

00:00:04 – 00:00:47Funding for this program is provided by: Additional funding provided by This is a course about Justice and we begin with a story suppose you're the driver of a trolley car, and your trolley car is hurtling down the track at sixty miles an hour and at the end of the track you notice five workers working on the track you tried to stop but you can't your brakes don't work you feel desperate because you know that if you crash into these five workers they will all die let's assume you know that for sure00:01:05 – 00:02:04and so you feel helpless until you notice that there is off to the right a side track at the end of that track there's one worker working on track you're steering wheel works so you can turn the trolley car if you want to onto this side track killing the one but sparing the five.Last time we started out last time with some stories with some moral dilemmas about trolley cars and about doctors and healthy patients vulnerable to being victims of organ transplantation we noticed two things about the arguments we had one had to do with the way we were arguing00:25:11 – 00:25:55it began with our judgments in particular cases we tried to articulate the reasons or the principles lying behind our judgments and then confronted with a new case we found ourselves re-examining those principles revising each in the light of the other and we noticed the built-in pressure to try to bring into alignment our judgments about particular cases and the principles we would endorse on reflection we also noticed something about the substance of the arguments that emerged from the discussion.00:25:55 – 00:26:43We noticed that sometimes we were tempted to locate the morality of an act in the consequences in the results, in the state of the world that it brought about.Take my advice Calicles says, abandon argument learn the accomplishments of active life, take for your models not those people who spend their time on these petty quibbles, but those who have a good livelihood and reputation and many other blessings.00:21:22 – 00:22:10So Calicles is really saying to Socrates quit philosophizing, get real go to business school and Calicles did have a point he had a point because philosophy distances us from conventions from established assumptions and from settled beliefs.You'll notice too from the syllabus that we don't only read these books, we also all take up contemporary political and legal controversies that raise philosophical questions.00:16:37 – 00:17:23We will debate equality and inequality, affirmative action, free speech versus hate speech, same sex marriage, military conscription, a range of practical questions, why not just to enliven these abstract and distant books but to make clear to bring out what's at stake in our everyday lives including our political lives, for philosophy.It's the idea well it goes something like this we didn't resolve, once and for all, either the cases or the principles we were arguing when we began00:22:10 – 00:22:49and if Aristotle and Locke and Kant and Mill haven't solved these questions after all of these years who are we to think that we here in Sanders Theatre over the course a semester can resolve them and so maybe it's just a matter of each person having his or her own principles and there's nothing more to be said about it no way of reasoning that's the evasion.So skepticism, just throwing up their hands and giving up on moral reflection, is no solution Emanuel Kant described very well the problem with skepticism when he wrote skepticism is a resting place for human reason where it can reflect upon its dogmatic wanderings00:23:29 – 00:24:17but it is no dwelling place for permanent settlement.Consequences be what they may. People were reluctant people thought it was just wrong categorically wrong to kill a person an innocent person even for the sake of saving five lives, at least these people thought that in the second version of each story we reconsidered so this points a

second categorical way of thinking about moral reasoning00: 15: 16 – 00: 15: 57categorical moral reasoning locates morality in certain absolute moral requirements in certain categorical duties and rights regardless of the consequences. We human beings like pleasure and dislike pain and so we should base morality00: 28: 46 – 00: 29: 31whether we are thinking of what to do in our own lives or whether as legislators or citizens we are thinking about what the law should be, the right thing to do individually or collectively is to maximize, act in a way that maximizes the overall level of happiness. The most influential example of consequential moral reasoning is utilitarianism, a doctrine invented by Jeremy Bentham, the eighteenth century English political philosopher. You will examine the presuppositions of public policy, you will hone your political00: 19: 56 – 00: 20: 42judgment you'll become a more effective participant in public affairs but this would be a partial and misleading promise political philosophy for the most part hasn't worked that way. The