The Great Philosophers: Utilitarianism of Bentham & Mill

[Music] Peter Bolland: The discipline of philosophy is traditionally divided into four subdivisions. Metaphysics is that series of questions like, what exists? What is reality? Metaphysics was really the core of ancient Greek philosophy, Plato and Aristotle. It really is married to what we will call the scientific project later. What is the world? What is energy? What is time? What is space? Those are metaphysical questions. But linked to that, once you start making metaphysical claims, you have an epistemological problem. Epistemology is that branch of philosophy that deals with knowledge. How do you distinguish a mere belief from an established fact? There are criteria there to be discussed and established. If you claim there's a God, that's your metaphysical position, but how do you know? That's your epistemological problem. The two often go together. Today, our focus with utilitarian shifts to what is more formerly called axiology, any philosophical investigation into values, what matters more, what matters less. Under that category, you have ethics. I think we all know what that means, a right and wrong and morality and how to establish those criteria.

Also, just in passing, the philosophy of aesthetics. What is beauty? Who gets to determine what is beautiful and what is ugly? That's an axiological inquiry as well. Not working on that today, but just wanted you to know the full menu here. Then finally, logic is a big branch in philosophy too. Logic has to do with methodology and technique mostly. How does reasoning work? What constitutes a valid argument? What is fallacious reasoning? Logic is the how, and metaphysics, epistemology, and axiology are the what. That's the broad picture. When we do ethics, we naturally are still entangled in those other three major areas. When you start making claims about what is good and what is right, you're tapping into metaphysics quite a bit. In fact, Kant did, as we saw last time.

Here's a quick screen about the major ethical stances that we find in Western philosophy. In fact, I'm building a series here for next winter on all of these topics. We start with relativism, we've all heard that word. The idea that morality is either up to the individual or up to the culture, cultural relativism. There's a lot of evidence that supports the idea that cultural norms are relative to a specific culture. They don't apply universally to those cultures over there. But when you start using cultural relativism as a universal doctrine, you immediately run into all terrible problems. That's a delightful thing to think about. There's an edge in the ethical project called the Divine Command Theory. If God commands it, then it is by definition good. When God tells Abraham to kill his son, suddenly infanticide is morally authorized.

Then if you're not Abraham, though, boy, you're going to go to prison for a while if you kill your children. That's a strange backwater of ethics, the idea that good is whatever God commands. That there's a lot to investigate there, which we will take up later. Natural law theory, especially if you're in a legal background, you might have heard that one quite a bit before. I think it starts with Thomas Aquinas in the 13th century and prominent social justice activists, well, starting with Thora, but then Gandhi and King and so many others. MLK write about natural law theory as the foundation of their own commitment to the principle of justice. Even if you're the only person on Earth who believes it, or even if you don't get the outcomes you want, adhering to the principle that there is moral good woven into the fabric of reality and depending on your theism, either by God or by the cosmos or something. Human beings have the capacity to discover that moral fabric woven into reality and then to express it in our laws, in our institutions, in our norms.

That is a metaphysical argument that morality is not just invented by cultures, but it's already here. To be good, we ought to adhere and harmonize with it. Today, of course, utilitarianism. Curious word, utilitarianism. Some in philosophy call it consequentialism, because the fundamental project is, let's call good that path that elevates the happiness of the greatest number of people. You're doing a numerical calculation of the increase of happiness for the greatest number of people. If your policy or your decision does that, then it's good. If it doesn't do that, it's not good. Whether something is moral or not is entirely dependent on a calculation of outcomes. I'm tempted to call utilitarianism outcomism, but that's a terrible word, and we don't need more confusing words in philosophy. Deontology, again, is what we did last time. Deon from the Greek word for duty. Kant's assertion, contrary to utilitarianism, that we shouldn't attend to consequences at all, but we should focus on the starting point, namely, the principle. Morally, Kant argues we are bound as rational beings to adhere to principles, to starting points, that lying is always wrong, that murder is always wrong, what we call the categorical imperative.

A lot of talk in deontology and deontological ethics about adherence to duty, and let the ends take care of themselves. There's a whiff of this in Gandhi's writings. Gandhi wrote a lot about means and ends. If you're sure to keep the means, that is to say, the methods and the process pure, let the ends take care of themselves. The Satyagraha, Gandhi's campaign of nonviolence was built on this metaphysical claim that he gets from Hinduism that Satya or Sat is the only thing that's real, and it will eventually win out. Truth will eventually win out because untruth has no reality to it. As people in a messy world muddling through the quagmires of confusion that we live in, as long as we make sure the means are pure, we act in this principle of ahimsa or nonviolence and so on. It will eventually, not on our timetable, but on the cosmic timetable, lead toward the good. There's a little bit of that duty-to-principle in some of our social justice work as well.

You don't get to control the outcomes, and that's all through the Bhagavad Gita as well when Krishna tells Arjuna, "You have the right to work, but you do not have the right to the outcomes of work." To work in renunciation, that is to say to let go of the outcomes and trust, religious folks might call it faith, that something larger than me or us is in play. Again, this can be framed in a theistic context, God, or you can do it in an atheistic context too. Then finally, virtue ethics is a topic that comes up in Western discussions of ethical philosophies.

