



# AN INTRODUCTION TO THE PRINCIPLES OF MORALS AND LEGISLATION

**By: Jeremy Bentham (1748-  
1832)**

*Edited by and with additions and corrections by  
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## **I. OF THE PRINCIPLE OF UTILITY**

Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them *alone* to point out *what we ought to do*, as well as to determine what we shall do. On the one hand, the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can

make to throw off our [subjugation], will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while. The **Principle of Utility**<sup>2</sup> recognizes this subjection, and assumes it for the foundation of that system, the object of which is to rear the fabric of felicity by the hands of reason and of law. Systems [that] attempt to question it, deal in sounds instead of sense, in caprice instead of reason, in darkness

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<sup>1</sup> This text of An Introduction to the Principles of Morals and Legislation, by Jeremy Bentham is from The Library of Economics and Liberty (<http://www.econlib.org/library/Bentham/bnthPML.html>) and is a public domain text. I have modernized punctuation and changed UK to US spellings where appropriate. I have also added explanatory footnotes (original footnotes noted in brackets).

<sup>2</sup> [Author's note] To this denomination has of late been added, or substituted, *the greatest happiness* or *greatest felicity* principle: this for shortness, instead of saying at length that principle which states the greatest happiness of all those whose interest is in question, as being the right and proper, and only right and proper and universally desirable, end of human action: of human action in every situation, and in particular in that of a functionary or set of functionaries exercising the powers of Government. The word utility does not so clearly point to the ideas of pleasure and pain as the words happiness and felicity do: nor does it lead us to the consideration of the number, of the interests affected; to the number, as being the circumstance, which contributes, in the largest proportion, to the formation of the standard here in question; the standard of right and wrong, by which alone the propriety of human conduct, in every situation, can with propriety be tried. This want of a sufficiently manifest connexion between the ideas of happiness and pleasure on the one hand, and the idea of utility on the other, I have every now and then found operating, and with but too much efficiency, as a bar to the acceptance, that might otherwise have been given, to this principle.

instead of light.

But enough of metaphor and declamation: it is not by such means that moral science is to be improved.

The *principle of utility* is the foundation of the present work: it will be proper, therefore, at the outset to give an explicit and determinate account of what is meant by it. By the principle<sup>3</sup> of *utility* is meant *that principle which approves or disapproves of every action whatsoever, according to the tendency it appears to have to augment or diminish the happiness of the party whose interest is in question*: or, what is the same thing in other words, *to promote or to oppose that happiness*. I say of every action whatsoever, and therefore not only of every action of a private individual, but of every measure of government.

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 to the party whose interest is considered*: if that party be the community in general, then the happiness of the community: if a particular individual, then the happiness of that individual....

#### IV. VALUE OF A LOT OF PLEASURE OR PAIN, HOW TO BE MEASURED

Pleasures then, and the avoidance of pains, are the *ends* that the legislator has in view; it behoves him, therefore, to understand their value. Pleasures and pains are the instruments he has to work with: it behoves him therefore to understand their force, which is again, in other words, their value.

To a person considered by himself, the value of a pleasure or pain considered by itself, will be greater or less, according to the four following circumstances:

1. its *intensity*
2. its *duration*
3. its *certainty* or uncertainty
4. its *propinquity* or remoteness.

These are the circumstances which are to be considered in estimating a pleasure or a pain considered each of them by itself. But when the value of any pleasure or pain is considered for the purpose of estimating the tendency of any act by which it is produced, there are two other circumstances to be taken into the account; these are,

5. Its *fecundity*, or the chance it has of being followed by sensations of the same kind: that is,

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<sup>3</sup> [Author’s note] The word ‘principle’ is derived from the Latin *principium*: which seems to be compounded of the two words *primus*, ‘first’, or ‘chief’, and *cipium* a termination which seems to be derived from *capio*, ‘to take’, as in *municipium*, *municipium*; to which are analogous, *auceps*, *forceps*, and others. It is a term of very vague and very extensive signification: it is applied to any thing which is conceived to serve as a foundation or beginning to any series of operations: in some cases, of physical operations; but of mental operations in the present case. The principle here in question may be taken for an act of the mind; a sentiment; a sentiment of approbation; a sentiment which, when applied to an action, approves of its utility, as that quality of it by which the measure of approbation or disapprobation bestowed upon it ought to be governed.

pleasures, if it be a pleasure: pains, if it be a pain.

6. Its *purity*, or the chance it has of not being followed by sensations of the opposite kind: that is, pains, if it be a pleasure: pleasures, if it be a pain.

These two last, however, are in strictness scarcely to be deemed properties of the pleasure or the pain itself; they are not, therefore, in strictness to be taken into the account of the value of that pleasure or that pain. They are in strictness to be deemed properties only of the act, or other event, by which such pleasure or pain has been produced; and accordingly are only to be taken into the account of the tendency of such act or such event.

To a number of persons, with reference to each of whom to the value of a pleasure or a pain is considered, it will be greater or less, according to seven circumstances: to wit, the six preceding ones; viz.,

1. its intensity
2. its duration
3. its certainty or uncertainty
4. its propinquity or remoteness
5. its fecundity
6. its purity.

