

Review Essay

# Epicureanism and Utilitarianism: A Reply to Professor Lyons

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## I

I am grateful to Professor Lyons for his comments on several aspects of *Classical Utilitarianism from Hume to Mill*<sup>1</sup> and to the Review Editor of *Utilitas* for inviting me to reply. I hope that Professor Lyons will not object to my first pointing out to the reader that the book consists mainly of a series of substantial chapters on philosophers who have not always been regarded as utilitarian thinkers, such as Hume, Smith (three chapters) and Helvétius, or have been interpreted as utilitarians in different, if not opposing, ways, such as Paley, Bentham and J. S. Mill. A main feature of the book (besides its interdisciplinary character) is to show that what links their approaches to utility is the presence of Epicureanism in their writings, and I attempt to uncover a more coherent tradition employing the idea of utility than scholars have hitherto believed existed.

Professor Lyons welcomes what he calls my account of ‘the historical development of utilitarian theory’ but believes that I might have provided a more comprehensive, systematic presentation. Nevertheless, I did not attempt a history of utilitarian theory. The series of thinkers I considered used utility in important though somewhat different ways, as they worked within the Epicurean tradition. I began with Gassendi’s summary of the doctrine of Epicurus, that

Right or natural Equity is nothing else but what is mark’d out by Utility and Profit, or that Utility which, by common agreement, hath been appointed that

<sup>1</sup> *Classical Utilitarianism from Hume to Mill* was first published by Routledge in July 2003. Due to errors, I asked for this version to be pulped, but a number of copies survived and have been available on the internet and in used bookshops. It is identifiable by the misspelling of ‘Frederick’ on the cover, the failure of the index to match the text, and a number of textual errors. A new version was printed and published in December 2003.

Men might not injure one another, nor receive any wrong, but live in security, which is a real Good, and therefore naturally desired of every one.<sup>2</sup>

Hume's declaration of utility as the foundation of morals and Bentham's ringing statement of the importance of pleasure and pain to the principle of utility together with his emphasis on security follow directly. None of these writers (with the possible exceptions of Bentham and Mill) thought of themselves as primarily 'utilitarian theorists', but more as philosophers working within the Epicurean tradition. Utility might be at the heart of part of their theories, but the issues they raised in relation to it did not generate a *theory* in the same sense that it is used today.

## II

One of Professor Lyons's criticisms is concerned with method and, particularly, with my supposed failure to distinguish clearly between interpretation and appraisal in the study of the classical writers. In addition, in a related comment he regards my work as being 'deficient in philosophical commentary'. I seem to interpret various writers, but do not say much about whether or not they are right or wrong in what they say. He also warns the reader not to look for 'the empiricism or analytical rigour with which utilitarians typically identify'. I am thus accused of ignoring numerous deficiencies in the classical writers and, particularly, of failing to appreciate the work of contemporary moral and political philosophers and recent interpreters of writers such as Bentham and Mill. These contemporaries supposedly dwell on and repair the inadequacies of the earlier writers. Hence, good historical interpretation would require me to acknowledge more how contemporary work repairs the deficiencies of classical utilitarianism rather than to imply, though not to argue in detail, that classical utilitarianism is superior to more recent work.

My object, however, was neither to appraise nor to defend nor, one might add, to justify, criticize, refute, approve or condemn the classical utilitarian writers. My object was to explain what numerous commentators on these texts and many contemporary moral and political philosophers have missed, because they have ignored or simply dismissed the traditions in which these earlier writers have worked. It may be the case that these traditions and the ideas embedded in them are simply irrelevant to recent work. One might fairly conclude that Rosen tried to do his best for this material, but we shall never return to it and should leave it gathering dust for antiquarian research.

<sup>2</sup> P. Gassendi, *Three Discourses of Happiness, Virtue, and Liberty. Collected from the Works of the Learn'd Gassendi, by Monsieur Bernier* (London, 1699), p. 315.

Or one might argue (as I did in a few of the essays in Part II of the book) that some of the common criticisms of utilitarianism – from Jim and the Indians to the supposed emphasis on deterrence in utilitarian accounts of punishment, the supposed utilitarian attack on liberty, and a tendency towards democratic despotism – are mainly irrelevant to the account of utility that emerges from the Epicurean tradition, and thus such contemporary criticisms of classical utilitarianism should be abandoned.

