

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-philes! 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.

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