evasion of skepticism to which I would offer the following reply: it's true these questions have been debated for a very long time but the very fact00: 22: 49 – 00: 23: 29that they have reoccurred and persisted may suggest that though they're impossible in one sense their unavoidable in another and the reason they're unavoidable the reason they're inescapable is that we live some answer to these questions every day. I've tried to suggest through these stories and these arguments some sense of the risks and temptations of the perils and the possibilities I would simply conclude by saying that the aim of this course is to awaken the restlessness of reason and to see where it might lead thank you very much. In the state of the world that will result from the thing you do but then we went a little further, we considered those other cases and people weren't so sure about consequentialist moral reasoning when people hesitated to push the fat man00: 14: 24 – 00: 15: 16over the bridge or to yank out the organs of the innocent patient people gestured towards reasons having to do with the intrinsic quality of the act itself. You have to allow for the possibility that political philosophy may make you a worse citizen rather than a better one or at least a worse citizen before it makes you a better one and that's because philosophy is a distancing even debilitating activity And you see this going back to Socrates there's a dialogue, the Gorgias00: 20: 42 – 00: 21: 22in which one of Socrates' friends Calicles tries to talk him out of philosophizing. This time you're not the driver of the trolley car, you're an onlooker standing on a bridge overlooking a trolley car track and down the track comes a trolley car at the end of the track are five workers the brakes don't work the trolley car is about to careen into the five and kill them and now you're not the driver you really feel helpless until you notice standing next to you leaning over the bridge is it very fat man. Here's the obvious question, what became of the principle better to save five lives even if it means sacrificing one, what became of the principal that almost everyone endorsed in the first case I need to hear from someone who was in the majority in both cases is how do you explain the difference between the two?00: 06: 18 – 00: 06: 55The second one I guess involves an active choice of pushing a person and down which I guess that that person himself would otherwise not have been involved in the situation at all and so to choose on his behalf I guess to involve him in something that he otherwise would have this escaped is I guess more than what you have in the first case where the three parties, the driver and the two sets of workers are already I guess in this situation. This time your doctor in an emergency room00: 10: 06 – 00: 10: 51and six patients come to you they've been in a terrible trolley car wreck five of them sustained moderate injuries one is severely

injured you could spend all day caring for the one severely injured victim, but in that time the five would die, or you could look after the five, restore them to health, but during that time the one severely injured person would die. With this basic principle of utility on hand, let's begin to test it and to examine it by turning to another case another story but this time 00:29:31 – 00:30:19 not a hypothetical story, a real-life story the case of the Queen versus Dudley and Stephens. The four crew members escaped to a lifeboat the only food they had were two cans of preserved turnips no fresh water for the first three days they ate nothing on the fourth day that opened one of the cans of turnips and ate it. The next day they caught a turtle together with the other can of turnips the turtle enabled them to subsist for the next few days and then for eight days they had nothing 00:31:44 – 00:32:29 no food no water. Certain moral principles have already begun to emerge from the discussions we've had and let's consider what those moral principles look like the first moral principle that emerged from the discussion said that the right thing to do the moral thing to do 00:13:39 – 00:14:24 depends on the consequences that will result from your action at the end of the day better that five should live even if one must die. The most important philosopher of categorical moral reasoning 00:15:57 – 00:16:37 is the eighteenth century German philosopher Emmanuel Kant. Self-knowledge is like lost innocence, however unsettling you find it, it can never be unthought 00:19:10 – 00:19:56 or unknown what makes this enterprise difficult but also riveting, is that moral and political philosophy is a story and you don't know where this story will lead but what you do know is that the story is about you. Calicles tells Socrates philosophy is a pretty toy if one indulges in it with moderation at the right time of life but if one pursues it further than one should it is absolute ruin. Simply to acquiesce in skepticism, Kant wrote, can never suffice to overcome the restless of reason. Today and