When we say virtue ethics, we're really going all the way back to the beginning. We're talking about the ethical theories of Plato and Aristotle. They weren't talking about outcome calculations. They weren't talking about principles to duty or certainly not to God. For the Greeks like Plato and Aristotle, being good meant being virtuous, and virtuous means, in plain English, being excellent. Bringing all of your potentials to their fruition. Becoming quality human beings of character, of courage, of kindness. It was a private project of self-improvement and self-actualization. The reason Plato and Aristotle argued that is because that's how we are designed by nature. It's the functionalist theory of morality, that we are designed to function in a certain way. The rational should lead. The will should follow the guidance of the rational, and the appetitive or the body should serve the rational and the will. In that way, we become men and women of character, we become trustworthy, and integrity won the day. It's a dream some of us had. That is a snapshot then of the entire project of most of what we do in Western philosophy regarding any investigations into ethics.

Let's turn to utilitarianism for the time we have together. Right away, you get the the banner headline, the quote that defines the utilitarian project from John Stuart Mill. "Act always to promote the greatest happiness for the greatest number of people." There it is. That leaves a lot of questions unanswered. What does happiness mean? How exactly do we calculate

what's going to happen in the future? I don't even know what's going to happen this afternoon. How do I write a law that creates the perfect just outcome a year from now? There's a lot of work to be done. However, as a starting point, they believe they've solved a lot of problems. We're going to go through their arguments and their process. The reason they even, and I'm saying they because I'm going to talk about not only John Stuart Mill but his mentor, Jeremy Bentham together, because they were together. They were friends.

Jeremy Bentham was best friends with John Stuart Mill's father, and little John Stuart Mill came along and he became their project. There's a lot of wonderful friendship between these two notable figures, Jeremy Bentham, 1748-1832, and the younger John Stuart Mill, 1806-1873. That's why I'm shoehorning two philosophers into this talk instead of just one as usual. Essentially, John Stuart Mill is going to adopt and agree with almost everything Jeremy Bentham establishes in his first iteration of utilitarianism, which we'll get into in a minute. But John Stuart Mill is going to fix a problem that Bentham either ignored or was unwilling to address and create a more refined, I think a more powerful utilitarian toolkit. Does utilitarianism have its critics? Of course, it does. The first thing you learn about philosophy is that it's a two millennium argument, and your job in philosophy when you're coming up is, learn the literature and then argue with all of it, and then they give you a degree, and then you go confuse a lot of students and encourage them to do likewise.

Philosophy is an ongoing project. It's never going to be done. I remember when I was a grad student at San Diego State, a former college president there who will remain unnamed, was famous for saying openly in a meeting, "I don't know why we have a philosophy department. They never solve anything." I'm like, yeah. He was more interested in the business school side, where apparently they solve things. You already know what's happening during the lifetimes of Bentham and Mill, late 18th, early 19th century. This is the time of the Industrial Revolution and the radical transformations. It's like what we're living through now with AI. The technology is just unceremoniously dumped in our laps by profiteers, and then the rest of us have to figure out what the heck to do with this stuff, and how to mitigate the damage and how to wring any benefit out of it and so on and so on. That happens in every generation. As new technologies come along, they change everything. When the telephone was invented and installed in everyone's homes, writers were immediately convinced that this was going to destroy society because we're never going to leave our houses again.

What happens to that conversation that happens in face-to-face community. Then the TV came along after that and just really drove the nail in the coffin. Now nobody ever leaves the house. Then we have all these screens. With each new technological advancement, what we call society undergoes a revolution. This was one of those times, child labor and environmental rumination. Within a generation, all of the streams and the skies in England were polluted by the sudden technological innovation of steam-driven textile mills by burning coal and creating steam. That meant all of the cottage industries in the villages of England where people used to card wool and make their own textile, cottage industries and sell them in the farmers' markets. Those were all driven out of business by large textile mills in London and other big cities, making textile and cutting the cost in half. A lot of the rural poor had no choice but to flood into the cities and take very low paying jobs. If you'll do it for a dollar a day, I can get a kid to do it for 50 cents a day.

This is the true dark ages of laissez-faire capitalism, completely unregulated, a far cry from Adam Smith's vision of what capitalism should be. That led to this population surge, the rise of cities, the explosion of urban slums. Life in England changed profoundly and very quickly. What Bentham wants to think about, Jeremy Bentham, let's start there. Jeremy Bentham is interested in law. He's studying to become a barrister, a lawyer. He completes that course of study, but then he realizes he has a debilitating phobia about public

speaking. He can't stand in front of a room and speak, and so trial lawyer is out of the question. You think he would have thought this through a little bit before, but he ends up shifting and pivoting into legal scholarship. His goal, frankly, is to help the parliament, the legislators, people writing laws, write better laws that actually raise, again, I'm going to start shifting into some old English words so you get used to some Bentham we're about to read, to raise the fabric of felicity, to make everyone happier.

