

0001 last time
0002 last time we began to consider some objections
0003 to Jeremy Bentham's version
0004 of utilitarianism
0005 people raised two objections in the discussion
0006 we had
0007 the first
0008 was the objection, the claim
0009 that utilitarianism,
0010 by concerning itself
0011 with the greatest good for the greatest number
0012 fails adequately to respect
0013 individual rights.
0014 today we have debates
0015 about torture
0016 and terrorism
0017 suppose
0018 a suspected terrorists was apprehended on September tenth
0019 and you had reason to believe
0020 that the suspect
0021 had crucial information about an impending terrorist attack that would kill over three thousand
0022 people
0023 and you couldn't extract the information
0024 would it be just
0025 to torture
0026 the suspect
0027 to get the information
0028 or
0029 do you say no
0030 there is a categorical moral duty of respect for individual rights
0031 in a way we're back to the questions we started with t
0032 about trolley cars and organ transplants so that's the first issue
0033 and you remember we considered some examples of cost-benefit analysis
0034 but a lot of people were unhappy with cost-benefit analysis
0035 when it came to placing a dollar value on human life

0036 and so that led us to the
0037 second objection,
0038 it questioned whether it's possible to translate all values
0039 into a single uniform measure of value
0040 it asks in other words whether all values are commensurable
0041 let me give you one other
0042 example
0043 of an experience, this actually is a true story, it comes from personal experience
0044 that raises a question at least about whether all values can be translated without
0045 loss
0046 into utilitarian terms
0047 some years ago
0048 when I was a graduate student I was at Oxford in England and they had men's and women's
0049 colleges they weren't yet mixed
0050 and the women's colleges had rules
0051 against
0052 overnight male guests
0053 by the nineteen seventies these
0054 rules were rarely enforced and easily violated,
0055 or so I was told,
0056 by the late nineteen seventies when I was there, pressure grew to relax these rules and it became
0057 the subject of debate among the faculty at St. Anne's College
0058 which was one of these all women colleges
0059 the older women on the faculty
0060 we're traditionalists they were opposed to change
0061 on conventional moral grounds
0062 but times had changed
0063 and they were embarrassed
0064 to give the true grounds of their objection
0065 and so they translated their arguments
0066 into utilitarian terms
0067 if men stay overnight,
0068 they argued, the costs to the college will increase.
0069 how you might wonder
0070 well they'll want to take baths, and that will use up hot water they said
0071 furthermore they argued
0072 we'll have to replace the mattresses more often

0073 the reformers
0074 met these arguments by adopting the following compromise
0075 each woman
0076 could have a maximum of three overnight male guest each week
0077 they didn't say whether it had to be the same one, or three different
0078 provided
0079 and this is the compromise provided
0080 the guest
0081 paid fifty pence to defray the cost to the college
0082 the next day
0083 the national headline in the national newspaper read St. Anne's girls, fifty pence a night
0084 another
0085 illustration
0086 of the difficulty of translating
0087 all values
0088 in this case a certain idea of virtue
0089 into utilitarian terms
0090 so that's all to illustrate
0091 the second objection
0092 to utilitarianism, at least the part of that objection
0093 that questions rather
0094 the utilitarianism
0095 is right to assume
0096 that we can
0097 assume the uniformity of
0098 value, the commensurability of values and translate all moral considerations
0099 into
0100 dollars
0101 or money.
0102 But there is a second
0103 aspect to this worry about aggregating values and preferences
0104 why should we
0105 weigh
0106 all preferences
0107 that people have
0108 without assessing whether they're good preferences or bad preferences
0109 shouldn't we distinguish

