

‘Would-you-rather’ Utilitarianism

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One of the consistent frustrations faced by those of us teaching in the field(s) of business ethics and/or corporate social responsibility has to do with what is arguably the most common ethical framework: utilitarianism. For years, the submitter of this proposal has been careful to distinguish between two ‘variations’ of this particular form of consequentialist reasoning: *social utilitarianism*, and *economic utilitarianism*. The former, the ‘purer’ form, advocates for taking actions which produce, or tend to produce, the greatest good for the greatest number of legitimate stakeholders. The latter, the ‘bastardized’ form, advocates for taking actions which produce, or tend to produce, the greatest profit for shareholders.

While this distinction has proven useful in helping students differentiate between what, as business students, is the more familiar referent—economic utilitarianism—and the more ideal ethical referent—social utilitarianism—, this distinction has proven quite unsatisfying in terms of illuminating what amounts to a misapplication of the social utilitarian perspective. When faced with complex business decisions, such as whether or not to move production off-shore in order to secure a competitive cost advantage relative to one’s competitors, the argument (and I use the term generously here) is oftentimes offered that there is nothing fundamentally wrong with engaging the services of (for example) child laborers in the third world because even employment under conditions which are exploitative is to be preferred to other available options, such as digging through a dump for one’s dinner or engaging in child prostitution.

Now, as descriptively accurate as this claim may be, it does not amount to an ethical justification for setting up sweatshops—except in the minds of many students, who see this argument as being supported by social utilitarian (as well, of course, as economic utilitarian) logic.

In order to drive home the point that such argument is little related to utilitarianism, the submitting writer has recently introduced a third utilitarian perspective: ‘would-you-rather’ utilitarianism. The beauty of this label is that most students are familiar with the childhood game of ‘would-you-rather.’ Many have spent countless hours with friends posing questions to one another of the form: ‘would-you-rather’ (for example) be *blind* or *deaf*? In each instance, the choice is between two competing unattractive alternatives. As one might suspect, this game has made its way into the mainstream of American life, and there is now a website devoted to such dilemmas: <http://www.wouldyourather.com>. If you visit this site—as the submitting writer does in class in real time, playing one of the cartoon videos for the edification of the students—you will find creatively displayed dozens of such ‘would-you-rather’ statements. The cartoon video which has been featured most recently on this website poses the following dilemma: ‘would-you-rather’ watch a porn movie *with* your parents, or watch a porn movie *starring* your parents. You can imagine the groans of the students as they watch this cartoon video, and contemplate how distasteful this form of devil-and-the-deep-blue-sea choice really is.

And yet...when evaluating the question of whether or not sweatshops are justified, many still want to return to the argument that sweatshops offer an alternative which is better than any other currently available alternative. Until, of course, I remind them of the ‘would-you-rather’ logic

which underpins such an argument. The fundamental point to be made with respect to evaluating the logic of this argument is that a marginal improvement over a very bad alternative does not amount to a utilitarian justification for the marginally better alternative...an obvious point to many reviewers of this proposal, no doubt, but a point which escapes many students.

To be clear, the ‘would-you-rather’ form of utilitarianism, and the variations of social and economic utilitarianism as well, are not the only ethical perspectives to be invoked with respect to the normative evaluation of alternatives with respect to a particular business issue. This ‘would-you-rather’ utilitarian form is in actuality a nuance within a larger decision framework proposed most recently by Burton and Dunn (2006). Within this framework, students are encouraged to contemplate the following questions, each related to a particular ethical perspective, as they make decisions regarding what could broadly be labeled as the ‘ethics’ of a particular contemplated course of action:

Does the contemplated action...	
...conform to important principles?	Universalism/Deontology
...lead to greater good than harm?	Social Utilitarianism
...contribute to fairness?	Justice (Distributive, Procedural, Compensatory, Retributive)
...exhibit caring?	Ethics of Care
...promote personal liberty?	Libertarianism
...support the values of the decision-maker?	Virtue
...respect the natural environment?	Land Ethic

The model taken in its entirety requires that students first specify the core ethical issue, then identify those ethical perspectives which are most relevant to this issue, and finally to proceed with their normative assessment of the available alternatives.