That was his impulse. He noticed that there's one code of laws that protects the wealth, the property, and the privacy and the interests of the wealthy, and a completely different penal code for folks that have no property and no power, no money. That didn't make any sense to him. That didn't sound like what we mean by justice. Bentham's goals were legal and social reform and bringing reason to the messy business of morality. That's the impulse, I would say, passion that Jeremy Bentham brings to the project. He begins his work with this idea called the principle of utility. The question we're about to answer, I know it's on the tip of all your tongues, why is it called utilitarianism? Not a very friendly word. We all know what utility means, usefulness. Some of us have a utility closet in our home where the broom and the mop and the dustpan are. It's about tools that make things work better and keep things up. I'm going to read with you now this brief passage from Jeremy Bentham.

There's a couple of things going against our understanding of it. It's hundreds of years old. It's written in really strange old English with long sentences, and he's a lawyer. 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, again, pain and pleasure, they govern us in all we do, in all we say, in all we think. Every effort we can make to throw off our subjection will serve but to demonstrate and confirm it. I think Freud may have called this the pleasure principle. It's the idea that every organism pre consciously seeks their own pleasure, happiness, benefit, gain, and avoids pain and suffering. This isn't some complex calculation. The single cell amoeba in the petri dish flees the electrode and swims toward the food source..

If a single cell amoeba is chained to the throne of pain and pleasure, in the same way, so are we. This is called a principle because in philosophy and I guess in every other use, a principle means a starting point. There's nothing before it. So a starting point is the beginning of a chain of argumentation. You're free to question the veracity, the truthfulness of this claim, but in Bentham's opinion, he thinks he's got you here. But let's test it out a little bit as we flesh out this idea. He goes on to say, in a PowerPoint graphic animation trick I now regret. He goes on to say, in words, a man may pretend to abjure their empire, to not be under the control of their empire.

But in reality, he will remain subject to it all the while. The principle of utility recognizes this objection and assumes it for the foundation of that system, the object or the goal of which is to rear the fabric of felicity by the hands of reason and of law. In simpler English, Bentham says, look, we already make decisions by this metric already. Maximize pleasure, minimize pain. Let's consciously and logically use that universal principle as a foundation for a moral system, for how we make decisions about the tough things societies have to decide. How do we distribute housing, clean water, food, healthcare? Who gets to eat, who gets to have a roof? Instead of just protecting some categories of people and abandoning other categories of people, let's create a system where all sentient beings, a little foreshadow here if you're an animal rights person, it's Bentham you have to thank. The great contemporary Australian philosopher Peter Singer, who wrote animal rights. I think that was the name of the book, and really put the fight a lot of us are very interested in to treat all

living things, even Pachamama, even Gaia, even the biosphere of the planet itself as a being that ought to be in the calculation of the greatest happiness for the greatest number.

People like Descartes and maybe Kant, they thought animals were just little robotic automatons. We had no moral commitment to see to their lack of suffering at all. But Bentham will argue not only that animals because they can feel pain, he starts to use the word sentient means, not conscious means. Sentient is the capacity to sense. Are plants sentient? In countless ways, the answer has to be yes. They perceive light, they perceive chemical and electrical energy fields, and they react accordingly to their own benefit. This utilitarianism moment is a really exciting moment in Western philosophy and I want to tease some of that apart too. He goes on. By the principle of utility is meant that principle, which approves or disapproves of every action whatsoever according to the tendency which it appears to have to augment or diminish, to increase or diminish the happiness of the party whose interest is in question. It's just cogent enough to make sense. I'm regretting this one, too. It looked kind of manageable on my computer, but these giant screens.

A lot of us get our teeth cleaned twice a year. It's not a great hour. It's socially awkward. Someone has both of their hands in their mouth and they ask you, so, what have you been doing this summer? You just hang as droll flows out of your mouth and then, oh, and they're scraping your teeth with medieval sharp metal instruments, just rudely going beneath the gums whenever they want. There's a lot of suction. You suspect, it's not just saliva that they're drawing away. but You know that it's good for you, darn it. I march in twice a year and have my teeth cleaned. I endure two awkward hours a year of minor discomfort. It doesn't really hurt. Because I know that long term, in terms of propinquity, that is to say, how much in the distance this is going to benefit me. I get to keep my teeth. I get to have healthy gums. My father got dentures when he was in his 40s. I remember as a little boy, really those horrible weeks after they yanked all of his teeth out, and then built these teeth that he had to wrestle with his whole life, these dentures floating around.

It never quite worked right. It changed the way you can eat as like a permanent physiological alteration. I have that imprinted on my mind. Keep your teeth. The hair that's what are you going to do? I'm keeping my teeth, damn it and so there I go, and that is a utilitarian calculation. We all put up with a little discomfort for a larger pleasure, a larger good. If you're arguing with Bentham already, it's like, well, not every decision is pleasurable, you're absolutely right. Exercising not spending all your money and saving some for later. These are still utilitarian calculations based on each of our best efforts to maximize our benefit. To this end, Bentham says, I'm going to give you a seven point criteria list that you can use to weigh should I get my teeth cleaned? I know people that never go to the dentist. They have phobias about it. They despise it. They just wait till all hell breaks loose, and then they have to go but that's a calculation for let me say it better.

