



A Response to Emilie Dardenne

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Droits réservés

A Response to Emilie Dardenne

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- 1 Emilie Dardenne's comparison of Jeremy Bentham's views with my own comes to the conclusion that my thinking is in many respects similar to that of Bentham, and that I am applying his ideas in a manner that would very likely have met with his approval, were he still alive and aware of today's circumstances. Naturally, I am honored to be considered the successor of such a great and influential thinker. There are, however, some points that warrant further discussion.

Hedonistic or Preference Utilitarianism?

- 2 As Dardenne notes, while Bentham was a hedonistic utilitarian, I am a preference utilitarian. But I would not claim for my version the advantage that Dardenne suggests, namely that it overcomes the difficulty of measuring a person's mental state. It is true that those working in the field of welfare economics often equate preferences with behavior. In their view, if you buy oranges rather than apples, that shows that, at the prevailing prices, you prefer oranges to apples. This is a reasonable inference, for most purchasing conditions, but it is inadequate as a philosophical analysis of the concept of preference. A person might be completely paralysed, unable to move even an eyelid, and yet have preferences. So behavior is, at most, evidence of preferences, and the preference utilitarian, like the hedonist, is ultimately unable to avoid comparing and aggregating mental states.
- 3 In my view, the advantages of preference utilitarianism lie elsewhere. The first advantage is that we preference utilitarians can give a firmer foundation theoretical foundation for our position than the hedonistic utilitarians. As I argue in *Practical Ethics* – following the lead of R.M. Hare – we can reach preference utilitarianism merely by universalizing from our own preferences, and this can be seen as something that is required of all who participate in the practice of considering choices from an ethical perspective. The second, and related, advantage is that preference utilitarianism does not try to tell people what is best for them, as the hedonist does. It simply takes what people want with what is good for them. If someone wants to be an artist, knowing

that this is not the pursuit that will maximize her own happiness, the hedonist must tell her that she is mistaken, and, if possible, find some way of thwarting her ambitions in order to bring her greater happiness. The preference utilitarian does not have to take this authoritarian approach.

- 4 Admittedly, this second advantage is not quite so straightforward as the previous paragraph suggests. We cannot accept, as constitutive of a person's utility, the satisfaction of simply any preferences that he or she may have. People make errors of fact, perhaps wanting a particular type of food because they believe it is healthy when in fact it will make them ill. Powerful but temporary emotions may distort our preferences. A lovesick teenager, abandoned by his girlfriend, may think life is not worth without the girl he loves, and wish to end his life. We know that this feeling is likely to prove temporary, and so we may justify preventing him acting on his temporary, ill-informed wish. It is the preferences that people would have, if they were thinking clearly and calmly and were well-informed, that we should try to satisfy. But of course that leads us to the need to define what we mean by thinking clearly and calmly and being well-informed.
- 5 These and other issues raised by the question of how we should understand utility are not easy to resolve. Neither what Bentham wrote, nor what I have written is likely to stand as the final word.

Too Demanding an Ethic?

- 6 Another common criticism of utilitarianism is, as Dardenne mentions, that it is too demanding an ethic to receive general acceptance. Here there is something important to add to what Dardenne writes about my position. We should distinguish between the utility of doing something, and the utility of advocating that others do it. These are distinct because doing something, and urging others to do something, are themselves separate acts.¹ So, for instance, if I am a comfortably-off person living in an affluent society, I could increase utility by giving almost all of my income to agencies helping people living in extreme poverty. Even if I have given away half of my income, to give away another \$1000 would be very likely to do more good than spending that amount on myself, and the same will hold for the next \$1000, and the next, until I have severely impoverished myself. If this is true, then as utilitarians, we should hold that it is right, indeed even obligatory, for comfortably-off people to give away most of their income. But to advocate so demanding a level of giving might not have the best consequences. It might seem so extremely demanding that most people will ignore it. Perhaps there is some lower level of giving that, if we advocate it, will lead to many more people donating something, and so will produce a much larger total sum to help those in need. If so, then that is the level we should advocate. But it might still be right for us, privately, to give more.
- 7 That is what I mean by being realistic about what we advocate. I do not mean, as Dardenne appears to suggest, that we should only advocate doing what we can expect the majority of people will actually do. That would be far too conservative. I mean rather that what we advocate should be informed by realistic expectations of what suggested standard will have the best consequences. (The distinction is evident in the final chapter of my book *The Life You Can Save*.)²

Animal Rights

- 8 In discussing The Great Ape Project, Dardenne writes:

Singer comes to the idea of an extension of fundamental rights to those animals that, due to their abilities, their way of life, or their genes closely resemble humans... Singer uses the concept of animal “rights,” though he had refused to do so many times, preferring to refer to *interests* instead.

- 9 First, a minor point: although it is true that the genomes of humans and chimpanzees are 99 percent identical, I do not regard this as a reason for conferring any special moral status on the latter. Genes are not, in themselves, morally significant. What is significant is the nature of the beings to which the genes give rise – including of course the psychological nature of chimpanzees, their capacity for self-awareness, their rich emotional life, their lasting bonds with other members of their group, and so on.
- 10 The more significant point, however, concerns my use of rights. In *The Great Ape Project*, Paola Cavalieri and I argue that society should grant legal rights to great apes, and that they should be recognized as persons at law. Just as human slavery has been abolished, so we should abolish the possibility of *owning* a great ape.
- 11 To encourage public discussion of this proposal, we asked contributors to the book to sign a declaration supporting basic rights for great apes. But for me, at least, the philosophical foundations for this declaration of basic rights lies in the principle of equal consideration of interests, which is an intrinsic element of utilitarianism as I conceive it. There is no appeal, in *The Great Ape Project* or elsewhere in my work, to rights as a *foundation* for an ethical view. That would not be compelling, because such an appeal would have to rest on intuition. Our intuitions about rights are not, however, reliable. People propose many and varying lists of rights, and there is no way of resolving disputes about which rights we have, unless we regard rights as derived from a more basic ethical principle, such as the principle of utility.

Conclusion

- 12 If there is a single point that I would hope readers would take away from Dardenne’s discussion, it is that utilitarianism is not merely a historical tradition that flourished in a particular time and place. It offers a timeless answer to the central question of how we ought to act. Hence it remains very much a living tradition, and one that has practical consequences. If my *Animal Liberation*, for instance, can be seen as an application of utilitarianism, then utilitarianism has contributed to a worldwide movement of the late twentieth and early twenty-first century that has already had a major impact on the lives of millions of animals. The beginnings of that change, however, can be traced back to Bentham.

NOTES

1. As Henry Sidgwick pointed out in *The Methods of Ethics*, 7th edition, London, Macmillan, 1907, p. 489.
 2. Peter Singer, *The Life You Can Save*, Random House, New York, 2009; French translation, Michel Lafon, Paris, 2009. See also www.thelifeyoucansave.com.
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