0110 between
0111 higher
0112 pleasures
0113 and lower pleasures.
0114 Now, part of the appeal of
0115 not making any qualitative distinctions about the worth of people's preferences, part of the
0116 appeal
0117 is that it is non-judgmental and egalitarian
0118 the Benthamite utilitarian says
0119 everybody's preferences count
0120 and they count regardless of what people want
0121 regardless of what makes it different people
0122 happy. For Bentham,
0123 all that matters
0124 you'll remember
0125 are the intensity and the duration
0126 of a pleasure or pain
0127 the so-called higher pleasures or nobler virtues are simply those, according to Bentham
0128 that produce
0129 stronger,
0130 longer, pleasure
0131 yet a famous phrase to express this idea
0132 the quantity of pleasure being equal
0133 pushpin
0134 is as good as poetry.
0135 What was pushpin?
0136 It was some kind of a child's game like to tidily winks pushpin is as good as poetry
0137 Bentham said
0138 and lying behind this idea
0139 I think
0140 is the claim
0141 the intuition
0142 that it's a presumption
0143 to judge
0144 whose pleasures
0145 are intrinsically higher
0146 or worthier or better

0147 and there is something attractive in this
0148 refusal to judge, after all some people like
0149 Mozart, others
0150 Madonna
0151 some people like ballet
0152 others
0153 bowling,
0154 who's to say
0155 a Benthamite might argue, who's to say which of these pleasures
0156 whose pleasures
0157 are higher
0158 worthier
0159 nobler
0160 than others?
0161 But, is that right?
0162 this refusal to make qualitative distinctions
0163 can we
0164 altogether dispense with the idea
0165 that certain things we take pleasure in are
0166 better or worthier
0167 than others
0168 think back to the case of the Romans in the coliseum, one thing that troubled people about that
0169 practice
0170 is that it seemed to violate the rights
0171 of the Christian
0172 another way of objecting to what's going on there
0173 is that the pleasure that the Romans take
0174 in this bloody spectacle
0175 should that pleasure
0176 which is a base,
0177 kind of corrupt
0178 degrading pleasure, should that even
0179 be valorized or weighed in deciding what the
0180 the general welfare is?
0181 so here are the objections to Bentham's utilitarianism
0182 and now we turn to someone who tried to
0183 respond to those objections,

0184 a later day utilitarian
0185 John Stuart Mill
0186 so what we need to
0187 examine now
0188 is whether John Stuart Mill had a convincing reply
0189 to these objections to utilitarianism.
0190 John Stuart Mill
0191 was born in 1806
0192 his father James Mill
0193 was a disciple of Bentham's
0194 and James Mills set about giving his son
0195 John Stuart Mill a model education
0196 he was a child prodigy
0197 John Stuart Mill
0198 the knew Latin, sorry, Greek at the age of three, Latin at eight
0199 and at age ten
0200 he wrote a history of Roman law.
0201 At age twenty
0202 he had a nervous breakdown
0203 this left him in a depression for five years
0204 but at age twenty five what helped lift him out of this depression
0205 is that he met Harriet Taylor
0206 she in no doubt married him, they lived happily ever after
0207 and it was under her
0208 influence
0209 the John Stuart Mill try to humanize
0210 utilitarianism
0211 what Mill tried to do was to see
0212 whether the utilitarian calculus could be
0213 enlarged
0214 and modified
0215 to accommodate
0216 humanitarian concerns
0217 like the concern to respect individual rights
0218 and also to address the distinction between higher and lower
0219 pleasures.
0220 In 1859 Mill wrote a famous book on liberty

0221 the main point of which was the importance of defending individual rights and minority
0222 rights
0223 and in 1861
0224 toward the end of his life
0225 he wrote the book we read is part of this course
0226 Utilitarianism.
0227 It makes it clear
0228 that utility is the only standard of morality
0229 in his view
0230 so he's not challenging
0231 Bentham's premise,
0232 he's affirming it.
0233 he says very explicitly the sole evidence,
0234 it is possible to produce that anything is desirable is that people actually do
0235 desire it.
0236 so he stays with the idea that our de facto actual empirical desires are the only
0237 basis
0238 for moral judgment.
0239 but then
0240 page eight
0241 also in chapter two, he argues that it is possible for a utilitarian to distinguish
0242 higher from lower
0243 pleasures.
0244 now, those of you who've read
0245 Mill already
0246 how
0247 according to him is it possible to draw that distinction?
0248 How can a utilitarian
0249 distinguish qualitatively higher pleasures
0250 from
0251 lesser ones, base ones, unworthy ones?
0252 If you tried both of them
0253 and you'll prefer the higher one naturally always
0254 that's great, that's right. What's your name? John.
0255 so as John points out
0256 Mill says here's the test,
0257 since we can't step outside