They're maximizing their own happiness as well in a very different way than I am. Here's a list and we could create flowcharts and spreadsheets and people have around all of these things. The first question Bentham asks us to consider is the intensity of the pleasure or pain. Let's just invent a numerical scale from 1-10. The greater the pleasure, the higher the positive value. You take that question into consideration. The second quality or factor, the duration, the length of the time of the pain or pleasure will last. I can put up with twoo hours a year of minor discomfort and social awkwardness. It's covered by my insurance policy. Thank you. That's an easy decision. Three, the certainty, the level of probability that the pleasure or pain will occur. If you like gaming, if you like gambling, that's great. I just never understood it. I don't understand gambling. When I give money to someone, I expect a pair of jeans or something in return. I don't understand just putting money in a slot machine on the extreme off chance that I might get some money back.

But apparently, that's a very seductive thrill and entire industries are built around it. All professional sports is now permanently destroyed by interstate corporate gambling cartels and the statistics are grim, especially for young men, especially from 20-25, who are burning through their entire college fund in six months because they get on these apps. I'll get off my soapbox here. As I said, it's not my particular sin. I got some others, none of your business. I'm not putting them on the mic. But a gambler has made a calculation that there is enough likelihood of payout eventually that they're going to stand there and invest some money in this. I would make a different calculation about certainty. The house always wins. Propinquity, here's a delightful word. I think we all need to integrate more thoroughly into our vocabulary. What is the propinquity of our lunch today?

But how near in time is the pleasure or the happiness? When will it occur? If you're putting a lot of effort into learning how to play cello, for example, that has low propinquity, it's going to take a long time, but the pleasure is going to be great and people who commit the time it takes to learn how to play cello, make the calculation that it's worth it. Number 5, fecundity, another great old British word, fecund, although it's sort of gender specific, virility, the capacity to produce more. The extent to which the pleasure will produce more pleasure, for example, in my celloo playing example, learning how to play cello means anytime from now on, you can sit down and play cello, that is a lot of happiness. Whereas winning $1,200 on a slot machine is over as soon as it happens. There's a little glow. It's like, hey, I want 1,200 bucks. Not exactly life changing, but just enough to keep you coming back. Purity, we've already run into this, haven't we in our thinking.

That pleasure and pain often show up mixed together a little bit. To get the pleasure of healthy teeth, you got to put up a little pain of teeth cleaning. To get the pleasure of being a cellist, you sacrifice a lot of time and a lot of other things, including money for music instruction. This is the most interesting one to me, number 7, it jumps off the page. Maybe you've noticed that the first six are all about me. But number 7 finally expands the circle and asks, as you're calculating whether this decision you're about to make is good or bad, how does this impact everyone else? The extent, the number of sentient beings affected by the action, that little kernel of possibility is where John Stuart Mill is going to build his whole second version of utilitarianism, much more about the good being a universal goal, not just individual organisms, deciding what's in their own best interest. Because right now under Bentham's formula, Utilitarianism is largely egoistic. It's just about me figuring out how to maximize my pleasure and minimize my pain.

But extent asks us to span that circle. There they all are in red, intensity, duration, certainty, propinquity, fecundity, purity, and extent. Here's a bunch of examples that we've already talked about teeth cleaning, regular exercise versus never exercising. That's a good conversation we're all having with ourselves. I'm 68 now. I ride my bike about nine miles a day. I do yoga and the reason I do these things is not to get back to my 24-year-old swimmer's body because that ship has sailed. But I do them for my mental health, essentially, that when I skip exercise for a few days, here come my old friends, anxiety, depression. I don't sleep as well. I exercise even though I don't really like it, I do it and the endorphins and it feels good afterwards, and you feel more alive, you feel more limber. I exercise for me is basically a hedonistic pursuit. I like to feel good. I don't like to feel bad. My ticket to that is an hour or two of sweaty unpleasantness every day.

Other people, and I've been there too, who don't exercise, because at this age, when you exercise all the time, you have aches and pains. My knees always hurt now. When I don't exercise for about four days, my knees feel great. Which is it? I make the calculation nearly every day to exercise. We don't need to go down every one of these paths. I think you get the point. Lying to gain some benefit versus telling the truth even though it's going to cost

you something. We have all been making utilitarian calculations our whole lives since we were little bitty lads and lassies. This ain't new to us at all.

But Bentham is trying to turn this background de facto decision making process into a foundation of a logical ethical system that gets us to a good place. None of us have ever committed this sin, of course, but having an affair, I just want to see who giggles. I always love that versus keeping promises and being faithful to your partner. People get into trouble. Those who have entered into committed monogamous relationships, trouble sometimes walks through the door, and you find your decision making process compromised. It's just it's just crazy being a person. Being a person is weird. Weird things happen. People get hurt, and you make a decision in an afternoon that destroys the whole core of your life that you've been building for decades. Or there is a redemption and forgiveness process. Or you just carry around a secret your whole life.

