



Critical Upraisal of Rawl's Utilitarianism

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Abstract: *One answer to the problem of distribution of social resources, which dominated the political theory for about three centuries had been provided by utilitarianism which considers utility i.e. the greatest good of the greatest number as the sole origin, justification and criterion of justice. More specifically, by the 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- if the party be the community in general, then the happiness of the community. If the tendency of an action to increase the happiness of the community (in so far as they are concerned in it is greater than any tendency it has to diminish it, then it is "conformable to the principle of utility". One may then say that it is a right action (one that ought to be done), or at least that it is not a wrong action. Rawl's theory of utilitarianism will be critically disused in this research paper.*

Keywords: *Justice, deontological theory.*

INTRODUCTION

Actions are right in proportion as they tend to produce happiness which is the sole good. The rightness of an action is to be judged by the happiness, taken individually or collectively, or the decrease of human misery. The moral validity of a law, or rule, the value or justice of an institution depends on the same considerations. Nothing else matters, eg., conformity to revelation, authority, tradition, even moral sense' or conscience; even perhaps contract or history. An action may pass any of these tests, flatter the conscience of the doer and yet bring deliberate misery and ruin. What matters is the contribution to happiness. It is the pleasure (or freedom from pain) that an object brings that makes us call it "good" - it is the pain or deprivation of expected pleasure that an object brings that makes us call it "bad" pleasure and pleasure alone is good in itself.

UTILITARIAN DOCTRINE OF RAWL

Rawls point out right in the beginning of this discussion of utilitarianism that his criticism would applied to the utilitarian thought in general i.e. to all its versions. He spells out his understanding utilitarianism in the following words:-"The main idea is that society rightly ordered, and therefore just, when its major institutions are arranged so as to achieve the greatest net balance of satisfaction summed overall the individuals belonging to it". How is one led to believe that the most rational conception of justice is utilitarian? Rawls points out the way of thinking that is responsible for it in a bid to expose its false libertarian pretensions. The core of his argument is that the principle of choice for an association of men, according to utilitarian is simply an extension of the principle of choice for one man. Utilitarian apply to society as a whole what they think hold true in the case of an individual. The principle for an individual is to advance as far as possible for society is to advance as far as possible the welfare of the group, to realize to the greatest extent the comprehensive system of desire arrived at from the desires of its members.

A second line of attack is directed against the particular view of relationship between "good" and "right" implicit in the utilitarian doctrine 'Good' is defined independently from the right and then the 'right' is defined as that which maximizes the 'good' Utilitarian theories are thus teleological in nature. The satisfaction of any desire has some value in itself which must be taken into account in deciding what is right. Justice as fairness, on the contrary, is deontological theory in the sense that it is non-teleological. Like utilitarianism and other teleological theories, it does not specify the good independently from the right and then interpret right as maximizing the good. Since society is composed of a plurality of distinct person having varying and possibly conflicting goals and interests, the best system of regulation is one which employs principles that are independent of any particular conception of values. The justification for adopting such principle is therefore not, pace the teleologist, that they promote the good, but that they fall under the concept of the right or the just is in this sense sovereign, its foundation must be independent of that of the good. In justice as fairness, one does not take men's propensities and inclinations as given, whatever they are and then seek the best way to fulfil them. Rather, their desire and aspirations are restricted from the outset by the principles of justice which specify the boundaries that men's system of ends must respect. In other words, in justice as fairness the concept of right is prior to that of the good. It turns out to be a central feature of this conception.

Rawls, at this point of his polemical exegesis of utilitarianism (classical utilitarianism, to be precise, which is distinct from average utility principle switches over a closely related concept i.e. the concept of the impartial sympathetic spectator who has to do the job of choosing the principle of justice, along the utilitarian guidelines. Utilitarianism lays down the necessity of a rational and impartial sympathetic spectator, a person who takes up a general perspective; assumes a position where his own interest is not at stake and possesses all the requisite information and powers of reasoning. Rawls then contrasts these features of the sympathetic spectator with the conditions defining the original position and then supports his claim that utilitarianism does not take seriously



the distinction between persons by arguing that it is a consequence of wanting to give a deductive basis to an ideal observer definition of right and of presuming that men's natural capacity for sympathy provides the only perspective from which their moral judgements can be brought into agreement. Since this impartial and sympathetic spectator is one who compares everybody's aspirations and approves of institutions according to the extent to which they specify the one system of desire that he himself constructs as he views everybody's desires as if they were his own, the classical utilitarian view results in impersonality in the continuation of all desires into one system of desire. Comparing the classical utilitarianism with average principle of utility he says that while the average principle of utility is the ethic of a single rational individual (with no aversion to risk) who tries to maximize his own prospects; the classical doctrine is the ethic of perfect altruists. A perfect altruist, Rawls point out, can fulfil his desire only if someone else has independent or first order desires. To illustrate this fact, suppose that in deciding what to do, all vote to do what everyone else wants to do. Obviously, nothing gets settled. The fault of the utilitarian doctrine is that it mistakes impersonality for impartiality.