in the next few days we will begin to examine one of the most influential versions of consequentialist moral theory and that's the philosophy of utilitarianism. Jeremy Bentham, the eighteenth century English political philosopher gave first the first clear systematic expression to the utilitarian moral theory. The ship foundered in the south Atlantic 00:30:19 – 00:31:03 thirteen hundred miles from the cape there were four in the crew, Dudley was the captain Stephens was the first mate Brooks was a sailor, all men of excellent character, or so the newspaper account tells us. The fourth crew member was the cabin boy, Richard Parker seventeen years old. He went in the hopefulness of youthful ambition thinking the journey would make a man of him. 00:31:03 – 00:31:44 Sadly it was not to be, the facts of the case were not in dispute, a wave hit the ship and the Mignonette went down. The next day there was still no ship in sight so a Dudley told Brooks to avert his gaze and he motioned to Stephens that the boy Parker had better be killed. We're going to explore in the days and weeks to come the contrast between consequentialist and categorical moral principles. He started out by observing that all of us all human beings are governed by two sovereign masters, pain and pleasure. Here's what they did by now the cabin boy Parker is lying at the bottom of the lifeboat in a corner because he had drunk sea water against the advice of the others and he had become ill and he appeared to be dying so on the nineteenth day Dudley, the captain, suggested that they should all have a lottery. Brooks refused he didn't like the lottery idea 00:32:29 – 00:33:10 we don't know whether this was because he didn't want to take that chance or because he believed in categorical moral principles but in any case no lots were drawn. Brooks emerged from his conscientious objection to share in the gruesome bounty. 00:33:10 – 00:33:54 For four days the

three of them fed on the body and blood of the cabin boy. How many would go straight ahead keep your hands up, those of you who'd go straight ahead. 00:02:04 – 00:02:47 A handful of people would, the vast majority would turn let's hear first now we need to begin to investigate the reasons why you think it's the right thing to do. Let's begin with those in the majority, who would turn to go onto side track? Well I was thinking it was the same reason it was on 9/11 we regard the people who flew the plane who flew the plane into the Pennsylvania field as heroes because they chose to kill the people on the plane and not kill more people in big buildings. So the principle there was the same on 9/11 it's tragic circumstance, but better to kill one so that five can live is that the reason most of you have, those of you who would turn, yes? 00:03:31 – 00:04:30 Let's hear now from those in the minority those who wouldn't turn. Well I think that same type of mentality that justifies genocide and totalitarianism in order to save one type of race you wipe out the other. Let's consider another trolley car case and see whether those of you in the majority want to adhere to the principle, 00:04:31 – 00:05:22 better that one should die so that five should live. And you have no organ donors you are about to see you them die and then it occurs to you that in the next room there's a healthy guy who came in for a checkup. I'd actually like to explore slightly alternate possibility of just taking the one of the five he needs an organ who dies first and using their four healthy organs to save the other four 00:12:50 – 00:13:39 That's a pretty good idea. consequentialist moral reasoning locates morality in the consequences of an act. Books by Aristotle John Locke Emanuel Kant, John Stuart Mill, and others. These risks spring from that fact that philosophy teaches us and unsettles us by confronting us with what we already know. There's an irony the difficulty of this course consists in the fact that it teaches what you already know. That's how those examples worked worked the hypotheticals with which we began with their mix of playfulness and sobriety. Philosophy estranges us from the familiar not by supplying new information but by inviting and provoking a new way of seeing but, and here's the risk, once the familiar turns strange, it's never quite the same again. But we also noticed that in some cases we weren't swayed only by the results sometimes, many of us felt, that not just consequences but also the intrinsic quality or character of the act matters morally. So we contrasted consequentialist moral principles with categorical ones. And Bentham's idea, his essential idea 00:27:38 – 00:28:46 is a very simple one with a lot of morally intuitive appeal. Bentham's utilitarianism is sometimes summed up with the slogan the greatest good for the greatest number. A newspaper account of the time described the background: A sadder story of disaster at sea was never told than that of the survivors of the yacht Mignonette. Dudley offered a prayer he told a the boy his time had come and he killed