One of those things is happening. For my students in community college they had to face a decision dropping out of high school versus finishing high school, going to college versus joining the workforce right out of high school. You know, those are utilitarian decisions. The message among many in the working class now is that college is unattainably expensive. College gives you a degree that doesn't really do anything for you and a $200,000 loan. Debt, and it's really easy to build a lucrative, profitable career without going to college at all. College isn't for me. We are in an inflection point in our society where college is no longer universally recognized as a general good. As readership and literacy and all those kinds of things will change, which absolutely transforms the nature of our democracy and so on and so on and so on. You can't escape utilitarianism. It affects us all. The bottom line really of all of these examples and the utilitarian calculus is that for Bentham, a rational analytical process is in place now for determining the good instead of just randomly feeling your way through it or placing interests of one person or party over others.

One question that comes up right about here is, why do you think utilitarianism was such a radical philosophy in the 18th and 19th centuries? It was. For us, it just sounds like, this is another interesting philosophy on the shelf of philosophies. But put yourself back in that time. When what we now call human trafficking and race based enslavement drove the leading economies in the world, including our own, when women were not allowed to vote, when the idea of universal human rights was just a dream. Look at how radical now it sounds for Bentham to argue that lawmakers must make every decision based on a calculation of how this will raise the happiness and wellness of every single person, not just men, not just white men, not just property holding white men. Suddenly, everybody's in the calculation. This is so dangerous to the status quo. It's hard for us to even understand that now.

But it is a radical thing, and you're right to be thinking ahead and thinking, utilitarianism is really the philosophical foundation of the abolitionist movements, of the suffragette movements, and up into our time. I want to tell you a little hypothetical that we use in some philosophy classes to explore utilitarianism. It's a completely made up little fable, but it's called the case of Sam. There was this guy called Sam, and he didn't have any living relatives except one elderly aunt who was in a coma and in hospice care in the hospital. She was dying. He came every day to visit his aunt and talk to her, but, to the point where the nurses and the staff and the physicians got to know Sam, and they knew his story a little bit.

One day, some physicians got together and they decided as Bentham utilitarians, that they could take Sam, anesthetize him, harvest all of his organs, and put those organs into much more viable human beings. A mother of nine who was a beloved member of the community needed a heart so his heart could go to her and so on and so on. There were like nine of

these people. That got Sam's organs. And they all went on to live many, many, many more decades and did the great work that they were doing in their lives. No one even missed Sam. Is this they thought, poor Sam, right? Does that feel right? No, it feels terrible.

But did the physicians actually make a valid utilitarian calculation? They sacrificed one person, but their decision definitely created the greatest happiness for the greatest number of people. Do you see the problem now in utilitarianism? I want to circle back around to it later. Obviously, none of us, I hope, are happy with the fact that a human being can be plucked without their consent, without their free will, and simply murdered. Let's see if we can save Sam's life later. But I want to jump from Bentham to Mill now because what John Stuart Mill is going to do is he's going to introduce, I guess you could call it an eighth criteria. Maybe that's misleading. I don't want to put it on that list Bentham gave us.

But this question, when we're calculating pleasures versus pains, do we also need to bring into our consideration not just the amount or quantity of pleasure, but the quality of that pleasure? Bentham didn't address this. He spoke about pleasures or happiness strictly in quantity in quantitative terms, not qualitative terms. I don't know. Isn't a really good regular sized hamburger better than one of these ridiculous things? These are jokes, right? Some restaurant cook these up as a gimmick, and nobody really wants that. I'm not going to change the sides. Give me a stomach ache. Let's turn now to John Stuart Mill. Again, little John Stuart Mill was a little boy. Friends John Stuart Mill's father was best friends with Bentham. They took it on themselves as a project to raise little John Stuart Mill. They taught him Greek at the age of five. He was translating Plato into English from the Greek at the age of six. Kind of a homeschooling success story, I guess you could say, and a real protege.

So John Stuart Mill puts it this way, that "It is quite compatible with the principle of utility. To recognize the fact that some kinds of pleasures are more desirable and more valuable than others." That's a challenging claim to us. But as you search your own inventory, is the pleasure of learning Spanish if you're not a native Spanish speaker and reading the poetry of Pablo Neruda in Spanish, is that pleasure greater in quality not quantity, is it greater in quality than the pleasure you get from scratching a mosquito bite? It's a provocative I got some mosquito bites recently, so it's it's on my mind. Those are both pleasures, and yet it seems weird to put them on the same field and talk just about quantity and not take into account what aspects of yourself? Do we have higher sensibilities and lower sensibilities and the pleasures of the higher sensibilities are of a different nature and quality than the pleasures of the lower sensibilities.

Bentham got us a long way, but Mill says, I need to add this in, and it's going to help us solve some problems that Bentham left us with. Bentham, who never married or had any children, also took it on himself as a project. As I said already, there's a really friendly relationship between the young John Stuart Mill and the elder mentor, Jeremy Bentham. John Stuart Mill accepts utilitarianism as a really great idea, but wants to bring into it this calculation. Bentham argued seemingly that all pleasures are equal except in amount, and Mill argued that some pleasures are of a higher quality and are better even if in smaller amount. Or mixed with pain. I have a picture of Yo Yo Ma playing cello and a guy scratching his back with one of those back scratchers you get at the gift shop. What are higher pleasures?