And one other; to wit:

7. Its *extent*; that is, *the number of persons* to whom it extends; or (in other words) who are affected by it.

To take an exact account, then, of the general tendency of any act, by which the interests of a community are affected, proceed as follows. Begin with any one person of those whose interests seem most immediately to be affected by it: and take an account,

1. Of the value of each distinguishable pleasure [that] appears to be produced by it in the first instance.
2. Of the value of each pain [that] appears to be produced by it in the first instance.
3. Of the value of each pleasure [that] appears to be produced by it after the first. This constitutes the fecundity of the first pleasure and the impurity of the first pain.
4. Of the value of each pain [that] appears to be produced by it after the first. This constitutes the fecundity of the first pain, and the impurity of the first pleasure.
5. Sum up all the values of all the pleasures on the one side, and those of all the pains on the other. The balance, if it [is] on the side of pleasure, will give the good tendency of the act upon the whole, with respect to the interests of that individual person; if on the side of pain, the bad tendency of it upon the whole.

6. Take an account of the number of persons whose interests appear to be concerned; and repeat the above process with respect to each. [Add] up the numbers expressive of the degrees of good tendency, which the act has, with respect to each individual, in regard to whom the tendency of it is good upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is good upon the whole. [D]o this again with respect to each individual, in regard to whom the tendency of it is bad upon the whole. Take the balance which—if on the side of pleasure—will give the general good tendency of the act, with respect to the total number or community of individuals concerned; if on the side of pain, the general evil tendency with respect to the same community.

It is *not to be expected* that this process should be strictly pursued previously to every moral judgment, or to every legislative or judicial operation. It may, however, be always kept in view: and as near as the process actually pursued on these occasions approaches to it, so near will such process approach to the character of an exact one.

The same process is [also] applicable to pleasure and pain, in whatever shape they appear: and by whatever denomination they are distinguished: to pleasure, whether it be called good (which is properly the cause or instrument of pleasure) or profit (which is distant pleasure, or the cause or instrument of, distant pleasure,) or convenience, or advantage, benefit, emolument, happiness, and so forth: to pain, whether it be called evil, (which corresponds to good) or mischief, or inconvenience, or disadvantage, or loss, or unhappiness, and so forth.

Nor is this a novel and unwarranted—any more than it is a useless—theory. In all this there is nothing but what the practice of mankind, [wherever] they have a clear view of their own interest, is perfectly conformable to. An article of property, an estate in land, for instance, is valuable, on what account? On account of the pleasures of all kinds which it enables a man to produce, and what comes to the same thing the pains of all kinds which it enables him to avert. But the value of such an article of property is universally understood to rise or fall according to the length or shortness of the time which a man has in it: the certainty or uncertainty of its coming into possession: and the nearness or remoteness of the time at which, if at all, it is to come into possession. As to the intensity of the pleasures which a man may derive from it, this is never thought of, because it depends upon the use which each particular person may come to make of it; which cannot be estimated till the particular pleasures he may come to derive from it, or the particular pains he may come to exclude by means of it, are brought to view. For the same reason, neither does he think of the fecundity or purity of those pleasures.

Thus much for pleasure and pain, happiness and unhappiness, in general...

## **XVII. OF THE LIMITS OF THE PENAL BRANCH OF JURISPRUDENCE**

What other agents then are there, which, at the same time that they are under the influence of man's direction, are susceptible of happiness. They are of two sorts: 1) Other human beings who are styled persons; 2) Other animals, which, on account of their interests having been neglected by the insensibility of the ancient jurists, stand degraded into the class of *things*.<sup>4</sup> As to other human

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<sup>4</sup> [Author's note] Under the Gentoo [Hindu] and Mahometan [Muslim] religions, the interests of the rest of the animal creation seem to have met with some attention. Why have they not universally, with as much as those of human

beings, the art of directing their actions to the above end is what we mean, or at least the only thing which, upon the principle of utility, we *ought* to mean, by the art of government: which, in as far as the measures it displays itself in are of a permanent nature, is generally distinguished by the name of *legislation*: as it is by that of *administration*, when they are of a temporary nature, determined by the occurrences of the day.

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creatures, allowance made for the difference in point of sensibility? Because the laws that are have been the work of mutual fear; a sentiment which the less rational animals have not had the same means as man has of turning to account. Why ought they not? No reason can be given. If the being eaten were all, there is very good reason why we should be suffered to eat such of them as we like to eat: we are the better for it, and they are never the worse. They have none of those long-protracted anticipations of future misery which we have. The death they suffer in our hands commonly is, and always may be, a speedier, and by that means a less painful one, than that which would await them in the inevitable course of nature. If the being killed were all, there is very good reason why we should be suffered to kill such as molest us: we should be the worse for their living, and they are never the worse for being dead. But is there any reason why we should be suffered to torment them? Not any that I can see. Are there any why we should not be suffered to torment them? Yes, several. See B. I. tit. [Cruelty to animals]. The day has been, I grieve to say in many places it is not yet past, in which the greater part of the species, under the denomination of slaves, have been treated by the law exactly upon the same footing as, in England for example, the inferior races of animals are still. The day may come, when the rest of the animal creation may acquire those rights which never could have been [withheld] from them but by the hand of tyranny. The French have already discovered that the blackness of the skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may come one day to be recognized, that the number of the legs, the villosity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason, or, perhaps, the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day, or a week, or even a month, old. But suppose the case were otherwise, what would it avail? [T]he question is not, [“c]an they reason?”, nor, [“c]an they talk?”, but [“c]an they suffer?”