

# Against the Plausibility of Utilitarianism

*Andrea Loffi*

University of Trento, Neurotheoretic Group, Pavia (Italy)

**Abstract.** The aim of this paper is to discuss some highly intuitive thought experiments against the plausibility of utilitarianism in general and the role of suffering in moral reasoning in particular. Accordingly, it will be shown that deontology appears to be a more plausible normative theory. The meta-ethical problem of the role of intuitions in moral reasoning will also be considered.

**Key words:** Utilitarianism, deontology, moral intuitions, suffering, P. Singer, I. Kant.

## Introduction

Utilitarianism is one of the most important aspects of current debate in moral philosophy and, more generally, in practical philosophy. It comes in a wide range of variants: act and rule utilitarianism, hedonistic and preference utilitarianism, average and total utilitarianism, etc. Nonetheless it is sufficient, for the purpose of this work, to refer to a minimal version that can be defined as follows: utilitarianism is a normative theory that prescribes as morally good those actions entailing, as their consequences, an increase in pleasure or well-being or happiness, and prohibits as morally bad those actions entailing, as their consequences, a decrease in pleasure or well-being or happiness (1, 2, 3).

The literature on utilitarianism is vast, as is the literature against it. Among the most compelling arguments against the so-called pig philosophy, we can cite the passage from F. Dostoevsky's *Brothers Karamazov*, according to which the innocent suffering of a single child cannot be justified even should it bring the whole world the greatest happiness; or the experience machine argument put forward by R. Nozick in *Anarchy, State, and Utopia*, namely that even if there existed an experience machine able to grant

us the experiences we most desire (writing a bestseller, becoming an Olympic 100 meters champion, and so on), the simulated reality produced by it, being false, would ultimately be worse than actual reality (4). Here I intend to develop a much more modest, and much more intuitive, thought experiment against the plausibility of utilitarianism.

## Stolen Cash

Let us imagine the situation of a wealthy man who goes to a cafe counter to pay for breakfast in the company of a friend, takes out his wallet and, distracted by the conversation, allows a five-euro bill to slip from his fingers and fall to the floor. Let us imagine that he does not notice – his wallet is always well stocked – and, indeed, that he will never notice that the banknote is missing. Let us then imagine that another person notices the banknote, and quickly picks it up off the floor.

The question is: how does utilitarianism evaluate this plausible situation? Since the wealthy man will not notice the loss of the banknote – the sum is negligible in relation to his overall wealth –, he will not suffer any negative consequences and his happiness will not diminish. Conversely, the man who took the

money will enjoy a slight increase in his happiness. It therefore follows that, for the utilitarian, this action, which essentially amounts to theft, is a good action.

From the perspective of common moral intuition, which is our immediate means of judging a situation or an action positively or negatively, this conclusion is surely repellent. How might the utilitarian respond to this? Before addressing this, let us first formalize my argument.

Premise 1: According to utilitarianism, the actions that maximize happiness are good.

Premise 2: Theft that goes unnoticed is an action that increases the happiness of the thief without decreasing that of the victim.

Premise 3: Unnoticed theft is a good action according to utilitarianism.

Premise 4: Theft in itself is intuitively a bad action regardless of the suffering it may cause.

Conclusion: Utilitarianism envisages at least some intuitively bad actions and is therefore an implausible normative theory.

## Two Objections of the Utilitarian

Based on these premises, the utilitarian could raise two possible objections. I) He could reject the second and third premises, arguing that unnoticed theft in fact, at the end of the day, leads to a minimization and not a maximization of happiness: in fact, were unnoticed theft to be perpetrated systematically, in the long run it would end up being noticed, causing the same effects as outright theft. If the thief in our thought experiment scenario continued to steal small sums from our wealthy man, the latter would probably end up noticing it and thus his happiness would diminish. To this, however, one can easily reply that the utilitarian would still have no reason to judge unnoticed theft as bad in itself, and that if our thief were particularly prudent, stealing only a few sums or small objects, he would be, for utilitarianism, a good and happy man.

II) The utilitarian could also reject the fourth premise and the conclusion, arguing that our moral intuition is wrong and consequently claiming that unnoticed theft is in fact a good action.

## Intuitions and Moral Intuitions

The utilitarian's last argument can be countered in various ways. It must certainly be conceded that intuitions, however widespread and generally accepted, can be erroneous. It is also true that philosophy is the rational mediation of thoughts, and therefore that intuition, being an immediate mental content, would appear to be incompatible with it. However, a distinction must be made: it is true that philosophy cannot consist of intuitions; a philosophy of intuitions would be a contradiction in terms. But it is wrong to think that philosophy should not, once it has developed its arguments, confront the intuitions that people normally have. After all, intuitions are an experimental ground for philosophy.