There are several potential pitfalls along the way, to which students need to be alerted. The first has to do with *misspecification of the issue*. If, for example, a student were to suggest that the primary issue with respect to sweatshops is whether or not workers are better off working in sweatshops than having no job at all—or a job in which they were involved in the sex trade—the very specification of the issue would clearly privilege ‘would-you-rather’ utilitarianism above other legitimate ethical perspectives (such as deontology, which would focus attention on the duty of the employer to provide safe working conditions and a livable wage, or the ethic of care, which would suggest taking actions which are motivated by love). Specification of the primary issue should not be tantamount to ‘ruling out’ ethical perspectives with which the decision-maker does not want to grapple—or alternatively ‘ruling out’ ethical perspectives which would not support an alternative to which, in violation of a more rationale process, the decision-maker has made an *a priori* commitment.

The second potential pitfall is *misspecification of the ethical perspective(s) which are most relevant to the core issue*. Again taking up the matter of sweatshops, it can readily be seen that

there are issues of rights/duties, and outcomes, and fairness, and caring, and liberty, and virtue—and even the natural environment—which inhere. In the experience of the submitting writer many business students have a predisposition (for whatever reason is of little importance here) to give undue attention to the ‘would-you-rather’ utilitarian logic in such discussions. The matter of universal human rights/duties, as outlined (for example) in the SA8000 standards, are oftentimes not given adequate attention; nor are the balance of the ethical perspectives given much force in the decision process. And worse, students have a tendency to advance the logic of ‘would-you-rather’ utilitarianism as if it were social utilitarianism, in what amounts to an attempt to legitimize an ethically deficient perspective through associating the deficient perspective with one having a solid normative grounding.

The third potential pitfall is *misspecification of the ethical perspective(s) themselves*. There is no ethical framework more prey to such misspecification than utilitarianism. Students routinely suggest, either explicitly or by implication, that any decision alternative which is merely better than the worst alternative is normatively justified by social utilitarianism. While this may be true of ‘would-you-rather’ utilitarianism, it is certainly not true of social utilitarianism. Furthermore, within the ‘would-you-rather’ form of utilitarianism there exist a number of equally acceptable resolutions to any ethical issue. So with respect to the issue of sweatshops, students may offer a myriad of alternatives to having no job at all, each of which represents a marginal improvement to an alternative of unemployment. Within the ‘would-you-rather’ utilitarian logic there is no way to establish priorities among these alternatives. To the extent they focus on the nuances of net utility at all, students utilizing this perspective oftentimes recommend doing as little as possible to improve conditions: given the assumption that improvements come with real costs attached, *less is better*—as long as one is satisfied ethically with a marginal improvement over the worst possible alternative.

In stark contrast is the demand to achieve the greatest good for the greatest number required by social utilitarianism, with this judgment being made only after assessing all possible alternatives. And by extension the demand to maximize net utility provides a normative justification for only *one* alternative—the best alternative, not merely one which satisfies the positive net utility (or ‘would-you-rather’) standard.

As to the format for this proposed session...the writer of this proposal did not find any of the available options outlined in the submission guidelines an ideal fit. While the current submission is technically advanced as a paper session, this is primarily because other parameters were so centrally focused on research (as opposed to teaching) proposals. Therefore, while the proposal submitter is fully committed to developing a full (and publishable) paper on the topic of ‘would-you-rather’ utilitarianism, the session would be designed to seek input from attendees on the value to be added to classroom discussions of ethical decision-making as a result of incorporating this perspective.

The ultimate goal is to assist students across disciplines in enhancing their normative decision-making ability.

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