0258 actual desires, actual preferences
0259 that would
0260 violate utilitarian premises,
0261 the only test
0262 of whether
0263 a pleasure is higher
0264 or lower is whether someone who has experienced both
0265 would prefer it.
0266 And here,
0267 in chapter two
0268 we see the passage
0269 where Mill makes the point that John just described
0270 of two pleasures, if there be one to which all are almost all who have experience
0271 of both give a decided preference,
0272 irrespective of any feeling of moral obligation to prefer it, in other words no outside, no
independent
0273 standard,
0274 then that is the more desirable pleasure.
0275 what do people think about that argument.
0276 does that
0277 does it succeeded?
0278 how many think that it does succeed?
0279 of arguing within utilitarian terms for a distinction between higher and lower pleasures.
0280 how many
0281 think it doesn't succeed?
0282 I want to hear your reasons.
0283 but before
0284 we give the reasons
0285 let's do an experiment
0286 of Mills'
0287 claim.
0288 In order to do this experiment
0289 we're going to look at three
0290 short excerpts
0291 of popular entertainment
0292 the first one is a Hamlet soliloquy
0293 it'll be followed by two other

0294 experiences
0295 see what you think.
0296 'what a piece of work is a man
0297 how noble in reason
0298 how infinite in faculties
0299 in form and moving, how express and admirable
0300 in action how like an angel. In apprehension, how like a god
0301 the beauty of the world
0302 the paragon of animals
0303 and yet, to me
0304 what is this quintessence of dust?
0305 man delights not me.
0306 Imagine a world where your greatest fears become reality
0307 each show, six contestants from around the country battle each other in three
0308 extreme stunts. these stunts are designed to challenge these contestants both physically and mentally
0309 six contestants, three stunts, one winner.
0310 Fear factor.
0311 The Simpsons. Well hi diddly-o peddle to the metal o-phies! Flanders- since when do you like anything cool.
0312 well, I don't care for the speed, but I can't get enough of that safety gear
0313 helmets, roll bars, caution flags. I like the fresh air
0314 and looking at the poor people in the infield.
0315 Dang Cletus, why you got to park by my parents.
0316 Now hunny, it's my parents too.
0317 I don't even have to ask which one you like most
0318 the Simpsons? How many like the Simpson's most?
0319 How many Shakespeare?
0320 What about fear factor?
0321 how many preferred fear factor?
0322 really?
0323 people overwhelmingly
0324 like the Simpsons
0325 better
0326 than Shakespeare. alright, now let's take the other
0327 part of the poll
0328 which is the
0329 highest
0330 experience or pleasure?

0331 how many say
0332 Shakespeare?
0333 how many say
0334 fear factor?
0335 no you can't be serious
0336 really?
0337 alright go ahead you can say it.
0338 I found that one
0339 the most entertaining
0340 I know but which do you think was the worthiest, the noblest experience, I know you find it
0341 the most anything
0342 if something is good just because it is pleasurable what is the matter if you have some kind of
0343 abstract
0344 idea of whether it is good by someone else's sense or not.
0345 Alright so you come down on the straight Benthamite's side
0346 whose to judge
0347 and why should we judge
0348 apart from just registering and aggregating de facto preferences, alright fair enough.
0349 what's your name?
0350 Nate? okay fair enough
0351 Alright so
0352 how many think that the Simpson's is actually
0353 apart from liking is actually the higher experience
0354 higher than Shakespeare.
0355 Alright let's see the vote for Shakespeare again
0356 how many think Shakespeare is higher?
0357 alright so
0358 why is it
0359 ideally I'd like to hear from someone is there someone
0360 think Shakespeare is highest
0361 but who preferred
0362 watching
0363 the Simpsons
0364 Like I guess just sitting and watching the Simpsons, it's entertaining because they make jokes, they make us laugh but
0365 someone has to tell us that Shakespeare was this great writer we had to be taught how to read him, how to
0366 understand him, we had to be taught how to

0367 take in Rembrandt, how to analyze a painting.