From the stand point of contract theory, one cannot arrive at a principle of social choice merely by extending the principle of rational prudence to the system of desires constructed by the impartial spectator. To do this is not to take seriously the plurality and distinctness of individuals, nor to recognize the basis of justice that to which men would consent. Utilitarianism seems to offer a promising principle for governmental action until we realize that the single-minded concern to produce the greatest net balance of satisfactions can lead to gross injustices-the critics, including Rawl argue. Utilitarian thinkers appear to them to be overlooking the interests of the individual who should also receive his due-as his interests are not accommodated by the principles of utility.

Now the question can legitimately be asked whether or not Rawls' account of utilitarianism does justice to its proponents. Have Rawls interpreted their doctrine fairly well? Can utilitarian be accused of overlooking the interests of individuals? At first sight-yes. But on reflection-no. Even the hard-core (or say gross) utilitarian like Bentham espoused the common eighteenth-century belief that enlightened self-interest and the public good come out to be about the same things. A really thoughtful person would pursue his or her own advantage in a way that would benefit society as well-although the letter was not part of his or her intention. Moreover, people who did do benevolent actions would find that such actions served themselves by producing a feeling of satisfaction. It is often pleasant to indulge one's own sentiment of sympathy true, for any practice, Bentham would ask, "what is its utility?" but suppose someone countered with query, "for me or for society?" Bentham would answer that what serves you tends also to serve society and vice versa. Rawls raises two other objections against utilitarianism. We shall consider them one by one.

1) Commonsense morality distinguishes between morally good actions we have duty to perform and morally good actions which go beyond the call of duty (supererogatory actions). But as Rawls point out (p.117), classical utilitarianism cannot accommodate this distinction because it claims that our duty is always to perform the actions likely to produce the greatest good for society. This would mean that, even if we were constantly engaged in the most heroic acts of altruistic self-sacrifice, we do merely do our duty, and no human action could ever be correctly described as supererogatory. There is no denying the fact that it is a serious short-coming of classical utilitarianism that it cannot admit the existence of supererogatory actions and draws the line between morally permissible and impermissible conduct at an absurdly high level of moral perfection. This shortcoming, however, can be easily remedied without going beyond the principles of utilitarianism. The mistake of classical utilitarian was to overlook the fact that people attach considerable utility to freedom from unduly burdensome moral obligations. It may be true (though this is by no means a foregone conclusion) that society will reach a higher level of economic prosperity and cultural excellence if its moral code requires all people all the time to act in the most public-spirited manner and to set themselves the highest possible standards in their economic and cultural activities. But most people will prefer a society with a more relaxed moral code, and will feel that such a society will achieve a higher level of average utility-even if adoption of such a moral code should lead to some losses in economic and cultural accomplishments (so long as these losses remain within tolerable limits). This means that utilitarianism, if correctly interpreted, will yield a moral code with a standard of acceptable conduct very much below the level of highest moral perfection, leaving plenty of scope for supererogatory actions exceeding this minimum standard.

2) The utilitarian concept of morality, as Rawls correctly states, shows some degree of vagueness or indeterminacy because of its dependence on-more less uncertain-interpersonal utility comparisons. Other authors have pointed out another source of indeterminacy, no less important, in the dependence of utilitarian morality on uncertain predictions about the short-run and long-run consequences of alternative social policies and institutional arrangements. As a result, two equally well-intentioned and well-informed, and equally intelligent utilitarian may very well disagree in many specific situations about what is socially useful or socially harmful and, therefore, also about what is right or wrong, and just or unjust etc.

CONCLUSION

It would be pertinent to admit that Rawls' own theory (which I have stated in the preceding chapter), of course cannot completely escape such ambiguities either, but it is certainly much less affected by them than utilitarian theories are. First of all, Rawls' basic postulate, the difference principle, is much less dependent on interpersonal utility comparisons than the basic utilitarian principles (for example, the principle of average utility) are; therefore, it yields more specific practical conclusions than the latter do in many cases. In addition, Rawls supplements the difference principle by second-order rules, which are supposed to rank the major values of human life according to their relative moral importance. Thus, for example, according to Rawls, people's basic liberties should always be given absolute priority over their economic and social interests, etc. Clearly, if we fire willing to keep such rigid second-order rules of priority, then they will often go a long way toward deciding our moral uncertainties in a fairly unambiguous manner. Yet, some critics doubt that this is really an advantage. They argue that the uncertainties of utilitarian morality merely reflect the great complexity and the unavoidable dilemmas of real-life moral situations. Simple minded rigid mechanical rules cannot possibly do justice to the complexity of moral problems, and they cannot resolve our moral dilemmas



satisfactory, because they cannot help choosing the wrong horn of dilemma in many important cases. For example, there are good reasons to believe that in an underdeveloped country in many cases economic growth cannot be set in motion without concentrating a good deal of power in the hands of the government and perhaps even without some curtailment of civil liberties (though this does not mean that there is any need or justification for a complete suppression of civil liberties as practiced by the arbitrary dictatorial governments now existing in many of these countries). Who is the moral philosopher to lay down the law for these countries and tell them that no amount of economic and social development, however large, can ever justify any curtailment of civil liberties, however small? Should we not rather say, with utilitarian philosophers, that judgments about any particular policy must always depend on the balance of the advantages and disadvantages it is likely to yield, and that the main task of the moral philosopher is to ensure that people will not overlook any major advantages or disadvantages in reaching a decision? The foregoing argument of the critics merely echoes the frequent criticism levelled against Rawls insistence that his two principles of justice be satisfied in serial order.

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