Let's see if we can be more specific about that. It's all rather vague at the moment. Higher pleasures are those that employ our higher functions and sensibilities. That is rational or aesthetic pleasures versus merely physical pleasures. You're invited to consider the validity of this claim. I don't know. I think it has merit. I'm not quite sure. It's still vague to me, but I get it that that physiological pleasures seem like an entirely different thing than the joy that

sinks into you when you've completed a particularly arduous professional task that you're really passionate about. You finished that work, whatever that is, and that sense of accomplishment. Eudaimonia, Aristotle would call it, that deep satisfaction, often gained through hard work, blood, sweat, tears, sleepless nights, building that thing and the joy that comes from that. It's just a completely different order than eating the perfect cheese enchilada, which is amazing.

Now the question becomes, if it's true, let's always be charitable. When we approach a new philosopher or philosophy, we can tear it all apart later, but being charitable at the front here, if Mill is onto something, and I sense that he is, then the question becomes, who are the qualified judges of whether this pleasure of higher sensibilities is worth more than this pleasure of lower sensibilities? Well, sorry, Mill answers this way. "If I'm asked what I mean by difference of quality and pleasures or what makes one pleasure more valuable than another merely as a pleasure except it's being in greater amount, there is but one possible answer." Here's the test. "Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure." Does that make sense?

So everybody knows what a great enchilada tastes like or how good it feels to scratch a mosquito bite. But not everybody can read Pablo Neruda in the original Spanish. Who is the qualified judge as to which of those two pleasures is greater? Not me. I don't read Spanish at that level. I can get around, I can read road signs almost. Who is the qualified judge? It has to be someone who can experience, we have an alarm going off. Everybody remain in your seat. That the person who has experienced both of those, their opinion as to which pleasure is greater is far more valid than my opinion. Are you with me so far? Do you feel the elitism creeping in the door here? You mean some people's opinions aren't very important and only the people who have experienced the fancy stuff, their opinions matter. Here comes that baked in classism again.

But let's keep it on a real plane here. There's something powerful about this that is a little bit undeniable. John Stuart Mill goes on to put it this way, "Few human creatures would consent to be changed into any of the lower animals for a promise of the fullest allowance of a beasts pleasures. No intelligent person would consent to be a fool, no instructed person would be an ignoramous, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal, is better satisfied with his lot than they are with theirs." A long sentence to say, "Once you have experienced both, you're always going to prefer the higher pleasures." You would never sacrifice that. He has a pithy way of putting things. He says, "It is better to be a human being dissatisfied than a pig satisfied." I don't know.

But if you could trade places with a pig right now and not any pig, perfectly blissed out pig, safe from slaughter, perfect pig pen, the right mud, all the great pig food, pig sex, whatever pigs think about, they get to think about. But, you can't read or write anymore. That's all right. I know. She's made the deal already. It's a playful hypothetical. Sorry, what Mill is inviting us to consider is higher pleasures really are qualitatively better. The problem now is that the uncultivated cannot be competent judges of cultivation, according to Mill. Democracy is in a little trouble here. And as an avid reader of Plato, Mill, of course, is very schooled in Plato's Republic where Plato asks all of these same questions. You know, it reminds me of that Winston Churchill quote, Democracy is a terrible form of government, but it's better than all the others. Because to go back to Plato's Republic, democracy is essentially mob rule. It's one person one vote. And so all of the uneducated, deeply conditioned, propagandized masses wash away the more careful discernments of the minority who are actually thinking things through.

That's always the danger. That's why Madison and Hamilton put the Electoral College into the Constitution in the 1780s because they were convinced mass elections were a terrible way to pick presidents. Now we're stuck with it forever. You can't help but doing politics when you're talking about utilitarianism because political discernments are so often utilitarian in nature. I want to share with you one brief story from my own teaching experience, the early days as an illustration of this discernment Mill is inviting us into, can the unqualified be competent judges of quality? When I was a brand new teacher, I got out of grad school in December 1990, and through a friend, I landed my first teaching gig, my first adjunct class at Southwestern College, teaching a logic and critical thinking class starting in January 1991. About halfway through that semester, my dean came to me and said, Hey, how would you like to teach a class next fall at Donovan Correctional Facility? The terror just wells up in you immediately.

But, when you're new on a job, what's your answer to every question? Yes. I did. I was a brand new second semester professor that hardly knew what I was doing and driving down to Donovan Correctional Facility, which is a medium security state prison on Otay Mesa. I'd never even heard of the place. I go way down there, and I check in, and I go through several days of training. They tell me, don't wear jeans and blue shirts because when the prison riot breaks out, the guy in the gun tower can't tell you from all the inmates because they're all wearing jeans and blue shirts. They give you a little pager, remember pagers? They give you a little pager you stick it on your belt. It's actually more like a garage door opener. They said, if you ever run into trouble, if you ever get jumped or anything, just push the button. Guard's nowhere to find you.

But so it was pretty terrifying, but I want to share with you, it was one of the most exciting, uplifting, I think, important teaching experiences I've ever had. I taught there about three semesters. I go into the classroom, and I'm in a room full of the elite of the inmate population at Donovan Correctional Facility. These are all people who have their GEDs or their high school diplomas. They can read and write. Some of them have some college. Most of the men living in Donovan Correctional Facility are functionally illiterate. They do not have high school diplomas. They're not lifers, all of them. They're coming out, and they're going to rent an apartment in your neighborhood, and recidivism is always a problem. Those good old days, the research held sway that when you offer college level classes in prisons at state expense, it reduces the recidivism rate and saves us tons of money. It's actually a fiscally conservative thing to do.

