

Last
time
we argued about
the case of the Queen verses Dudley and Stephens
the lifeboat case, the case of cannibalism at sea
and with the arguments about
the lifeboat
in mind the arguments for and against what Dudley and Stephens did in mind,
let's turn back to the
philosophy
the utilitarian philosophy of Jeremy Bentham
Bentham was born in England in 1748, at the age of twelve
he went to Oxford, at fifteen he went to law school
he was admitted to the bar at age nineteen but he never practiced law,
instead he devoted his life
to jurisprudence and moral
philosophy.
last time we began to consider Bentham's version of utilitarianism
the main idea
is simply stated and it's this,
the highest principle of morality
whether personal or political morality
is
to maximize
the general welfare
or the collective happiness
or the overall balance of pleasure over pain
in a phrase
maximize
utility
Bentham arrives at this principle by the following line of reasoning
we're all governed by pain and pleasure
they are our sovereign masters and so any moral system has to take account of them.
How best to take account?
By maximizing
and this leads to the principle
of the greatest good for the greatest number
what exactly should we maximize?
Bentham tells us
happiness
or more precisely
utility.
Maximizing utility is a principal not only for individuals but also for communities and
for legislators

what after all is a community
Bentham asks,
it's the sum of the individuals who comprise it
and that's why
in deciding the best policy, in deciding what the law should be, in deciding what's just,
citizens and legislators should ask themselves the question if we add up,
all of the benefits of this policy
and subtract
all of the costs,
the right thing to do
is the one
that maximizes
the balance
of happiness
over suffering.
that's what it means to maximize utility
now, today
I want to see
whether you agree or disagree with it,
and it often goes, this utilitarian logic, under the name of cost-benefit analysis
which is used by companies
and by
governments
all the time
and what it involves
is placing a value usually a dollar value to stand for utility
on the costs and the benefits
of various proposals.
recently in the Czech Republic
there was a proposal to increase the excise tax on smoking
Philip Morris,
the tobacco company,
does huge business
in the Czech Republic. They commissioned
a study of cost-benefit analysis
of smoking
in the Czech Republic
and what their cost benefit
analysis found
was
the government gains
by
having Czech citizens smoke.
Now, how do they gain?
It's true that there are negative effects

to the public finance of the Czech government
because there are increased health care costs for people who develop smoking-related diseases
on the other hand there were positive effects
and those were
added up
on the other side of the ledger
the positive effects included, for the most part, various tax revenues that the government derives from the sale of cigarette products but it also included health care savings to the government when people die early
pensions savings, you don't have to pay pensions for as long,
and also savings
in housing costs for the elderly
and when all of the costs and benefits were added up
the Philip Morris
study found
that there is a net public finance gain in the Czech Republic
of a hundred and forty seven million dollars
and given the savings
in housing and health care and pension costs
the government enjoys the saving of savings of over twelve hundred dollars
for each person who dies prematurely due to smoking.
cost-benefit analysis
now, those among you who are defenders utilitarianism may think that this is a unfair test
Philip Morris was pilloried in the press and they issued an apology for this heartless calculation
you may say
that what's missing here is something that the utilitarian can be easily incorporate
mainly
the value to the person and to the families of those who die
from lung cancer.
what about the value of life?
Some cost-benefit analyses incorporate
a measure
for the value of life.
One of the most famous of these involved the Ford Pinto case
did any of you read about that? this was back in the 1970's, you remember that
the Ford Pinto was, a kind of car?
anybody?
it was a small car, subcompact car, very popular
but it had one
problem which is the fuel tank was at the back of the car
and in rear collisions the fuel tank exploded
and some people were killed

and some severely injured.
victims of these injuries took Ford to court to sue
and in the court case it turned out
that Ford had long
since known
about the vulnerable fuel tank
and had done a cost-benefit analysis to determine whether it would be worth it
to put in a special shield
that would protect the fuel tank and prevent it from exploding.
They did a cost benefit analysis
the cost per part
to increase the safety
of the Pinto,
they calculated at eleven dollars per part
and here's,
this was the cost benefit analysis that emerged
in the trial,
eleven dollars per part
at 12.5 million cars and trucks
came to a total cost of
137 million dollars to improve the safety
but then they calculated
the benefits
of spending all this money on a safer car
and they counted 180 deaths
and they assigned a dollar value
200 thousand dollars
per death
180 injuries
67 thousand
and then the cost to repair
the replacement cost for two thousand vehicles that would be destroyed without the
safety device
700 dollars per vehicle,
so the benefits
turned out to be only 49.5 million,
and so they
didn't install
the device
needless to say
when this memo
of the Ford Motor Company's cost-benefit analysis came out in the trial
it appalled the jurors
who awarded a huge settlement
is this a counter example to the utilitarian idea of calculating

