

"no harm" principle was used in the 1957 Wolfenden Report that led to the legalization in England of homosexual acts between consenting adults.

Mill was also opposed to censorship because of the human tendency to want to censure opinions that are at variance with those of the majority. He argued that censorship could lead to censoring truth, since humans are fallible and even the smartest of us can make mistakes in judgment. We may believe that something is false and should be censored, but be mistaken in our belief. In addition, we need to have our facts correct in order to make the best decision regarding the consequences of our actions. It is better that we have to filter out which information is false than to take a risk in censoring truth.

Like Bentham, Mill hoped that his ideas would be useful as guidelines for legislation and for the creation of a more tolerant society. Indeed, Mill's views on censorship continue to play a key role in the current debates over censorship of pornography and restrictions upon freedom of speech. For more on the application of utilitarian theory to issues in public policy, see pages 256–261.

Exercises

1. Mill said of his childhood: "I never was a boy; never played at cricket; it is better to let Nature have her way."²⁰ But if Nature had had her way, would he have become such an influential philosopher and social reformer? To what extent do parents have the right, or the moral obligation, to oversee and direct their children's lives if by doing so we can bring about greater utility or happiness for society? Support your argument.
2. Mill's distrust of state-run education is not without foundation. Studies have shown that public schooling, rather than counteracting superstition and tradition, actually reinforces prejudices such as racism and sexism and other attitudes associated with the status quo.²¹ One study concluded that public schools, rather than being the proverbial melting pot or "great equalizer," actually close off some children's futures by perpetuating existing social inequalities.²²
Reflecting back upon your own schooling and college education, how, if at all, has it served to limit the development of your talents and your pursuit of happiness as a member of society, as well as your moral development? Discuss how a utilitarian might restructure our current education system to make it more rational, progressive, and less society maintaining.
3. Mill assumed that people who have experienced both higher and lower pleasures will prefer the former. However, is this true? Poor-quality novels sell more copies than the literary classics, despite children's exposure to the classics in school. And soap operas are a lot more popular than documentaries on public television. Discuss examples from your own life where, despite exposure to both higher and lower pleasures, you still preferred the lower pleasures. How might Mill respond to this phenomenon?

- *4. Mill's reformulation of utilitarianism, like social Darwinism, has been used to morally justify a policy of cultural imperialism, where more educated Westerners could impose their pleasures and values on more "primitive cultures" under the guise of benefiting the people living in these cultures. Indeed, Mill himself was a supporter of British colonialism. Do you think this conclusion follows from the idea that the quality of some pleasures is greater than the quality of others? To what extent does this attitude lead to the neglect of the interests of certain groups of people in our own culture? Relate your answers to your community service work.

Mo Tzu: Utilitarianism as Universal Love

He should work to promote what is beneficial to the world, both directly and indirectly, and avoid what is of no benefit. Such is the way of the superior man.

—Mo Tzu, *Against Confucians*, Pt. I, Sect. 3926

Mo Tzu (c.470–391 B.C.E.), also known as Mo Ti, lived in China during the period of the "hundred philosophers" (the late sixth to the early third century B.C.E.). This remarkably fertile period in Eastern thought was paralleled by the golden age of Greek philosophy in the West. Mo Tzu was born about 470 B.C.E., the same year that Socrates was born and nine years after the death of Confucius.

Connections

According to Confucianism, what are our most important duties? See Chapter 10, pages 314–316.

Confucianism and Taoism were the prevailing philosophies at the time. Mo Tzu regarded Confucians as uptight, pretentious, and characterized by mindless devotion to meaningless rituals. Mo Tzu advocated utilitarianism as an alternative to what he regarded as the passivity of Confucianism and Taoism. In Confucianism, virtue is associated with honoring tradition. Taoism, which emphasizes letting go and allowing virtue to flow naturally out of the Tao (the way the universe operates), is even more passive than Confucianism. Mo Tzu was as committed to peace and harmony as Confucianists and Taoists, but he did not believe that harmony came about from the unfolding of the natural order of things (the Tao) or from following tradition.

Despite Mo Tzu's dislike of Confucianism, he accepted a version of the Confucian principle of *jen*, or love, as the overriding moral principle. However, unlike Confucius, Mo Tzu believed that this principle should be applied equally and universally to all people.

Like Western utilitarians, Mo Tzu viewed morality pragmatically. The good society could best be achieved by actively seeking and promoting the good of the many. Mo Tzu taught that hate is the primary cause of pain in the world; universal love (*jen*) is the source of happiness and what is beneficial.

