Jaysen Bass

Professor Oldfield

Philosophy of the Person II

24 February 2022

Utilitarianism and Torture

 Torture of people is an act that is typically considered immoral and unjust, regardless of the circumstances surrounding it. Torture is dehumanizing in the ways it inflicts extreme pain and suffering on an individual, whether that be physical or mental. It restricts someone from acting on their own volition, as well as subjecting them to harm far greater than they could ever naturally come across, sans specific and improbable calamities. Additionally, it is typically an exceedingly ineffective means of obtaining information, and even if successful there is the likelihood that what was extracted is false and misleading. Therefore, it is hard to believe that either Bentham or Mill as utilitarians would view this as a necessary and just way of operating. I agree with the proposed stances from Bentham and Mill and disapprove of the use of torture in this situation. I will explain the views of each philosopher and detail why they would conclude disapproval. For all intents and purposes, I will refer to the torturers as the United States.

 First, I will explain the views of Mill and the relation of his rule utilitarianism to the situation at hand. The rule itself has a duality. On one hand, breaking the established norms that ban torture would turn into a slippery slope and the lines of what is deemed torturable may become blurred and justifications may dwindle. The United States reputation as a world leader would also be diminished. On the other hand, enacting torture could dissuade future terroristic acts and assert the suppressive power of the United Sates. It could be perceived as an act of patriotism and a sign of extreme regard for the American people and their well-being. Mill would view the rule under the lens of the former. He states in *Utilitarianism,* "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are a different opinion, it is because they only know their own side of the question.” Mill would deem it animalistic to commit such heinous acts of violence upon a family who has done nothing wrong and who may not have any knowledge on the situation at all. There is no reason to do this to an innocent family with potentially no knowledge of the terrorist’s activities. He would argue that if they could be tortured, then who else would be tortured in the future under those loose relations to the criminal. That uncertainty would become unsettling for anyone in the country, let alone others around the world. On a more base level, the harm done to the family is not justified by the infinitesimally small chance of receiving any information, nor does it outweigh the harm done to society as a whole. There is no guarantee the terrorist will be successful in taking any, or many, lives, and Mill might view their sacrifice as a way to preserve the morals and image of the country. The topic of community and who exactly is involved here does not apply in the same way as it does with Bentham. It is the moral obligation of the country to be transparent about a potential attack and their methods for trying to mitigate the damage caused, whether it be torture or anything less severe. If we cannot rely on the country to be transparent with its citizens, then how can we rely on them to have our best interests at heart.

Next, I will explain the views of Bentham as they relate to this situation. It is key to discuss the situation with one of Bentham’s terms, community. The people affected by this is up for debate. If this were somehow an event of torture held behind closed doors, only ever being known to the family themselves, the terrorist, and the torturers, then Bentham may agree with using torture as a means to save lives. Only the family members would be hurt by the torture and thus the extent of lives saved would be too great. Here lies a difference in comparison to Mill as he would view keeping this a secret from society at large a beneficial endeavor. Conversely, if the torture were made into something public, the negative sentiments towards the United States would outweigh the benefits to the lives saved, creating far more potential and future problems than the lives lost in the event itself. Furthermore, if the country attempted to lie and word got out, then the amount of distrust between citizens and governing officials would be immense and irreconcilable.

I will now use Bentham’s criteria for scaling the values of pleasure and pain. The intensity of the situation is abundantly severe for the family involved, and almost non-existent for the torturers. Its duration is uncertain; however, it is probable that it would be drawn out over a relatively long period of time assuming the family does not have knowledge. The degree of certainty is miniscule. As previously stated, torture is typically an ineffective means of gaining information and there is no reason to believe the family knows anything at all, so one cannot reasonably expect to ascertain any beneficial information. The distance is also questionable as the family may just say whatever they have to very quickly, regardless of the validity of their statements. The purity and the extent can also be debated from the previous statements on what the community involved is defined as. If it is just the people involved directly in the act, then the purity would be high, and chances of feelings of pain would remain nearly nonexistent as a result of the act. Regret by the torturers could be possible but if they were willing to commit the act in the first place, then they likely would not feel adverse feelings after. If the act is not limited to people directly involved, then the purity would be low, causing future consequences for everyone in the country as a direct result of the actions of a few. The extent would be massive as a world leader’s decisions have implications for people across the globe.

Personally, I find torture to be a detestable act and view it as something that is inherently evil. To be comfortable with doing such heinous things to someone is beyond my realm of moral understanding. I found it increasingly difficult to find justifications for the torture, and when I could, I could not bring myself to agree with them nor accept them. I agree with Mill in the sense that the destruction of the precedent would be immeasurably harmful. Bentham’s view is more debatable, but the amount of uncertainty would lead to taking the side of caution. Terrorism is not a concretely defined term, as you could consider the U.S. government terrorists if you look from the perspective of different people. Thus, torturing an innocent family with so much uncertainty regarding the outcome, and even the basis, of the case would be to no avail. You are essentially killing a family, or at the very least, ruining their human experience for an act that is unjust and ineffective.