I say "experimental", but of course in this setting things are a little more complicated than in natural sciences. In laboratory experiments, facts have the last word. If a theory is not supported by facts, the theory must be revised or discarded. If my theory states that when I pronounce a certain formula, the light disappears, the air chills and objects begin to levitate, but facts disprove my theory, then I am forced either to revise or discard it.

Philosophy is another case altogether: there is a circular relationship between philosophical theories and the intuitions we commonly have. Our intuitions tend to be the starting point for philosophical investigation: a Christian, for example, starting from his religious faith, might try to elaborate a rational philosophy of religion that justifies that faith. If he succeeds, philosophy corroborates the intuition from which he started; if he does not succeed, he may decide to abandon his faith, or to try to develop a different philosophy of religion.

The same applies in the case of moral reasoning. Our intuitions immediately tell us what to do or not to do in a given situation, and it is on this basis that everyone acts in the overwhelming majority of situations in life: we do not push old people in the street because it seems wrong to us; we do not steal oranges from the market because it seems wrong to us. Kant himself argued that the task of the moral philosopher is not to discover what we should or should not do: we already know that, at least to some extent. The task of

the moral philosopher is not to subvert common moral intuitions, but rather to explain them (5).

Sometimes, though, some experience is at odds with our moral intuition, or we may be faced by two moral intuitions in mutual contradiction. Here, moral reasoning takes over, and tries, respectively, either to reconcile our intuition with our experience, or to clarify the contradiction between the two conflicting intuitions. To illustrate the first case, we might think, for example, of a Western tourist visiting a strictly Muslim country and feeling uncomfortable at the sight of veiled women. He might think that such treatment of women is unjust, because men and women should be treated equally. If he is unable to find any plausible objections to this view, then his intuition will be corroborated; if, on the other hand, he does come up with plausible objections, then his intuition will lose its immediate persuasive force; for example, our tourist might ultimately decide that different cultures have legitimately developed different forms of social relations and dress codes from those in the West.

The second case can be illustrated by the situation of someone who sees and is deeply disturbed by a documentary on intensive animal farming, and consequently feels caught in a dilemma between the permissibility of eating meat, something he might have always done and that seems absolutely normal to him, and a feeling of uneasiness over the cruel treatment of animals.

Returning to the thought experiment of the unnoticed theft, the question is whether we should give more weight to the obvious intuition that the action is bad, or whether we should instead accept the utilitarian's conclusion that the action is good when it is proven to be so, i.e., in certain circumstances. I would argue that the burden of proof falls squarely on the utilitarian, and frankly see no good reason why his normative theory should trump our absolutely reasonable intuition.

### **Deontology and the Moral Relevance of Suffering**

My thought experiment should, then, be an argument against the plausibility of utilitarianism, but also indirectly an argument in favor of the plausibility of deontology: with some form of deontology, we can

in fact very easily explain our intuition by asserting that unnoticed theft is wrong in itself, regardless of the suffering it may entail.

Here, however, we seem to be embarking on a dangerous slope. If, for deontology, suffering has no relevance in the moral evaluation of unnoticed theft, does that mean we can generalize and say that suffering has no moral relevance at all for deontology?

Let us consider the Kantian version of deontology. It prescribes that there are absolute duties, which can be summed up in the command always to treat humanity also as an end in itself, and never merely as a means. Deontology condemns our unnoticed theft because the thief is treating another man as a means to enrich himself. If, in accordance with Kant, we were to generalize, in the form of universal law, the maxim that led the thief to act, we would end up with a world in which theft is permissible as long as the victim does not notice it: not a particularly inviting world.

The utilitarian, at this point, may feel that the deontologist has contradicted himself: if the generalization of a maxim reveals its rightness or wrongness through the world that would hypothetically arise as a result, then deontology would seem to rest, ultimately, on evaluation of consequences. This idea is countered by a purely logical argument: a legal system in which unnoticed theft is lawful would be self-contradictory, because it would undermine the very peaceful civil coexistence that it is intended to guarantee and regulate. This logical self-contradiction also results in the pragmatic impossibility of wanting a world in which, according to our example, such theft can always occur (6).