Most of the book consists of the elucidation of this philosophical tradition. My concern is that this account will not be dismissed or ignored without some reflection on its relevance to our understanding of the human condition. When Professor Lyons accuses me of failing to see problems in my account of hedonism in Epicureanism, problems that later theorists have addressed, my response is that I am well aware of the criticisms of hedonism that actually began in antiquity and have persisted in philosophy particularly since Cicero's criticisms of Epicureanism in *De Finibus*. But I was more concerned to account for the strength and persistence of the doctrine among serious philosophers in spite of obvious criticisms. I have thus addressed a different, though, I hope, not unimportant question regarding hedonism in the classical tradition – its persistence in the face of criticism.

### III

The bulk of Professor Lyons's review is concerned with four themes: hedonism, secondary principles, objectivity, and post-classical theory. I can examine only a few aspects of these here. With regard to hedonism he concentrates on my treatment of the quantity–quality distinction in Bentham and Mill and more generally in the Epicurean tradition. He first argues that given the distinction between quantity and quality of pleasures and pains, the incommensurability of these values means that there is no way of ranking alternative moral choices. In this respect he fails to consider the recent work of Tom Warke, which challenges this thesis about ranking alternatives by pointing to the acceptance by Bentham and Mill of 'multi-dimensional utility'.<sup>3</sup> But Professor Lyons does not dwell on this point, and picks up my suggestion that for classical utilitarians individuals can overcome the quantity–quality distinction in the liberty they should have to make their own rankings. This suggestion, however, is then challenged by Professor Lyons, mainly because individuals will rank pleasures and pains differently, and thus be in a poor position to decide how

<sup>3</sup> T. Warke, 'Multi-dimensional Utility and the Index Number Problem: Jeremy Bentham, J. S. Mill, and Qualitative Hedonism', *Utilitas* 12 (2000), pp. 176–203.

to rank pleasures and pains with regard to what to expect from others and how to determine what constitutes harm to others who have different rankings and expectations. Furthermore, the legislator will not possess the information necessary to make 'interpersonal comparisons of utility', and the theory would seem to preclude such comparisons. Thus, according to Professor Lyons, the legislator would be unable 'to maximize happiness or equalize its distribution', and the classical theory would actually exacerbate the problem of making public policies and laws based on utility.

What Professor Lyons sees as the failure of classical utilitarianism, I regard as one of its strengths. The theory, at least in Bentham, for example, tends to place great emphasis on individual perceptions of pleasure and pain and the liberty of the individual to determine what makes him or her happy. As a result, interpersonal comparisons have to be at a level at which one can easily presume that they might be valid. For example, we might differ as to what causes us harm, but we can assume that most of us will respond to the receipt of a serious physical assault by placing it in the harm category. The task of the legislator is to construct a framework of law and government that will minimize these obvious sources of harm while leaving individuals free to make their own decisions about what makes them happy. The legislator should not interfere in private ethics. The framework of law and government should be sufficiently robust to establish the foundations of a civilized society in which the criminal and civil law allows one to live in peace with the secure expectation that one can plan for the future and enjoy the pleasures derived from making and realizing such plans. A representative democracy, which is the culmination of the theory of government, best enables the individual to protect his or her interests by opposing the abuse of power and corruption.

Professor Lyons seems to want the legislator to do more, in fact, to determine what makes people taken as individuals happy, and to deliver policies and programmes which enhance that happiness. Most writers in the modern Epicurean tradition would have regarded such an idea as wildly utopian. They would argue that the ideas embodied in the classical theory, driven by the view that morality and politics are ultimately governed by individual perceptions of pleasure and pain, would be sufficient on their own to transform society. The outcome, though based on the legislator delivering minimal conditions for the pursuit of happiness, would nonetheless be practical and realizable. By looking for the social or public delivery of happiness, in spite of widely differing perceptions of what makes us happy, Professor Lyons declares the classical theory as holding out a promise that cannot be fulfilled. But it cannot be fulfilled, because it is presented in a way that makes such fulfilment impossible. It is impossible, not because we cannot rank various pleasures and pains, but because the legislator

cannot possibly know what makes individuals happy beyond the relief of pain in obvious spheres of life. This would include subsistence, health, security, etc. Professor Lyons underestimates the importance of liberty in the classical theory and the way its operation with pain and pleasure enables individuals to realize their own happiness.