because Ford included a
measure of the value life.
Now who here wants to defend
cost-benefit analysis from
this apparent counter example
who has a defense?
or do you think it's completely destroys
the whole utilitarian calculus?
I think that
once again they've made the same mistake the previous case did that they've assigned a dollar
value
to human life and once again they failed to take into account things like
suffering and emotional losses of families, I mean families lost earnings
but they also lost a loved one and that
is more value than 200 thousand dollars.
Good, and wait wait wait, what's your name?
Julie Roto.
so if two hundred thousand, Julie, is too
too low a figure because it doesn't include the loss of a loved one,
and the loss of those years of life,
what would be, what do you think
would be a more accurate number?
I don't believe I could give a number I think that this sort of analysis shouldn't be applied to
issues of human life.
I think it can't be used monetarily
so they didn't just put too low a number,
Julie says, they were wrong to try to put any number at all.
all right let's hear someone who
you have to adjust for inflation
all right
fair enough
so what would the number of being now?
this is was thirty five years ago
two million dollars
you would put two million
and what's your name
Voicheck
Voicheck says we have to allow for inflation
we should be more generous
then would you be satisfied that this is the right way of thinking about the question?
I guess unfortunately
it is for
there's needs to be of number put somewhere
I'm not sure what number would be but I do agree that there could possibly
be a number put

on a human life.

all right so

Voicheck says

and here he disagrees with

Julie

Julie says we can't put a number of human life

for the purpose of a cost-benefit analysis, Voicheck says we have to

because we have to make decisions somehow

what do other people think about this? Is there anyone prepared to defend cost-benefit analysis here

as accurate, as desirable?

I think that if ford and other car companies didn't use cost-benefit analysis they'd eventually go out

of business because they wouldn't be able to be profitable

and millions of people wouldn't be able to use their cars to get to jobs, to put food on the table

to feed their children so I think that if cost-benefit analysis isn't employed

the greater good

is sacrificed

in this case. Alright let me ask, what's your name?

Raul. Raul.

there was recently a study done about cell phone use by drivers, when people are driving a car,

and there's a debate about whether that should be banned

and

the figure was that some

two thousand people die

as a result of accidents

each year

using cell phones

and yet the cost benefit analysis which was done by the center for risk analysis at Harvard

found that if you look at the benefits

of the cell phone use

and you put some

value on the life, it comes out about the same

because of the enormous economic benefit of enabling people to take advantage

of their time, not waste time, be able to make deals and talk to friends and so on

while they're driving

doesn't that suggest that

it's a mistake to try to put monetary figures on questions

of human life?

well I think that if

the great majority of people

tried to derive maximum utility out of a service like using cell phones and the convenience that cell phones

provide

that sacrifice is necessary
for
satisfaction to occur.
You're an outright utilitarian. In, yes okay.
all right then, one last question Raul
and I put this to Voicheck,
what dollar figure should be put
on human life to decide whether to ban the use of cell phones
well I don't want to
arbitrarily
calculate a figure, I mean right now
I think that
you want to take it under advisement.
yeah I'll take it under advisement.
but what roughly speaking would it be? you've got 23 hundred deaths
you've got to assign a dollar value to know whether you want to prevent those deaths by
banning the use of cell phones in cars
so what would you're hunch be?
how much?
million
two million
two million was Voitech's figure
is that about right? maybe a million.
a million.?!
Alright that's good, thank you
So these are some of the controversies that arise these days from cost-benefit analysis especially
those that involve
placing a dollar value on everything to be added up.
well now I want to turn
to your objections, to your objections not necessarily to cost benefit analysis specifically,
because that's just one version of the
utilitarian logic in practice today,
but to the theory as a whole, to the idea
that the right thing to do,
the just basis for policy and law,
is to maximize
utility.
How many disagree
with the utilitarian
approach
to law
and to the common good?
How many bring with it?
so more agree than disagree.
so let's hear from the critics