But I remember a parent coming to me and saying, my kid can't afford college textbooks. Maybe they should go to prison where all the books are free. Anyway, you have a point. But big picture, sir. There's always a shadow side to every good thing you try to do. But anyway, we were working on utilitarianism, me and the guys and in this prison classroom, and they immediately understood John Stuart Mill's urgent question about who are the competent judges of the quality of pleasures. Because the 30 guys in my classroom said, Professor Boland, if we put it to a vote to the prison population, would you rather have a case of beer and a carton of cigarettes or offer a philosophy class inside of Donovan? Everybody go for the beer and the cigarettes. The cigarettes are money in prison, as you know. We've all watched enough prison movies to know that, and so the guys in this philosophy classroom who were capable of judging and assessing the pleasures of both, they were the qualified judges of which pleasure was better.

So you see the problem bringing it out of the prison environment in a larger society. Should San Diego taxpayers fund a symphony? A lot of us are pretty convinced that we should. But as you very well know, it is a weird little elite art form, loved by a tiny, tiny percentage of the population, largely European music from hundreds of years ago, and look, I'm with you. I grew up on classical music. My life wouldn't be possible without it. It's formative to who I

am. But just because a little cell of people like something, does that mean we should ask everybody else to pay for it? Those are the real questions, and I realize it's it's more complex than that. Symphony is largely funded by endowments and so on.

But there is this question, and that is maybe the tool we can use to revisit the case of Sam. With Mills quality quantity question in play, Can Mills refined utilitarianism save Sam's life? You recall the setup. Sam was, without his permission, murdered by a medical group to harvest the organs, and the greatest happiness for the greatest number of people occurred because all these people's lives were saved and the quality of lots of people's lives was enhanced. But something about that scenario bothers us. That Sam was not consulted. Now, if if Sam had volunteered or if he had been consulted and then volunteered, whatever form that would take, that alters the calculation.

But the fact that he was chloroformed from behind and dragged into a surgery theater, obviously, he was just flat out murdered, and that means that all of us now live in a world where the Oregon police can come to your door, "I'm sorry, Mr. Boland, but a decision has been made by the Oregon committee that your organs would be better off in other people. So would you come with us, please? I'm sorry, misses Boland." Obviously, the fact that Sam could be so unceremoniously erased like that, murdered like that, erodes all of our liberty, right? All of our liberty is now eroded. By the fact that I no longer have autonomy over my own life to make my own decisions, and so, is it not the case that freedom is a higher good, liberty is a higher good?

Mill puts it this way, that the happiness which forms the utilitarian standard of what is right in conduct is not the agent's own happiness, but that of all concerned. Do you remember on Bentham's list of seven things that seventh one said, extent. How many others are affected. Mill's famous book called On Liberty. Puts that minor point in Bentham's work at the center of everything he does, that now we're going to by bringing the question of quality versus quantity into our assessment of which pleasures are better, we are able to now really move beyond simple self interest and ask a much to many of our ears, richer question. What about how do these moral decisions what does morality even mean if I'm not taking into consideration how it impacts everybody else. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. This is a direct attack on egoism or egotism. The idea that self interest ought to be the highest criteria for decision making.

Bentham says, this is almost a very Buddhist it's a very religious thing to say. You get this message in the Old and New Testament, in the Koran in the Dhammapata in Buddhist ethical teachings everywhere that other people matter just as much as you do.. If liberty or freedom or autonomy is a higher pleasure, the freedom to make our own decisions being essential to human happiness, and if utilitarianism is all about maximizing happiness, you can't just kill Sam. Because then all of our happiness goes, and we live in fear of the organ Committee , and of course, rich people will buy their way right out of the process, and it becomes back into a classist thing, and so all of utilitarianism just goes out the window. Human dignity or integrity is morally good independent of any consideration of the quantity of pleasure.

So now we might make a different utilitarian calculation under Mill. We might say, sorry, medical Group, it was wrong to kill Sam. Even though, yeah, you saved these nine people's lives and all their loved ones and so on, all their dependents really benefited, at a crude first glance, it looks like you did something for the greatest amount of happiness for the greatest number of people. But on second glance, we realize that the decision to murder Sam actually diminished the happiness of everybody on Earth. By erasing the principle of freedom and autonomy. That's why Mill puts liberty at the center of all utilitarian

calculations, and think about how that builds up this communitarian ethos, the idea that a primary means of ensuring our own happiness is looking out for the dignity and happiness of others. We've all learned this in our own lives that we do better when everyone around us is doing better. That we are happier when the family is happier and at peace, and so on and so on, that our well being is inextricably interwoven into the well being of all other asient beings around us.

