilling, for example, are not good (have no value) as pleasures, but they are good as causes of pleasure (or absence of pain). Using drugs and smoking cigarettes are pleasures, but not causes of pleasure (all in all, they cause pain). Apples, oranges and strawberries have value both as pleasures *and* as causes of pleasure. This seems to be the distinction involved when it is said that something is good *in itself* or in *its consequences*, *intrinsically* or *extrinsically*.

According to the Merriam Webster dictionary, this word means that the quality belongs to “the inmost constitution or essential nature of a thing: essential or inherent and not merely apparent, relative or accidental”.

- **The value of rights and freedoms in the utilitarian doctrine**

It is true that, according to utilitarians, the consequences that rights (and freedoms tend to produce (collective happiness) are their most important justification. As he writes in the essay *On Liberty*: “ it is proper to state that I forgo any advantage which could be derived to my argument from the idea of abstract right, as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being” (Mill, 1859, p.15).

If one examines his arguments concerning freedom of thought and discussion, Mill appeals to the good consequences that this right tends to produce : “the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation ... If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.”

In this perspective, the value of a right like the freedom of discussion is mainly *extrinsic* or *instrumental*, since it is *a means* to promote happiness.

But this does not mean that rights and freedoms have *no intrinsic value*; no value other than that which lies in the consequences they tend to produce : rights and freedoms also have value in the immediate pleasure one gets from their exercise, or the pain one feels when a right is denied. For example, if each time I attempt to express my opinion I am told to shut up, this is unpleasant in itself (intrinsically). In addition to its instrumental value, freedom of discussion has an intrinsic value : the pleasure one feels when allowed to express his or her ideas and the pain if one is restrained. In this sense freedom of opinion is not only “a cause” of happiness, it is “a part” of happiness, an essential ingredient of it. It has value “as a pleasure” and not only as a means to pleasures.

One can, in fact, link the intrinsic value of freedom of thought and discussion with what Mill called a “sense of dignity”, and which he also considers as “a part” of happiness and not only as “a means” to it. Indeed, John Stuart Mill writes : “ no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the

dunce, or the rascal is better satisfied with his lot than with theirs. (...) We can give what explanation we please of this unwillingness (...): its most appropriate appellation is *a sense of dignity*, which all human beings possess in one form or other, and in some, though by no means proportional to their higher faculties, and which is *so essential a part of the happiness* of those in whom it is strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire.” (Mill, 1861, p139-140, emphasis added). Freedom of opinion is likewise “a part” of happiness.

One may argue that Mill’s position in favour of freedom of thought and discussion is specific, and that in “general”, utilitarians attach no intrinsic importance to rights and freedoms. However, this, again, is incorrect. Indeed, when reading Mill’s *On liberty*, one can read, concerning trade that “restrictions on trade, or on production for purposes of trade, are indeed restraints; and all restraint, *quâ* restraint, is an evil.” (Mill, 1859, p. 105). Mill’s general position therefore seems very clear on the *intrinsic* evil of restraint (or adversely of the *intrinsic* value of freedom). Therefore, if utilitarians do, in effect, chiefly attach importance to rights and freedoms according to their consequences on general utility (which is coherent with their ethical ultimate criterion), this does not mean that rights and freedoms are devoid of any type of intrinsic value (the pleasure one feels when one does as he pleases).

Conclusion :

In this presentation, we have seen that Amartya Sen considers that there are distinct versions of utilitarianism : “classical utilitarianism” and “modern utilitarianism”. In the light of the words used by Bentham and Sidgwick (the two “founding fathers” of these versions – according to Sen), we saw that they do not retain the criterion of satisfaction or desire-fulfilment. These two utilitarian philosophers embrace the criterion of general happiness. And careful reading of Pigou’s words have led us to see that when this author uses the expression “utility” as a synonym of “satisfaction” or “desiredness”, no value judgement is implied, it is a positive assumption. Thus, one can consider that what Sen and many others call “modern utilitarianism” is the approach embraced by economics, or that of the standard economic analysis, and that its purpose is to describe what is – and the two different “trends” relate to very different approaches (economic theory vs ethical doctrine). We have also presented the two main critiques Sen makes to the utilitarian doctrine: “physical condition neglect” and “valuation neglect”, and saw that his words often lead to a misunderstanding of the utilitarian approach. Indeed, when criticising the utilitarian doctrine, Sen gives a very simplistic version of the words of the utilitarians – whose doctrine is much more subtle than what Sen implies.

Bibliography:

BENTHAM Jeremy (1789), *An Introduction to the Principles of Morals and Legislation*, Ed. J.H. BURNS & H.L.A. HART, Oxford, Clarendon Press, 1996

HUME David, *Enquiries concerning human understanding and concerning the principles of morals*, Oxford, Clarendon Press, 1986

KANT Emmanuel (1796), *Métaphysique des mœurs : doctrine du droit*, Paris, Librairie Philosophique J. Vrin, 1988

MILL John Stuart(1843), *A System of Logic, in The Collected Works (vol. III)*, Toronto, University of Toronto Press, 1979

MILL John Stuart (1859-1861), *Utilitarianism, On Liberty and Other Essays*, Oxford, Oxford University Press, 1991, pp. 129-201

PIGOU A. Cecil (1953), *The Economics of Welfare*, 4th edition, London, Macmillan & Co.

SEN Amartya K. (1979), « Equality of what », *Choice, Welfare, and Measurement*, Oxford, Basil Blackwell, 1982, pp. 353-369

SEN Amartya K. (1983), “Poor, relatively speaking”, *Oxford Economic Papers*, 35 (1983), pp. 153-169

SEN Amartya K. (1985), *Commodities and Capabilities*, Amsterdam, North Holland, 1985

SEN Amartya K. (1987), *On Ethics and Economics*, Oxford, Basil Blackwell

SEN Amartya K. (1992), *Inequality reexamined*, Oxford, Clarendon Press

SEN Amartya K. (1993), “Capability and Well-Being”, Nussbaum & Sen (eds.), *The Quality of Life*, Oxford, Clarendon Press, pp. 30-53

SEN Amartya K. (1999), *Development as Freedom*, New York, Anchor Books, 2000

SIDGWICK Henry (1907), *The Methods of Ethics*, Indianapolis, Hackett Publishing Company, 1981

SIDGWICK Henry, “Utilitarianism”, in *Utilitas*, Volume 12, Number 3, November 2000, pp. 253-260

SMITH Adam (1790), *The Theory of Moral Sentiments*, Ed. D.D. Raphael & A.L. MACFIE, Indianapolis, Liberty Fund, 1976