The Significance of Philosophy
Turkey earthquake: Erdogan 'responsible for this' opposition leader says

4 hours ago

Turkey–Syria earthquakes 2023
Today’s Agenda

1. Technical considerations in data privacy
   • Data storage and encryption
   • Multi-party privacy
   • Information discovery
   • Issues in facial recognition
2. Regulatory considerations in data privacy
3. Methods for Resolving Value Trade-Offs:
   • Utilitarianism and/versus Rights
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1. Technical considerations in data privacy
   • Data storage and encryption
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2. Regulatory considerations in data privacy

3. Methods for Resolving Value Trade-Offs:
   • Utilitarianism and/versus Rights
Utilitarianism

Sum up all the values of all the pleasures on the one side, and those of all the pains on the other. The balance, if it be on the side of pleasure, will give the good tendency of the act upon the whole, with respect to the interests of that individual person; if on the side of pain, the bad tendency of it upon the whole.

"Jeremy Bentham"
Utilitarianism

What is Utilitarianism? a general theory of what is valuable and of right action.

1. A Theory of the Good?

A Theory of what is valuable: happiness (and only happiness) is intrinsically good.

hedonistic view. Only pleasure or happiness is intrinsically good; only pain intrinsically bad. Happiness is constituted by subjective experiences.

there are higher and lower pleasures. Happiness is constituted by enjoyment of higher pleasures. An objective account.

Images (Top to Bottom): Lorenzo Manuali, Generated by MidJourney AI, “Jeremy Bentham, hyperrealistic, smirk, photorealism, beautiful”; Lorenzo Manuali, Generated by MidJourney AI, “John Stuart Mill, beautiful, hyperrealistic, photorealism”
What is Utilitarianism? a *general theory of what is valuable* and of *right action*.

### 2. A Theory of the Right

The right action is that action, of all available alternatives, that produces the *greatest net balance of happiness*.
What is Utilitarianism? a *general theory of what is valuable* and of *right action*.

2. A **Theory of the Right**

The right action is that action, of all available alternatives, that produces the **greatest net balance of happiness**.

Image: Courtesy of Mehran Sahami
Utilitarianism

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Utilitarianism

Utilitarianism has four core elements

- **Consequentialism**: right and wrong to be determined by an action’s consequences, real world states of affair. Intentions unimportant.

- **Hedonism**: what matters most fundamentally is pleasure and pain; or happiness.

- **Impartiality**: each person counts in the utilitarian calculation, and each person counts equally.

- **Aggregation**: objective function is to maximize is the total sum of happiness.
1. Do we sum happiness over all living people only, or over all people into the indefinite future? (what discount rate should we apply to the unborn/future generations?)
2. Do we count the happiness or unhappiness of all sentient beings, or only humans?

(utilitarianism for animals?)
3. And of course:

How do we compare the happiness/unhappiness of one person to that of another?

The problem of **interpersonal comparison of utility**
4. What about the distribution of risk and harm?

Is it permissible to impose increased risks/harms on some persons in order to deliver large gains for others?
4. Remember John Rawls?

*A Theory of Justice* provides an alternative to utilitarianism, which “fails to take seriously the distinction between persons.”
5. Does Utilitarianism just reduce everything to moral math?

Is that something we want?
Ford wants to mass produce a cheap car called the Pinto. It skimps on a safety standard to do it. Ford knows the car is prone to exploding/catching fire and that people will die. Why did Ford not implement the safety standard?
Table 3 outlines the pertinent benefit and cost. The relevant benefits are those associated with the consequences of reduction in the frequency of fires in rollovers, while the presented costs relate to the incremental cost associated with meeting the specific static rollover aspects of the Standard.

Table 3

BENEFITS AND COSTS RELATING TO FUEL LEAKAGE ASSOCIATED WITH THE STATIC ROLLOVER TEST PORTION OF FMVSS 208

**BENEFITS:**

Savings - 180 burn deaths, 180 serious burn injuries, 2100 burned vehicles.

Unit Cost - $200,000 per death, $67,000 per injury, $700 per vehicle.

Total Benefit - $200,000 x 180 + $67,000 x 180 + $700 x 2100 = $49.5 million.

**COSTS:**

Sales - 11 million cars, 1.5 million light trucks.

Unit Cost - $11 per car, $11 per truck.

Total Cost - $11 x 11,000,000 + $11 x 1,500,000 = $137 million.

Images: E.S. Grush and C.S. Saunby, “Fatalities Associated with Crash Induced Fuel Leakage and Fires”
**Utilitarianism in Action: Moral Math?**

*Table 1: GiveWell’s moral weights*

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Value of doubling consumption for one person for one year</td>
<td>1.0</td>
</tr>
<tr>
<td>Value of averting one year of life lived with disease/disability (YLD)</td>
<td>2.3</td>
</tr>
<tr>
<td>Value of averting one stillbirth (1 month before birth)</td>
<td>33.4</td>
</tr>
<tr>
<td>Value of preventing one 5-and-over death from malaria</td>
<td>83.1</td>
</tr>
<tr>
<td>Value of averting one neonatal death from syphilis</td>
<td>84.0</td>
</tr>
<tr>
<td>Value of preventing one under-5 death from malaria</td>
<td>116.9</td>
</tr>
<tr>
<td>Value of preventing one under-5 death from vitamin A deficiency</td>
<td>118.4</td>
</tr>
</tbody>
</table>

Privacy is a value that is necessary to protect our higher-order interest in autonomy and self-determination.

The claim of individuals to determine for themselves when, how, and to what extent information about them is shared with or communicated to others.

QUESTION: How should we institutionalize – or put into practice – this value? How should we balance it against other values?
Back to Square One: What is Privacy?

An **interest**? (one consideration among many; can be defeated by other values or rights?)

A **right**? (strong presumption against infringement)

A **constitutional right**? (ordinary lawmaking can’t remove; sits above majoritarian decisionmaking)

An **inalienable constitutional right**? (ordinary lawmaking can’t remove and right holder can’t renounce – no notice and consent!)

A **fundamental human right**? (no government can remove/abridge)
Rival Values

What other values (or interests, or rights) might be in tension with privacy (however we construe it)?

1. National Security (e.g., terrorism)
2. Public Safety (e.g., crime)
3. Innovation
4. Convenience
Rival Values

• How should we balance privacy against security/public safety/innovation/convenience?
• What weight, under what circumstances, should we attach to these interests?
• Who should decide the framework?
• Who should decide who decides?
Scenario for Discussion

• Imagine you are a Member of Congress and you need to take a position on the following four issues in the privacy legislative debate:

1. Whether to require that companies seek “meaningful, informed” consent from users around how their data will be used
2. Whether to mandate that consumers “opt-in” for the collection of personal data by private companies
3. Whether to obligate companies to ensure that consumers can take their data with them if they wish
4. Whether to empower a new federal agency with responsibility for protecting and enforcing privacy rights

• What position would you take on each of these issues? How would you decide? How might your position depend on the part of the country you represent?
• What might be most challenging in making these ideas operational?