#### IV

Professor Lyons attacks the classical theory for not answering many obvious questions, and he particularly criticizes me for accepting such a theory uncritically. He confuses several different ideas in making these comments. The first concerns my own perspective. It is true that my main objects are to understand, describe and explain what diverse writers from Hume to Mill meant when they invoked the idea of utility. To defend, criticize or justify these various accounts before the bar of contemporary moral and political philosophy would require a different volume. My role in this book has been more one of an explorer going to distant lands in search of treasure than one of a lawyer presenting arguments in a court of law. The difference in role is an important one. The explorer is more prepared for novelty than the courtroom lawyer, who, though on the lookout for new evidence or arguments, confines his attention to building up a case against an adversary. For example, in my exploration of classical utilitarianism I discovered a persistent theme, which linked equality to the utility principle itself. This link was so strong that it seemed to indicate that to increase or maximize utility originally meant an equal distribution of the goods in question to all involved in the particular distribution, whether the goods being distributed were rights, duties or material objects.

Having been educated to believe that utility and equality were potentially opposed principles, with a formal equality at best linked vaguely to utility, and that the maximization of utility often meant the sacrifice of equality, such a discovery was of considerable importance. But Professor Lyons is unimpressed, and simply criticizes my lack of clarity and analytical rigour. He raises numerous questions about equality, distribution, and the relationship between secondary principles and the principle of utility. However important such questions are, they tend to obscure the initial discovery, that for many important writers to invoke utility meant not only to seek and find happiness but to distribute it equally to all concerned. In fact, such an assumption was considered one of the most 'dangerous' aspects of classical utilitarianism and was enhanced by its foundation in hedonism. Despite differing perceptions of amounts and degrees of pleasure and pain, it was believed that humanity tends to experience numerous pleasures and pains roughly in the same way, and hence public utility could be built on a foundation of equality. However

unsatisfactory such an alliance between utility and equality may be regarded nowadays, it is important that the presence of equality within the utility principle itself is recognized as an important starting point.

The second idea concerns the expectation that the classical writers must somehow have generated a theory that will simply slot into contemporary moral and political philosophy and be defended on its terms. That this is not the case should already be apparent, and several reasons might be presented to show why this is so. First, recent utilitarianism draws on a narrow range of ideas and concepts taken uncritically from the classical doctrine. Classical utilitarianism, as is suggested in the book, covers a fuller range of moral and political issues, including both act-utilitarianism and rule-utilitarianism, virtue ethics, economic policy, and other fields. This might have been expected in so far as the classical doctrine arose in opposition to traditional Aristotelian philosophy and had to cover the same ground. Contemporary theory has tended to work intensively on a few issues but has lost sight of the original scope and significance of the classical doctrine. This development can be illustrated by Professor Lyons's belief that I was writing about utilitarian theory rather than about the idea of utility within the Epicurean tradition.

Second, classical utilitarianism is more rooted in psychology than contemporary theory. The separation of moral and political philosophy from psychology (including hedonism) for a variety of reasons (fear of naturalistic fallacy, development of separate disciplines, etc.) has led both to an overemphasis on rationality (rational choice, rational agreement, rational argument, etc.) in recent work and a diminution of attention to feelings, emotions, passions, and interests. Numerous arguments and approaches, directed at clarifying the structure of emotions in relation to ethics, which directly address ethical problems, have tended to be discarded or placed in separate categories. Third, owing to academic specialization much recent writing has become more complex and technical in some fields while ignoring others. I try to bring out some of these neglected areas in numerous contexts, such as the consideration of the virtues in Hume and Bentham. But the rush towards complexity in the academic study of ethics and politics often results in questions being asked of classical writers which cannot be answered. That the classical writers cannot do so should not be taken as failure on their part, but possibly as a reflection of the unduly narrow and technical character of the questions. The injunction of the book for my contemporaries, if one is called for, is that they might benefit from asking different questions rather than dismissing the seemingly poor answers the classical writers have to their current questions.

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