The great Zen Buddhist teacher Thich Nhat Hanh called it inter being, that we have no independent living. We are interdependent. Even if it doesn't look like that, physiologically, I'm in this body, you're in that body, our existence is actually interwoven into a web, the Hindus call it Indra's net. Everything is intersecting with everything else. A society that protects people's liberty and autonomy, therefore, provides the best conditions for individual happiness to flourish. Because now there's a web of interdependency. This is what's at the heart of the abortion argument. Those who are against abortion argue that at the moment of conception, a woman, a free, walking around citizen human being woman instantly loses her bodily autonomy and becomes a walking womb and a ward of the state, who is now required to carry that pregnancy to term. People in favor of abortion access and abortion rights argue that, yes, a pregnancy has begun.

But the autonomy of the individual woman, her liberty still trumps the alleged or trumps the assertion of the fetus having its own claim to liberty, and that's the conflict. It's terribly difficult obviously to sort out. But the question of liberty is at the core. People who devote their lives to working for abortion access frame it as a universal liberty argument. When you take half the population and say, they don't have liberty and autonomy over their own body, if you don't have liberty over your body, what does liberty even mean? That's the juicy debate going on there. That is just one of the many things that comes out of Mill's assertion. A few more bits about Mill and then we'll wrap up and get to our Q&A. If you were trained as a teacher, a K-12 teacher or studied education, you probably read John Stuart Mill's on Liberty. Ran into his very influential ideas on education. We are morally obligated, Mill argued, to support, encourage, and provide for universal education, and here's why.

Universal education enables everyone to cultivate their own rational functions and higher sensibilities, teach them about classical music, thereby enabling them to maximize their happiness and even more fundamentally, in the process, enhancing everyone's happiness. My wife, Lori, and I did not have any children. It just didn't happen for us, and we built a life in different directions because of it. I always assumed as a teenager I was going to have six kids. I had my whole fatherhood track planned out and a zilch. Yet, every year when I get the property tax bill, I take a look at that pie chart, and when I write that five figure check to the city, the bulk of it goes to educating other people's children.

But I don't have any even glimpse of resentment about that or glimmer. I immediately realize growing up in a society where all children are educated benefits me, and that's one of the main arguments for the implementation of mandatory public education, which dates back to about Mill's time. Forcing kids to go to school, and you could view it through a kind of industrial lens, a capitalist lens the factory guys needed factory workers who could do math and read and stuff like that. Public education might just be kind of a compulsory vestige of the industrial capitalist society, but it's also a much more humanistic enterprise. We really do believe, I think, that education humanizes us and in that ancient Aristotelian sense, brings our potentials to fruition, thereby enhancing our own edeonia, our own satisfaction. To become who we really are, and so education benefits individuals and then tangentially or unintentionally benefits the whole society so that is Mill's argument. A little more on the politics side, liberty and nonmaleficence. nonmaleficence is in the ethical idea of reducing the harm that you do to others, causing as little harm.

Individuals ought to be afforded as much liberty as practically possible as long as others are not harmed. I think we all kind of walk somewhere on that spectrum that people ought to have as much right to do things. But when it gets over into causing other people harm, we're going to restrict some of those rights. You don't get to have a machine gun, for example. It's illegal. You can have a semi automatic and then quickly jump online and turn it into an automatic. But during COVID we were all legally bound to wear masks and vaccines and all that's brought up again by recent events in the Senate, and these are the difficult decisions societies make. In the United Kingdom, the principle of nonmaleficence or the no harm principle is more important than helping others maximize their happiness. Instead of trying to create happiness for others, remove as many barriers as possible, and then let folks just work it out on their own. This nonmaleficence principles was used to legalize homosexuality, as it was called then in the 1950s in England.

They realized, well, if same sex couples want to engage in sex or live together, it doesn't hurt anybody. Why should we have a law against it? Let's get rid of the law. People are going to disagree about the morality and all that, fine. Chatter on. But the state has no role in the restriction of this human activity because literally nobody is getting hurt, and so if it's not causing harm, the government has no reason to restrict it. That's another application of Mill's principles on liberty and also the greatest happiness, trying to create as much freedom as possible, and out of the early 20th century and before, really comes the women's suffragette movement of advocating, fighting, fighting, fighting, fighting for the right to vote. Men did not grant women the right to vote. Women kicked so much *** that they earned the right to vote, which they should have had all along, and in most of our sensibilities. I know everybody but Pete Hicksas Minister thinks that women should have the right to vote.

This is another version of that calculation of the greatest amount of happiness for the greatest number of people, and hopefully, maybe we didn't get that so much from Bentham, but for Mill, we really get the pitch that this is about the enhancement of liberty of all, and so I still hear echoes of Plato's and Aristotle's philosophy in Mill. It's unavoidable. But he's also, like Bentham before him, trying to bring a cold hard, rational calculation which is an admirable thing to do, I think, into the messy business of morality. Now, morality isn't just something God is telling us what to do from some ancient book. Morality is something we can work out here and now by looking around and authentically inquiring, how can we reduce the harm that we do to each other? We do harm to one another unavoidably, but can we turn the volume down? That's what I think utilitarianism's strength is. I mentioned in passing before, utilitarianism becomes the jumping off point for the animal rights movement and increasing biosphere ethic movement today so the story isn't over, but maybe in our discussion now, we can get into some of that.