Mo Tzu was convinced that the ways of the people could be changed with the proper leadership, by rulers who take delight in universal love and mutual benefit and strive to put these principles into practice. By using the standard of utility or universality, Mo Tzu believed, we can achieve a world of peace and harmony.

While Confucius emphasized filial loyalty, Mo Tzu argued that it is wrong to count the happiness of our family and friends as more important. According to Mo Tzu, we should give equal consideration to the happiness of all who will be affected by our actions, no matter what their social standing or relationship to us. Mo Tzu especially denounced the Chinese aristocrats' and feudal lords' luxurious lifestyles and wasteful spending on dances, elaborate funerals, and other rituals that added nothing to the material welfare of the nation or the common people. China's social order at that time was very hierarchical, so Mo Tzu's insistence on equality frequently met with ridicule.

Although Mo Tzu realized that people often act in harmful ways, he was also an optimist who believed that reform is possible. On a practical level, he argued, it is not enough to simply criticize people or practices; there is an element of chaos and selfishness in society and in humans that must first be overcome to achieve the good society. Therefore, he argued, we have a moral obligation to offer practical alternatives and to actively work for a better society. Any idea or principle that cannot be put into action is useless.

Now if we seek to benefit the world by taking universality as our standard, those with sharp ears and clear eyes will see and hear for others, those with sturdy limbs will work for others, and those with a knowledge of the Way will endeavor to teach others. . . . When all these benefits may be secured merely by taking universality as our standard, I cannot understand how the men of the world can hear about this doctrine of universality and still criticize it!²³

Mo Tzu, like his contemporary Socrates, had a reputation for being confrontational when trying to get his message across. He spent his life moving from feudal court to feudal court. During his travels, he would engage rulers and other people he met along the way in philosophical discussion, all the time trying to convince them to live by seeking the good of the many. This did not sit well with those who benefited from the hierarchical ethics of Confucianism.

Not surprisingly, Mo Tzu's philosophy of equality irritated those in power, who eventually refused to listen to him. Mo Tzu responded by founding his own school to train people for the public life. During his life, he was popular with the common people and had about three hundred followers or disciples. Mo Tzu died in 391 B.C.E., and the Moism school of philosophy died out soon after his death. However, Mo Tzu's philosophy continues to exert an influence on Chinese thought to this day.

Connections

Would a feminist care ethicist be more likely to agree with Mo Tzu or with Confucius regarding the special importance of family and friends? See Chapter 12, pages 398–399.

Exercises

- *1. What do you think Mo Tzu meant when he said that hate is the primary cause of harm in the world? Is universal love a realistic goal? Relate your answers to your community service work.

2. Mo Tzu emphasized the importance of actively working toward a better society rather than just talking about moral theory. Discuss a time when you were guilty of passivity regarding a social issue. How might you become a more active moral agent?
3. Confucius taught that our love should be strongest for our relatives and friends. Mo Tzu, in contrast, taught that universal love should not be partial or play favorites. Discuss these two competing concepts of moral obligation. Relate your answer to the concept of moral sensitivity in Chapter 3 as well as to Gilligan's care ethics. Support your answer using examples from your own life.

Utilitarianism and the Moral Community

[No] truth appears to me more evident, that beasts are endow'd with thought and reason as well as man.

—DAVID HUME, *A Treatise of Human Nature* (1730), p. 176

It is an implication of this principle of equality that our concern for others and our readiness to consider their interests ought not to depend on what they are or what abilities they possess.

—PETER SINGER, *Animal Liberation* (1990)

Utilitarian ethics calls into question the Western anthropocentric view of the moral community. Like most Eastern philosophies, utilitarianism extends the moral community to encompass all sentient beings. Because of their concern for equality, autonomy, and the happiness of all sentient beings, utilitarians have historically been in the forefront of movements for human equality and the welfare of nonhuman animals. Although in the last century we have come to accept (more or less) the ideal of human equality, the notion of equality among all sentient beings still seems absurd and counterintuitive to many Westerners. However, as utilitarian J. J. C. Smart notes, many of our "intuitive" moral concepts may be, in fact, nothing more than cultural norms or prejudices.²⁴

Australian utilitarian Peter Singer maintains that not to grant the same consideration to a nonhuman animal who has the same cognitive ability as a human is to engage in speciesism. Like racism and sexism, **speciesism** is a prejudice or bias against certain beings simply because of their membership in a particular group. Singer writes:

Racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favoring the interests of their own sex. Similarly speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case.²⁵

Our inclination to disregard the moral worth of other animals must be examined in light of the principle of utility and the ideal of equality rather than

our particular cultural prejudices. Once we do so, most utilitarians maintain, we will find that these prejudices cannot be rationally justified but are merely the outgrowth of ignorance and tradition.