0368 well how do, what's your name? Aneesha.

0369 Aneesha, when you say someone

0370 told you that Shakespeare's better

0371 are you accepting it on blind faith you voted that Shakespeare's higher only because the culture

0372 tells you that our teachers tell you that or do you

0373 actually agree with that yourself

0374 well in the sense that Shakespeare, no, but earlier you made

0375 an example of Rembrandt

0376 I feel like I would enjoy a reading a comic book more than I would enjoy a kind of analyzing

0377 Rembrandt because someone told me it was great, you know. Right so of some this seems

0378 to be, you're suggesting a kind of

0379 cultural convention and pressure. We're told

0380 what books, what works of art are great. who else?

0381 although I enjoyed watching the Simpsons more in this particular moment in Justice,

0382 if I were to spend the rest of my life considering

0383 the three different

0384 video clips shown

0385 I would not want to spend

0386 that remainder of my life considering

0387 the latter two clips.

0388 I think I would derive more pleasure

0389 from being able to

0390 branch out in my own mind

0391 sort of

0392 considering more deep pleasures, more deep thoughts.

0393 and tell me your name

0394 Joe.

0395 Joe, so if you had to spend the rest of your life on

0396 on a farm in Kansas with only

0397 with only Shakespeare

0398 or the collected episodes of the Simpsons

0399 you would prefer

0400 Shakespeare

0401 what do you conclude from that

0402 about John Stuart Mill's test

0403 but the test of a higher pleasure

0404 is whether
0405 people who have experienced
0406 both prefer it.
0407 can I cite another example briefly?
0408 in biology
0409 in neuro biology last year we were told of a rat who was tested
0410 a particular center in the brain
0411 where the rat was able to stimulate its brain and cause itself intense pleasure repeatedly
0412 the rat did not eat or drink until it died
0413 so the rat was clearly experiencing intense pleasure
0414 now if you asked me right now if I'd rather experience intense pleasure
0415 or have
0416 a full lifetime of higher pleasure, I would consider intense pleasure to be lower pleasure, right
0417 now enjoy intense pleasure
0418 yes I would
0419 but over a lifetime I think
0420 I would think
0421 almost a complete majority here would agree
0422 that they would rather be a human with higher pleasure than rat
0423 with intense pleasure
0424 for a momentary period of time
0425 so now
0426 in answer to your question, right, I think
0427 this proves that, or I won't say proves
0428 I think the conclusion
0429 is that Mill's theory that when a majority of people are asked
0430 what they would rather do,
0431 they will answer
0432 that they would rather
0433 engage in a higher pleasure. So you think that this supports Mills, that Mills was on to something
here
0434 I do.
0435 all right is there anyone
0436 who disagrees with Joe who thinks that our experiment
0437 disproves
0438 Mills'
0439 test

0440 shows that that's not an adequate way
0441 that you can't distinguish higher pleasures within the utilitarian
0442 framework.
0443 If whatever is good is truly just whatever people prefer it's truly relative and there's
0444 no objective definition then
0445 there will be some society where people prefer Simpsons
0446 more
0447 anyone can appreciate the Simpsons, but I think it does take education to appreciate Shakespeare
0448 Alright, you're saying it takes education to appreciate higher
0449 true thing
0450 Mill's point is
0451 that the higher pleasures do require
0452 cultivation and appreciation and education
0453 he doesn't dispute that
0454 but
0455 once having been cultivated
0456 and educated
0457 people will see
0458 not only see the difference between higher lower
0459 pleasures
0460 but will it actually
0461 prefer
0462 the higher
0463 to the lower.
0464 you find this famous passage from John Stuart Mill-
0465 it is better
0466 to be a human being dissatisfied
0467 than a pig satisfied.
0468 Better to the Socrates dissatisfied than a fool satisfied
0469 and if the fool
0470 or the pig
0471 are of a different opinion
0472 it is because they only know
0473 their side of the question.
0474 so here you have
0475 an attempt
0476 to distinguish

