

Applying the hedonic calculus

Should the beggar steal the bread?



In applying the hedonic calculus to any situation Bentham says you should:

- 1-4 Calculate the immediate pleasure by summing up the plusses and minuses using the first four criteria.
- 5-6 Add in the plusses and minuses that result from the knock-on (long-term) effects using the next two criteria.
- 7 Arrive at a final total by repeating this process for everyone affected by the action.

1. Intensity.
2. Duration.
3. Certainty/uncertainty.
4. Propinquity.

Those affected in the short term

- The beggar and anyone he was going to share the bread with.
- The owner of the bread and anyone who was going to eat it.

5. Fecundity
6. Purity

Those affected in the long term

- The beggar – who may now have enough food to live or who may have started to develop a habit of breaking the law.
- Those who didn't get to eat the bread—who might have increased resentment against the poor or who might be moved to set up a charitable foundation.
- Those in the community who hear of the crime and may feel threatened by the breakdown of law and order.
(See what Bentham says in *The Theory of Legislation* where he distinguishes between evils of the first and second orders.)

Remember the bigger picture

Step back and consider not only the consequences of stealing the bread but also the consequences of **advocating** the beggar steals the bread. This would mean utilitarianism would be undermining the rule of law. Chaos and anarchy might ensue. Utilitarianism was meant to be a practical approach. It did encourage changing the law but rarely simply ignoring the law.

In *The Theory of Legislation*, Bentham distinguishes between evils of the first and second orders. Those of the first order are the more immediate consequences; those of the second are when the consequences spread through the community causing "alarm" and "danger".

It is true there are cases in which, if we confine ourselves to the effects of the first order, the good will have an incontestable preponderance over the evil. Were the offence considered only under this point of view, it would not be easy to assign any good reasons to justify the rigour of the laws. Every thing depends upon the evil of the second order; it is this which gives to such actions the character of crime, and which makes punishment necessary. Let us take, for example, the physical desire of satisfying hunger. Let a beggar, pressed by hunger, steal from a rich man's house a loaf, which perhaps saves him from starving, can it be possible to compare the good which the thief acquires for himself, with the evil which the rich man suffers? ... It is not on account of the evil of the first order that it is necessary to erect these actions into offences, but on account of the evil of the second order.