Not long ago, the concept of human equality seemed equally foolish to many people—including most philosophers. Slavery was regarded as morally acceptable for many centuries. The inferiority of women was also long accepted. When Mary Wollstonecraft published her *Vindication of the Rights of Woman* in 1792, most people ridiculed her views. One critic, Thomas Taylor, wrote in response to her tract that, if equality should apply to women, then why should it not be applied also to dogs, cats, horses, and other “brutes”? Because this, he suggested, was patently absurd, it would be ludicrous to extend equal rights to women. Taylor’s response may seem ludicrous to us today, but at the time, it seemed to make good sense to most people.

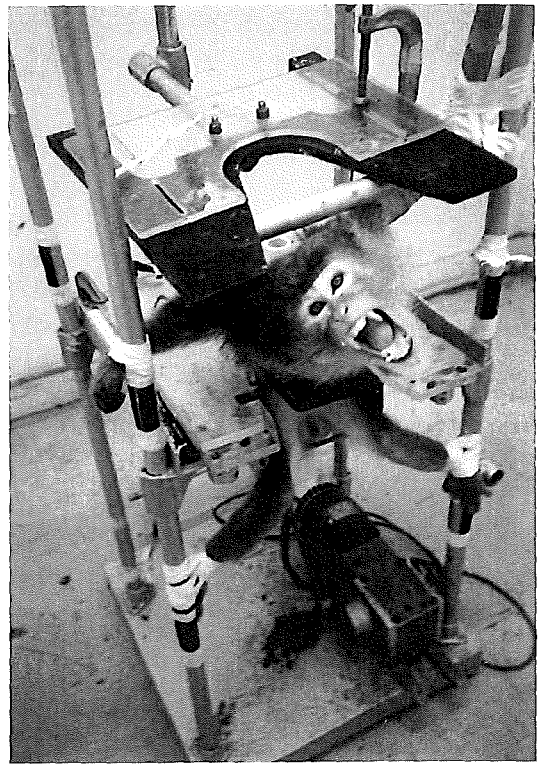
The inclusion of the pleasure and pain of other animals in our utilitarian calculations, however, does not entail that nonhumans must be treated the same as humans. This conclusion would be as absurd as Taylor’s argument that women should not be given the right to vote because, if so, the right to vote would have to be extended to all animals. Morally, there is no point in extending the right to vote or to attend public school to dogs and cats and horses because they have no interest in and would derive no pleasure from these activities. What gives a human pleasure and what gives a dog pleasure can be very different things. For example, a dog might get great pleasure out of agility training, but no pleasure out of a high school math class or great art. Children also have somewhat different preferences than adults. Similarly, it would be nonsensical to argue that, if women ought to be given free prenatal care, this right should also be extended to men. In other words, Taylor’s argument against granting equal rights to women, because the same rights would then have to be extended to all animals, is based on a mistaken concept of equality as sameness. Following is another excerpt from Singer’s *Animal Liberation*:

... concern for the well-being of children growing up in America would require that we teach them to read; concern for the well-beings of pigs may require no more than that we leave them with other pigs in a place where there is adequate food and room to run freely. But the basic element—the taking into account of the interests of the being, whatever those interests may be—must according to the principle of equality, be extended to all beings, black or white, masculine or feminine, human or nonhuman.²⁶

Although respecting the interests of other species does not entail treating them the same as humans, certain conclusions do follow if we accept the claim that the principle of utility should be extended to all sentient animals. For example, Singer concludes that, just as it is wrong for us to eat other humans, it is wrong to eat other animals because a vegetarian diet is equally nutritious for humans. He contends that it is particularly immoral to eat animals who are raised on farms where modern confinement techniques not only cause tremendous suffering to the animals but also frustrate their natural desires and instincts.

Connections

On what grounds do deontologists argue that nonhuman animals, unlike humans, lack intrinsic moral worth? See Chapter 10, pages 305–307.



In the 1980s, pictures such as this one of a primate restrained in a pain research experiment were brought to public attention by People for the Ethical Treatment of Animals.

Discussion Questions

1. Would it be morally preferable to use humans with severe cognitive deficits instead of healthy nonhuman primates in experiments like the one shown above? Support your answer.
2. Discuss whether you have a moral obligation to avoid, as much as possible, products that were developed using animal experimentation.