0477 higher from lower
0478 pleasures
0479 so going to an art museum or being a couch potato, swilling beer watching television
0480 at home
0481 sometimes Mill agrees we might succumb
0482 to the temptation
0483 to do the latter,
0484 to be couch potatoes,
0485 but even when we do that
0486 out of indolence
0487 and sloth,
0488 we know
0489 that the pleasure we get
0490 gazing at Rembrandts
0491 in the museum
0492 is actually higher,
0493 because we've experienced both.
0494 And is a higher pressure
0495 gazing at Rembrandts
0496 because of engages our higher human faculties
0497 what about Mill's attempt
0498 to reply to the objection about individual rights?
0499 In a way he uses the same
0500 kind of argument
0501 and this comes out in chapter five
0502 he says while I dispute the pretensions of any theory which sets up an imaginary standard
0503 of justice
0504 not grounded on utility,
0505 but still
0506 he considers
0507 justice
0508 grounded on utility to be what he calls the chief part
0509 and incomparably the most sacred and binding part
0510 of all morality.
0511 so justice is higher
0512 individual rights are privileged
0513 but not for

0514 reasons that depart from utilitarian assumptions.

0515 Justice is a name

0516 for certain moral requirements

0517 which, regarded collectively

0518 stand higher in the scale of social utility

0519 and are therefore

0520 of more

0521 paramount obligation

0522 than any others

0523 so justice is sacred, it's prior, it's privileged, it isn't something that can easily be traded

0524 off against lesser things

0525 but the reason

0526 is ultimately

0527 Mills Claims

0528 a utilitarian reason

0529 once you consider

0530 the long run interests

0531 of humankind,

0532 of all of us,

0533 as progressive

0534 beings.

0535 If we do justice and if we respect rights

0536 society as a whole

0537 will be better off in the long run.

0538 Well is that convincing?

0539 Or

0540 is Mill actually, without admitting it, stepping outside

0541 utilitarian considerations

0542 in arguing

0543 for qualitatively higher

0544 pleasures

0545 and for sacred

0546 or specially important

0547 individual rights?

0548 we haven't fully answered that question

0549 because to answer that question

0550 in the case of rights and justice

0551 will require that we explore
0552 other ways,
0553 non utilitarian ways
0554 of accounting for the basis
0555 or rights
0556 and then asking
0557 whether they succeed
0558 as for Jeremy Bentham,
0559 who launched
0560 utilitarianism
0561 as a doctrine
0562 in moral and legal philosophy
0563 Bentham died in 1832 at the age of eighty five
0564 but if you go to London you can visit him today
0565 literally.
0566 he provided in his will
0567 that his body be preserved,
0568 embalmed and displayed
0569 in the university of London
0570 where he still presides in a glass case
0571 with a wax head
0572 dressed in his actual clothing.
0573 you see before he died,
0574 Bentham addressed himself to a question consistent with his philosophy,
0575 of what use
0576 could a dead man be to the living
0577 one use, he said, would be to make one's corpse available
0578 for the study of anatomy
0579 in the case of great philosophers, however,
0580 better yet
0581 to preserve one's physical presence in order to inspire future generations of thinkers.
0582 You want to see what Bentham looks like stuffed?
0583 Here's what he looks like
0584 There he is
0585 now, if you look closely
0586 you'll notice
0587 that

0588 the embalming up his actual had was not a successso they substituted a waxed head
0589 and at the bottom for verisimilitude
0590 you can actually see his actual had
0591 on a plate
0592 you see it?
0593 right there
0594 so, what's the moral of the story?
0595 the moral of the story
0596 by the way they bring him out during meetings of the board at university college London
0597 and the minutes record him as present but not voting.
0598 here is a philosopher
0599 in life and in death
0600 who adhered
0601 to the principles
0602 of his philosophy. we'll continue with rights next time.