The crux of deontology, at least in its Kantian version, is the notion that actions are right if and only if they are performed on the basis of duty alone. Even the fact of acting out of a feeling of benevolence makes the action itself, strictly speaking, immoral. This is highly intuitive: could a judge being sympathetic to, say, a murderer be considered just? Is it not more respectful of the murderer's dignity to treat him as a person fully responsible for his actions, without trying to relieve him of his responsibility because he had, say, a traumatic childhood or a bad divorce? On this basis Kant argued for the rightness of capital punishment (6).

If, then, suffering plays no role in the deontologist's moral assessments, what about animal rights, for example? In this regard, the utilitarian position boasts a high degree of plausibility: since animals suffer, they must be morally protected, and for example it can be argued that it is wrong to breed them for food. However, not all utilitarians are vegetarians, and some of them may object to vegetarianism, believing that if animals are bred following high standards, and if their killing is quick and painless, it would be permissible to eat them, because their total well-being outweighs the instantaneous suffering of their slaughter. If, on the other hand, we take a deontological stance, and if therefore animal suffering has no moral relevance, what good reason is there to treat animals well?

Common moral intuitions on this issue are ambiguous: for example, there is no universal agreement on the morality of killing of chickens for roasting or of drowning newborn kittens for the purpose of decreasing the feline population; although both are common practices, the latter is considered less morally acceptable.

Kant's argument against cruelty to animals rests on the fact that humans who show it are more likely to be cruel to humans as well (7). This is empirically debatable, but in principle acceptable, as it coincides with a concept taken from criminal psychology known as the "MacDonald triad": nocturnal enuresis, pyromania, and, indeed, zoosadism are suggested to be three alarm bells signaling a propensity to psychopathy in early childhood (8).

However, Kant's argument assigns no intrinsic moral value to animals, viewing them as mere means for human activity. Moreover, within Kant's deontology, animals cannot be granted rights because they are not moral agents, only moral patients, i.e., entities that can only undergo the actions of moral agents and, to a certain extent, respond to them. A dog, for example, will love (or hate) its human according to the way in which the latter relates to it; even a flower can maybe be considered a moral patient: does it not wilt if plucked?

The dichotomy between moral agents and moral patients perhaps offers us a clue as to how to resolve the problem. Deontology's fundamental rule can in fact be supplemented by something that it currently lacks. Its revised formulation would be: treat moral agents always

also as ends and never only as means, and take care of moral patients. What exactly this care should consist of can be debated, but certainly such a reformulation of deontology's golden rule has at least two advantages. First, it guarantees a measure of protection not only to animals but to virtually every living being, without resorting to the concept of suffering. Utilitarian ethics cannot assign intrinsic value to inanimate nature, whereas deontology can, and this is absolutely in line with our intuitions.

The second advantage is that this version of deontology guarantees protection without placing a man and an oyster, or a woman and a Sidney funnel-web spider (*atras robutus*) on the same level. Accusations of speciesism, i.e., of unfair discrimination that does not allow equal treatment of all animal species, or at least guarantees it only for the most neurologically developed ones, are frequent in current moral debate. Speciesism leaves me more than perplexed for at least one obvious reason: only humans, and maybe not even all humans, are moral agents, i.e., free, concerned with the meaning of their lives, and so on. This assertion seems evident enough to justify speciesism, at least in general terms, without of course legitimizing any form of cruelty to other living species.

All this suggests the rights that deontology ascribes to animals and to the rest of the living world should therefore be *sui generis* rights, whose specific difference from human rights should be defined.

### A Further Word on Suffering

It may be objected that denying any moral relevance of suffering seems entirely contrary to our intuitions, and that, conversely, it is generally held to be self-evident that inflicting suffering is in itself evil. However, if one thinks about it carefully, the issue is not so clear-cut, and in this case, we find that it is precisely intuition that is a little off the mark. There are two concomitant arguments for the moral irrelevance of suffering.

The first, even trivial, argument is that in some cases suffering is useful or even good: e.g., when a child is forced to do his homework, when a rapist is punished, when a coach urges an athlete to do another series of push-ups. Suffering is neither good nor bad in

itself, as even utilitarians recognize when they say that a little suffering today (I refrain from smoking a packet of Marlboros a day) can maximize happiness tomorrow (I reduce my chances of getting lung cancer). There are even cases in which someone requires physical suffering to be inflicted, as in sadomasochistic sex, or inflicts it on himself to feel pleasure, as in masochistic autoeroticism.

The second argument has already been developed, and it is the cornerstone of this work: a bad action that does not cause suffering remains a bad action nonetheless. We have already been through the example of unnoticed theft, to which we could add countless others. Is a man who cheats on his wife without her finding out doing a good thing? Can a boy who plucks all the lilies in a flowerbed in an abandoned backyard be said to have performed a good action, since he enjoys doing it, the lilies do not suffer, and no passer-by can feel sorry that those beautiful lilies are no longer there?