Connections

Do rights ethicists extend rights to nonhuman animals? See Chapter 11, pages 371–372.

Similarly, most medical experiments using sentient animals are immoral. Humans may benefit from this practice, but Singer argues that this does not in itself justify the suffering and death of an estimated 50–100 million laboratory animals worldwide every year.³¹ The use of animals in research has been on the decline since 1992, in part in response to protests but also because of the development of other techniques, such as computer simulation.

The use of nonhuman animals to benefit humans is often justified on the grounds that humans have a greater mental capacity. But not even Mill, who ranked human pleasure above the pleasures of other animals, would say that this alone justified the suffering of laboratory animals. If our concern is to benefit

humans, then it could even be argued that it would be preferable to use brain-damaged humans rather than nonhuman animals because the results would be more accurate. Indeed, the use of certain "nonproductive" groups of humans, such as elderly people and children who are mentally retarded, has been justified by some researchers on utilitarian grounds.

Whenever experimenters claim that their experiments are important enough to justify the use of animals, we should ask them whether they would be prepared to use a brain-damaged human being at a similar mental level to the animals they are planning to use.

—PETER SINGER, *Animal Liberation* (1990), pp. 82–83

Although Singer argues for the inclusion of sentient nonhuman animals in our moral community, he cautions us not to interpret this as implying that all lives have equal worth. Like Mill, Singer believes that certain qualities, such as self-awareness and the capacity for abstract thought, are higher pleasures and should be given greater consideration. This, however, does not justify speciesism; nor does it justify the degradation of humans who lack these capabilities because sentience, or the capacity for pain and pleasure, is still the foundational criterion for inclusion in the moral community.

The principle of utility demands that we do not take refuge in religious and cultural traditions but instead examine our actions and decisions in light of the actual consequences. This entails overcoming our ignorance regarding the extent to which our lifestyle is built upon the suffering of other people or animals and the destruction of the environment. We also need to ask if economic progress contributes to greater happiness for society in general. Does economic progress lead to greater happiness for society in general? Or does it increase the happiness of the few at the expense of the many—including the millions of other species that share this planet with humans? Utilitarian theory also requires that we consider both the short-term and long-term consequences of our actions on the environment, not only for humans but for all sentient beings.

Exercises

1. Adam Smith in 1776 (see pages 212–213) argued that laissez-faire capitalism is the best way of promoting the public good and interests of everyone in society. Do you agree? Is capitalism consistent with the utilitarian view of the moral community? Support your answers.
2. Critically analyze Singer's claim that most humans are speciesists. If you are a speciesist, on what grounds do you morally justify it?

3. Although we no longer capture and put humans from other cultures on display, it is still considered morally acceptable to place nonhuman animals in zoos for educational purposes. Can this practice be morally justified?
 4. While many, if not most, Americans think it's wrong to cause pain to other animals, over 95 percent of Americans, according to a 2012 National Harris Poll, are meat-eaters.²⁷ Does a lack of malicious intent morally justify actions that indirectly harm other animals? Support your answers.
 5. How does your lifestyle contribute to the suffering of other human and non-human sentient beings, as well as global warming and the destruction of the environment? Discuss steps you could take to make your lifestyle more in accord with the requirements of the principle of utility.
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The Principle of Utility in Public Policy

Utilitarianism is particularly useful in the formulation of public policy. Utilitarian theory is also used by colleges to develop policies around issues like AIDS testing, free speech zones, and the distribution of goods such as scholarships. In this section we'll look briefly at three public policy issues in light of the principle of utility: voluntary euthanasia, military conscription, and taxing fattening, non-nutritious food.

Euthanasia: Is Death Always a Harm?

One of the issues currently facing us is the formulation of a social policy regarding the moral permissibility of actively bringing about one's own death or that of another sentient being.

Planned death is a rational system that honors self-determination and extracts from a purposeful, unavoidable death the maximum benefit for the subject, the subject's next of kin, and for all of humanity.

—JACK KEVORKIAN, "Medicide: The Goodness of Planned Death,"

Free Inquiry (Fall 1991), p. 15

Many people regard it as morally acceptable, and perhaps even obligatory, to euthanize an animal companion that is old and in pain; yet some of the same people think that it is wrong to do the same for their ailing parents or grandparents. They may support this discrepancy by arguing that the killing of a nonhuman animal—as long as it is done in a quick and painless manner—is not as immoral as killing a human. Religious ethicists also argue that the taking of human life, which is created in the divine image, is a sin against God.