my main issue with it is that I feel like
you can't say that just because someone's in the minority
what they want and need is less valuable than someone who's in the majority
so I guess I have an issue with the idea that
the greatest good for the greatest number
is okay because
there is still what about people who are in
the lesser number, like it's not fair to them they didn't have a say in where they wanted
to be.
alright now that's an interesting objection, you're worried about
the effect on minority. yes.
what's your name by the way. Anna.
alright who has an answer to Anna's worry about the effect on the minority
What do you say to Anna?
she said that
the minorities value less, I don't think that's the case because individually the minorities
value is just the same as the individual in the majority it's just that
the numbers outweigh the
minority
and I mean at a certain point you have to make a decision
and I'm sorry for the minority but
sometimes
it's for the general
for the greater good. For the greater good, Anna what do you say? what's your name? Youngda.
What do you say to Youngda?
Youngda says you just have to add up people's preferences
and those in the minority do have their preferences weighed.
can you give an example of the kind of thing you're worried about when you say you're worried
about utilitarianism violating
the concern or respect due the minority?
can you give an example.
so well with any of the cases that we've talked about, like with the shipwreck one,
I think that
the boy who was eaten
still had
just as much of a right to live as the other people and
just because
he was the
minority in that case the one who
maybe had less of a chance to keep living
that doesn't mean
that the others automatically have a right to eat him
just because
it would give a greater amount of people
the chance to live.

so there may be a certain rights
that the minority
members have that the individual has that shouldn't be traded off
for the sake of
utility?
yes Anna?
Now this would be a test for you,
back in ancient Rome
they threw Christians to the lions in the coliseum for sport
if you think how the utilitarian calculus would go
yes, the Christian thrown to the lion suffers enormous excruciating pain,
but look at the collective ecstasy of the Romans.
Youngda. Well
in that time
I don't think
in the modern-day of time to value the, um, to given a number to the happiness given to the
people watching
I don't think
any
policy maker would say
the pain of one person, the suffering of one person is much much,
in comparison to the happiness gained
no but you have to admit that if there were enough Romans delirious with happiness,
it would outweigh even the most excruciating pain of a handful of
Christians thrown to the lion.
so we really have here two different objections to utilitarianism
one has to do
with whether utilitarianism
adequately respects
individual rights
or minority rights
and the other has to do
with the whole idea
of aggregating
utility
for preferences
or values
is it possible to aggregate all values
to translate them
into dollar terms?
there was
in the 1930's
a psychologist
who tried
to address

the second question. He tried to prove
what utilitarianism assumes,
that it is possible
to translate
all goods, all values, all human concerns
into a single uniform measure
and he did this
by conducting a survey
of the young recipients of relief, this was in the 1930's
and he asked them, he gave them a list of unpleasant experiences
and he asked them how much would you have to be paid to undergo
the following experiences and he kept track
for example
how much would you have to be paid to have one upper front tooth pulled out
or how much would you have to be paid to have one little one tow cut off?
or eat a live earth worm, six inches long
or to live the rest of your life on a farm in Kansas
or to choke a stray cat to death with your bare hands
now what do you suppose
what do you suppose was the most expensive item on that list
Kansas?
You're right it was Kansas
for a Kansas
people said they'd have to pay them
they have to be paid three hundred thousand dollars
what do you think
what do you think was the next most expensive?
not the cat
not the tooth
not the toe
the worm!
people said you'd have to pay them a hundred thousand dollars
to eat the worm
what do you think was the least expensive item?
not the cat
the tooth
during the depression people were willing to have their tooth pulled
for only forty five hundred dollars
now
here's what Thorndike
concluded from his study
any want or satisfaction which exists, exists
in some amount and is therefore measurable
the life of a dog
or a cat

or a chicken consists
of appetites
cravings
desires and their gratifications
so does the life
of human beings
though the appetites and desires
are more complicated
but what about
Thorndike's study?
does it support
Bentham's idea
that all
goods all values can be captured according to a single uniform measure of value
or does the preposterous character of those different items on the list
suggest the opposite conclusion
that may be whether we're talking about life
or Kansas
or the worm
maybe
the things we value
and cherish
can't be captured
according to a single uniform measure of value
and if they can't
what are the consequences
for the utilitarian theory
of morality
that's a question we'll continue with next time