Suffering in itself is not morally relevant; it is only the violation of the rights or dignity of a moral agent or patient that is relevant. A psychopath may tie a victim to a chair and torture her with hot irons, while another psychopath may tie her up and keep her in a continuous state of sedation so that she feels nothing. Is the second psychopath better than the first, or significantly better than the first, because he makes the victim suffer less?

Pleasure and happiness are not morally good in themselves: it is common knowledge, after all, that – as Kant put it – making a man happy is quite different from making him good. Nor, conversely, is suffering morally bad in itself. Again, in Kant's words: "It is impossible to think of anything at all in the world, or indeed even beyond it, that could be taken to be good without limitation, except a GOOD WILL" (5).

## Two Concluding Arguments

To conclude, let us examine two more arguments against the plausibility of utilitarianism: the first could be called the "cognitive symmetry argument", while the second, once again, derives from a thought experiment.

Both arguments rest on a common premise. A normative theory, as Kant never tires of repeating, must be valid not only for human beings but also

for all rational beings in general, and must prescribe universal norms. The utilitarian would not disagree in principle with this point: he, too, tends to recognize the universality of moral prescriptions against any relativism. In the language of metaethics this is called "cognitivism": cognitivism holds that moral judgments convey genuine knowledge, and therefore are as true or false as factual judgments (9).

Here, however, we run into the first problem: that of cognitive symmetry. A judgment such as "killing an innocent person is wrong" is always true for the deontologist, but not always true for the utilitarian. For the deontologist it is true in itself, whereas for the utilitarian it is true only under certain conditions, as in the case of "killing an innocent person is wrong unless, on the whole, the consequences minimize overall suffering". The utilitarian therefore has to explain why there is no cognitive symmetry between factual judgments, true or false in themselves, and moral judgments, true or false depending on the circumstances. For deontology, on the other hand, there is cognitive symmetry between the two spheres of judgments.

Of course, the utilitarian might object, for instance, that it is not true that all factual judgments have the same cognitive status. He might point out, for instance, that the laws of classical mechanics consist of judgments that are true provided they are applied to certain levels of reality, whereas they are no longer true at the level of quantum physics. This is certainly correct, but the fact remains that deontology offers greater cognitive symmetry between factual and moral judgments, and this symmetry seems more plausible than utilitarianism's cognitive asymmetry.

The second concluding argument derives from a thought experiment. Let us imagine a society of rational beings completely incapable of experiencing feelings of any kind: say, a society of technologically refined computers with personalities, or a society of bizarre incorporeal aliens, or a society of angels. The utilitarian would have to admit that such beings fall outside the sphere of morality simply because they are incapable of feeling. Therefore, destroying a computer endowed with personality would be per se a morally indifferent action.

Here again, utilitarianism does not seem to lead to

a very plausible conclusion. On the contrary, it could be said that utilitarianism is a speciesist normative theory, in that it only takes into consideration life forms capable of feeling pleasure and pain, while it discriminates against life forms (albeit hypothetical ones) that are rational, certainly, but not sensitive.

## References

1. K. de Lazari-Radek, P. Singer, *Utilitarianism: A Very Short Introduction*, Oxford University Press, 2017.
2. P. Singer, *Practical Ethics*, Cambridge University Press, 1979.
3. L. Fonnesu, *Storia dell'etica contemporanea. Da Kant alla filosofia analitica*, Carocci, Rome, 2006.
4. R. Nozick, *Anarchy, State, and Utopia*. Basic Books, New York 1974.
5. I. Kant, *Groundwork of the Metaphysics of Morals*, edited by Jens Timmermann and Mary Gregor, Cambridge University Press, 2011, p. 15, 37.
6. V. Mathieu, *Introduzione*, in: I. Kant, *Fondazione della metafisica dei costumi*, edited by V. Mathieu, Rusconi, Milan, 1994.
7. I. Kant, *The Metaphysics of Morals*, translated by Marc Gregor, Cambridge University Press, 1991.
8. V. M. Mastronardi, R. De Luca, *I serial killer*, Newton, Rome 2009.
9. S. F. Magni, *Bioetica*, Carocci, Rome, 2011.

---

### Correspondence:

Andrea Loffi, Ph.D. in Philosophy  
University of Trento, Neurotheoretic Group, Pavia (Italy)  
Viale martiri della libertà 22, 27035, Mede (PV)  
E-mail: andrealoffi91@gmail.com