him with a pen knife stabbing him in the jugular vein. The trolley car is a runaway, thing and you need to make in a split second choice whereas pushing the fat man over is an actual act of murder on your part you have control over that whereas you may not have control over the trolley car. I mean maybe if you just accidentally like leaned into this steering wheel or something like that 00:09:30 – 00:10:06 or but, or say that the car is hurdling towards a switch that will drop the trap then I could agree with that. Now consider another doctor case this time you're a transplant surgeon and you have five patients each in desperate need of an organ transplant in order to survive on needs a heart one a lung, one a kidney, one a liver and the fifth a pancreas. and he is you like that and he's taking a nap you could go in very quietly 00:11:57 – 00:12:47 yank out the five organs, that person would die but you can save the five. So

we will look at those two different modes of moral reasoning assess them and also consider others. So we will read these books and we will debate these issues and we'll see how each informs and illuminates the other. those are the risks, personal and political and in the face of these risks there is a characteristic evasion, the name of the evasion is skepticism. Bentham's idea is the following the right thing to do the just thing to do it's to maximize utility. Here's how we arrived at the principle of maximizing utility. Here's what happened in the case I'll summarize the story and then I want to hear how you would rule imagining that you are the jury. Let's take a poll, how many would turn the trolley car onto the side track? You would to avoid the horrors of genocide you would crash into the five and kill them? who else can find a way of reconciling the reaction of the majority in these two cases? Well I'm not really sure that that's the case, it just still seems kind of different, the act of actually pushing someone over onto the tracks and killing them, you are actually killing him yourself, you're pushing him with your own hands you're pushing and 00:08:43 – 00:09:28 that's different than steering something that is going to cause death into another... you know it doesn't really sound right saying it now when I'm up here. Andrew and let me ask you this question Andrew, suppose standing on the bridge next to the fat man I didn't have to push him, suppose he was standing over a trap door that I could open by turning a steering wheel like that would you turn it? Fair enough, it still seems wrong in a way that it doesn't seem wrong in the first case to turn, you say An in another way, I mean in the first situation you're involved directly with the situation in the second one you're an onlooker as well. What do you say, speak up in the balcony, you who would yank out the organs, why? That's a great idea except for the fact that you just wrecked the philosophical point. Let's step back from these stories and these arguments to notice a couple of things about the way the arguments have began to unfold. That's an example of consequentialist moral reasoning. If you look at the syllabus, you'll notice that we read a number of great and famous books. This may sound appealing enough but here I have to issue a warning, 00:17:23 – 00:18:16 and the warning is this to read these books in this way, as an exercise in self-knowledge, to read them in this way carry certain risks risks that are both personal and political, risks that every student of political philosophy have known. It works by taking what we know from familiar unquestioned settings, 00:18:16 – 00:19:10 and making it strange. one way of introducing of course like this would be to promise you that by reading these books and debating these issues you will become a better more responsible citizen. You've gotta do 00:24:21 – 00:25:10 What you gotta do. pretty much, if you've been going nineteen days without any food someone has to take the sacrifice, someone has to make the sacrifice and people can survive. Some people argued that there are certain things that are just categorically wrong even if they bring about 00:26:43 – 00:27:38 a good result even if they save five people at the cost of one life. This was a nineteenth-century British law case that's famous and much debated in law schools. He was an orphan he had no family and he was on his first long voyage at sea. How many wouldn't? it wouldn't be right to kill five if you could kill one person instead 00:02:47 – 00:03:31 that's a good reason that's a good reason who else? Presumably yes. okay who else? And you could give him a shove 00:05:23 – 00:06:18 he would fall over the bridge onto the track right in the way of the trolley car he would die but he would spare the five. How many wouldn't? Most people wouldn't. but the guy working, the one on the track off to the side 00:06:55 – 00:07:40 he didn't choose to sacrifice his life any more than the fat guy did, did he? That's true, but he was

on the tracks. Alright who has a reply? True story. go ahead.